

City Council Staff Report

Date:

3/6/2024

Applicant:

Mapleton City

Location:

Residential Zones

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

No

Attachments:

1. Draft ordinances.
2. PC minutes.

REQUEST

Consideration of a discussion item to review a possible ordinance allowing flag lots within the City.

BACKGROUND & DESCRIPTION

In most residential zones, Mapleton City Code (MCC) requires a minimum amount of frontage on a City street for each lot. The frontage varies by zone, but ranges from 70 feet in the highest density zone to 250 feet in the lowest density zone. There are many situations where an existing parcel has sufficient acreage for more than one lot, but does not have sufficient frontage. The options are to either to not develop, or to construct a new City street, often ending in a dead end, to create the frontage required for the additional lot.

Long term road and utility maintenance are significant long-term liabilities for the City. State funds that the City receives are insufficient to cover annual maintenance costs. The City has adopted a Road Utility Fee (RUF) that is charged on a monthly basis to each property to help fund road maintenance. But even with the RUF, the City often has to supplement its annual road maintenance with other funds. In addition to maintenance costs, the City is also responsible for snow plowing during the winter.

Staff is proposing to create an ordinance that would allow for flag lots (lots shaped like a flag with the narrow flagpole acting as the connection to the public street) in limited situations. The proposed ordinance would help avoid the need for property owners to construct expensive public road and utility improvements that only service one lot just to satisfy the frontage requirement for the new lot. More importantly for the City, the ordinance would also help avoid the need for the City to spend limited government funds to maintain and service the improvements in perpetuity, which would have very little community benefit.

The purpose of this item is for the Council to discuss whether it supports moving forward with a public hearing to consider formal adoption of the draft ordinance. No formal action will be taken at this meeting.

Below is a summary of some of the primary proposed requirements followed by a brief staff response:

- *The subdivision consists of no more than two lots and there is not sufficient frontage for both lots. One of the lots must comply with the standard frontage. No remnant acreage can remain that would allow additional flag lots in the future.*

Response: The proposed ordinance is not meant to allow developers to squeeze in extra lots in new developments. It is meant to allow no more than one additional lot when the alternative would be to construct a costly City street that would only service the new lot.

- *The parcel being subdivided is not part of a platted subdivision.*

Response: This requirement is meant to avoid impacting existing subdivision neighborhoods. A similar requirement exists for the approval of TDR-Receiving site overlays.

- *The flagpole portion of the lot must be at least 25' in width, and access must meet fire safety standards.*

Response: The minimum width is meant to allow for an adequate access driveway that meets fire safety standards.

- *The Transportation Master Plan does not identify any future streets through the property.*

