

Mapleton City Planning Commission Staff Report

Meeting Date: June 26, 2014

Applicant: Larry & Jennifer Stallings

Location: 510 N 2000 E

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: No

Zone: A-2

Item: 4

REQUEST

A discussion item to discuss potential improvements required as part of the platting of a building lot located in the Agricultural-Residential (A-2) Zone.

BACKGROUND AND PROJECT DESCRIPTION

The subject property is 1.89 acres in size and is located in the A-2 Zone at 510 North and 2000 East. 2000 East is a narrow dead end country road that does not have curb, gutter or sidewalk. The property includes a single-family residence and two accessory buildings. While the A-2 Zone currently requires two acres per residential unit, because the subject lot had been created prior to the A-2 standards, it is considered a legal nonconforming lot of record. As a legal nonconforming lot, the existing residence can be maintained, repaired and expanded. However, if the residence is intentionally demolished in order to construct a new residence, the lot would need to comply with the platting requirements of Mapleton City Code Chapter 18.84.390.

The existing residence is very old and in poor condition. The applicant is trying to sell the property and most prospective buyers have been interested in demolishing the existing residence. The purpose of this discussion item is to receive direction from the Planning Commission with regards to some of the requirements of MCC Chapter 18.84.390.

EVALUATION

Required Improvements: MCC Chapter 18.84.390 indicates that no building permit for construction of a dwelling shall be issued unless the lot is serviced by a culinary water line, a pressurized irrigation line, a sewer line and a hard surfaced road with curb, gutter and sidewalk. With regards to the curb, gutter and sidewalk requirement, MCC Chapter 18.84.390.F.1 states the following:

“An applicant may petition the planning commission to waive the requirement for curb, gutter, and/or sidewalks. However, the planning commission may only waive or modify the requirements if it is determined to more effectively achieve the policies, goals, and objectives of Mapleton City. The modifications shall be consistent with appropriate engineering measures to protect public safety.”

The applicant is requesting that the Commission waive the requirement for the installation of curb, gutter and sidewalk at this location. Staff notes that this item is a discussion item only, so any direction the Commission gives should not be construed as a final action.

General Plan: The Mapleton City Vision Statement begins with the comment: *“We are a unique community retaining a peaceful, country atmosphere through rural master planning.”* The General Plan includes several references to maintaining a country, rural atmosphere. Street design can play a significant role in the character of a community. Requiring excessively wide streets with a formal curb and gutter, particularly for larger lot developments (1 acre or more), can detract from the rural atmosphere and create a more suburban appearance.

Policy E of the General Plan states, “*Retain rural features by way of open area, **alternatives to curb, gutter, and sidewalk**, planting strips, rail or log fences, trees, shrubs, etc.*” (emphasis added). Staff could support not requiring curb, gutter and sidewalk for this property for the following reasons:

- Property is over an acre in size and located on a rural country road.
- There are several homes already constructed on this road and installing curb, gutter and sidewalk along the entire street is unlikely in the future.
- Allowing the road to be maintained in its current design contributes to a rural, country feel as encouraged in the General Plan.

STAFF RECOMMENDATION

Provide direction to the applicant.

ATTACHMENTS

1. Application Materials.
2. MCC Chapter 18.84.390.



Property Location

2000 EAST

Looking North on 2000 East



Subject Lot



18.84.390: MINIMUM LEVEL OF IMPROVEMENTS TO BE INSTALLED BEFORE BUILDING PERMITS MAY BE ISSUED:

No building permit for the construction of a dwelling or other structure intended for human occupancy shall be issued unless and until the lot is served by the following minimum level of improvements:

- A. A culinary water main and pressurized irrigation, which conform to city standards and extends to and across the lot. (See [title 13, chapter 13.20](#) of this code for requirements regarding the extension of water lines to unserved lots.)
- B. A water service line and a pressurized irrigation line including the service tap, pipe and meter housing and assembly, constructed in accordance with city standards.
- C. A hard surfaced access road (city street) having a right of way width which conforms to the minimum city standard and extends to and across the lot (see [title 13, chapter 13.20](#) of this code for requirements regarding the extension of city streets to unserved lots). In the case of a road which is part of an approved subdivision plat or road extension, a building permit may be issued with only the subbase and gravel base installed, provided that the city holds a performance guarantee for the completion of the road improvements. Paving will be required from the existing edge of pavement to any required or existing curb and gutter.
- D. A sewer main, which conforms to city standards and extends to and across the lot. (See [title 13, chapter 13.20](#) of this code for requirements regarding the extension of sewer lines to unserved lots.)
- E. A permanent sewer service line constructed according to city standards.
- F. Curb, gutter and sidewalk as determined necessary by the city engineer.
 - 1. An applicant may petition the planning commission to waive the requirement for curb, gutter, and/or sidewalks. However, the planning commission may only waive or modify the requirements if it is determined to more effectively achieve the policies, goals, and objectives of Mapleton City. The modifications shall be consistent with appropriate engineering measures to protect public safety.
- G. A plat map has been recorded with the Utah County recorder