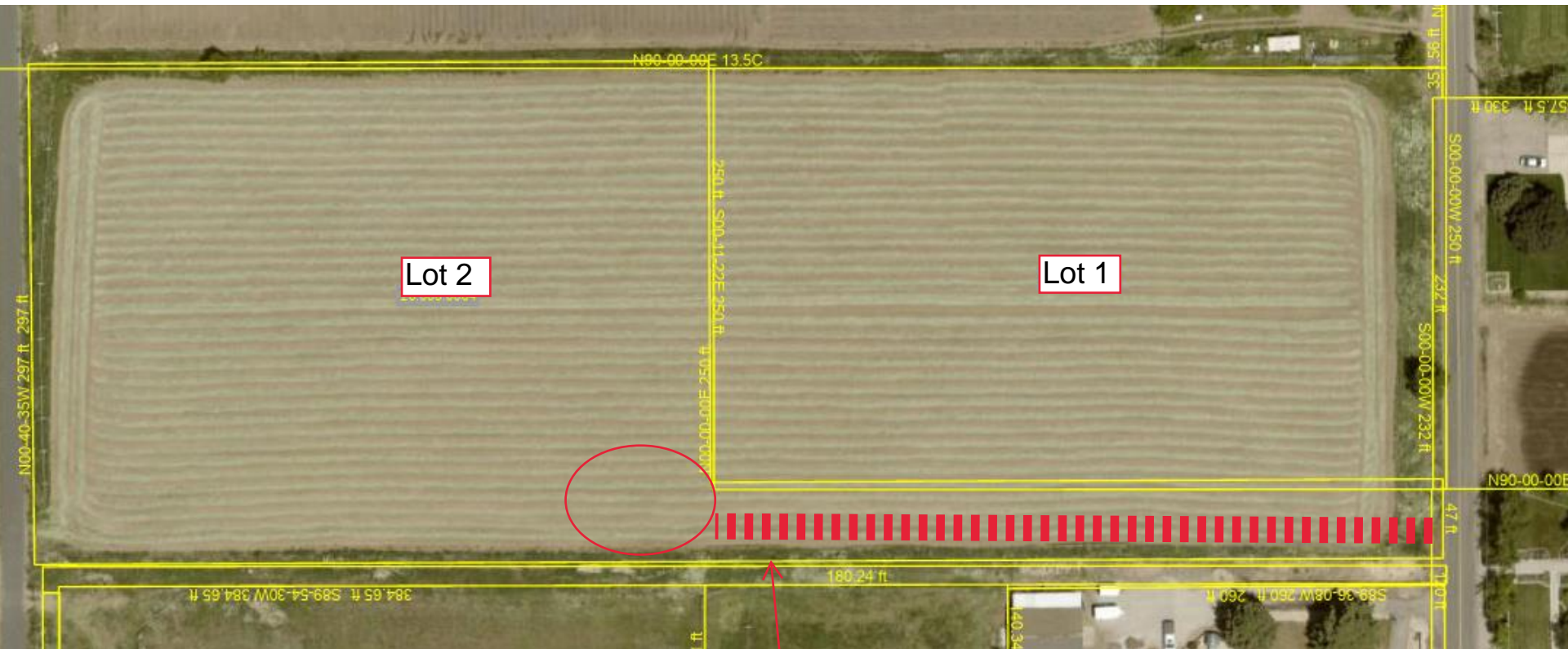
Response: A flag lot will not be allowed if a public street is needed to provide access to adjacent parcels, or for the circulation system of the City.

Staff has included an example of how flag lots could be developed to limit unnecessary road development in attachment "2".

RECOMMENDATION

Provide direction on the proposed ordinance.

Current Requirement – Construct City Road



Applicant constructs public road including cul-de-sac and main line utilities to full City standards. City then must maintain road and utilities and plow the road in the winter.

Proposed Requirement – Allowed Flag Lot



Applicant constructs private driveway and utility laterals and has more flexibility with emergency vehicle turnaround. City is not responsible for any maintenance or snow plowing.

Attachment "1"

Proposed Flag Lot Ordinance

18.26.040: Flag lots

A. The intent of this section is to create limited exceptions to the standard frontage requirements to avoid the creation of unnecessary City streets, to reduce development costs to property owners and long-term maintenance costs and liabilities to the City.

B. For the purpose of this section a flag lot is defined as a lot configuration characterized by its elongated shape and access via a narrow strip or "flagpole" that extends from the main road to the main portion of the lot. The main portion of the lot is typically situated at the rear of the property, away from the road, and is often larger in size compared to the width of the access strip. The access strip resembles the shape of a flagpole, hence the name "flag lot."

C. For subdivisions of no more than two (2) lots, a flag lot may be approved by the Development Review Committee (DRC) if the following standards are met:

1. The parcel being subdivided is not part of a platted subdivision as recorded with the Utah County Recorder.
2. There is not sufficient frontage for both lots to comply with the minimum lot frontage requirement of the zone in which the property is located. However, one lot must comply with the minimum frontage requirement.
3. The narrow strip of land, or flagpole connecting the main portion of a flag lot to the street may be in the form of fee simple ownership or an access and utility easement. The flagpole shall not less than twenty five (25) feet wide at any point and shall provide a hard surface access driveway and emergency vehicle turnaround as required by the Fire Marshall.
4. For the purpose of complying with the minimum lot size requirement of the zone in which the subdivision is located, the flagpole portion shall be deducted from the lot area of the lot on which it is located.
5. The portion of the flagpole that is not occupied by the driveway shall be landscaped in accordance with section 18.90 of this title.

6. As part of the subdivision, all improvements as required by Title 17 of this code shall be required along the frontage of both lots.
7. The subdivision shall not leave any remnant acreage or allow for any additional flag lots in the future.
8. The Transportation Master Plan does not identify any future roadways through the property that would be necessary to provide access to adjacent parcels and/or to facilitate a reasonable circulation system.
9. The front setback of the flag lot shall be the lot line that abuts the rear lot line of the lot that meets the normal frontage requirement on the public street.
10. All addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders.
11. Accessory buildings shall not be allowed within the flagpole portion of the lot.



PLANNING COMMISSION MINUTES

February 22, 2024

PRESIDING AND CONDUCTING: Sharee Killpack

Commissioners in Attendance: Lewis Nuttall
TJ Uriona

Staff in Attendance: Sean Conroy, Community Development Director

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 – January 25, 2024.

Motion: Commissioner Uriona moved to approve the Planning Commission Meeting Minutes for January 25, 2024.

Second: Commissioner Nuttall

Vote: Unanimous

Item 2. Consideration of a Preliminary Plat for the Harmony Ridge Plat "B" subdivision consisting of 123 units located at approximately 5000 South 750 West in the PD-3 Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The city approved the zoning back in 2012 for this development. The applicant is now moving forward with Plat B, which consists of 100 condominiums and 23 townhomes. Renderings of the park and residential units were part of the Staff Report this evening. The project is consistent with the Zoning and General Plan, so staff recommends approval of the Preliminary Plat.

Brandon Watson, representing Edge Homes, stated that they are excited to get moving on this project. The park, with all the amenities, is something they hope to get underway as soon as possible. Phase 1 is currently underway, with the hopes of having asphalt poured as soon as the weather permits.

Motion: Commissioner Nuttall moved to approve the Preliminary Plat for the Harmony Ridge Plat "B" subdivision consisting of 123 units located at approximately 5000 south 750 West in the PD-3 Zone with the condition that all the Development Review Committee (DRC) comments be addressed prior

attendance. This item primarily came about after the discussion that took place when Quick Quack Carwash was proposed regarding noise mitigation. Moving forward there may be more noise concerns as commercial projects are proposed in areas with residential homes next to them. Staff felt that a six-foot fence should be required in these areas, with the possibility to raise it to an eight-foot fence when additional noise mitigation measures are needed. **Commissioner Nuttall** felt there was a lot of excellent work put in to this ordinance amendment. **Commissioner Uriona** asked about larger estate lots, and if they could be left in their natural vegetative state. Sean stated that the front yards would be required to be landscaped.

Chairman Killpack opened the Public Hearing. No comments were given, and the Public Hearing was closed.

Motion: Commissioner Nuttall moved to recommend approval to the City Council of an ordinance amending Mapleton City Code section 18.90 regarding landscaping and buffering requirements in commercial and residential zones.

Second: Commissioner Killpack

Vote: Unanimous

Item 5. Consideration of an ordinance establishing criteria for flag lots.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. Most residential zones have a requirement for a minimum lot size, along with street frontage requirements. When new developments are built, the proper infrastructure is required to meet the needs of these developments. Staff have been thinking about a better way to address some of the smaller developments where flag lots would make more sense than requiring a public street to be installed for the use of one lot. Some stipulations would be put in place that would limit the allowance of a flag lot to subdivisions of 2 lots or less that do not have adequate frontage and would otherwise be required to construct a new road to get frontage. The parcel could not be part of an existing subdivision. Emergency vehicle access and turnaround would still need to be provided. These types of lots would not be allowed if the Transportation Plan shows a future street or if a road is needed to provide access to adjacent parcels. This amendment is only to avoid constructing new roads where they would otherwise not be needed. An example of a possible acceptable flag lot was part of the Staff Report this evening.

Chairman Killpack opened the Public Hearing. **Brad Johnson** felt his lot would be more appealing with the more small-town rural feel. Chairman Killpack felt this ordinance was a long time coming. **Justin Sorensen** wanted to express his support of this ordinance. Sean felt this would help mitigate the dead-end streets that are not needed within the city. No additional comments were given, and the Public Hearing was closed.

Commissioner Uriona asked if the city had any idea how many lots in the city could be developed under this proposed ordinance. Sean stated that he would estimate around 40-45 lots. There may be fewer once the proposed standards are applied. This ordinance would require the applicant to complete the required improvements along the current street frontage where the flag lot would have access. Commissioner Uriona asked how they would determine the front yard setback. Sean stated that it would be 30 feet from the side

142 where the front parcel's home was located.

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144 **Motion:** Commissioner Nuttall moved to recommend approval to the City Council of
145 an ordinance establishing criteria for flag lots.

146 **Second:** Commissioner Uriona

147 **Vote:** Unanimous

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149 **Item 6. Adjourn.**

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April Houser, Executive Secretary

Date