

City Council Staff Report

Date:

11/6/2024

Applicant:

Cory Andersen

Location:

780 S Main St

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Attachments:

1. Application information.

REQUEST

Consideration of an Ordinance to rezone a 3.1 acre parcel located at 780 S Main Street from A-2 to RA-1 with a Transferable Development Right Receiving Site Overlay (TDR-R).

BACKGROUND & DESCRIPTION

The subject property is approximately 3.1 acres in size and is located on the corner of 800 South and Main Street. The property is developed with a single-family dwelling. The property has frontage on Main Street and there is a dirt farm road on the west side that will eventually become an extension of 800 South.

The applicant is proposing the following:

- Rezone the property from A-2 to RA-1 with a TDR-R overlay;
- The existing home would be left on a one-acre parcel;
- Approximately .8 of an acre would be combined with lot 5 of the Thatchill subdivision increasing its size from .85 to 1.66 acres;
- Approximately ½ an acre would be combined with lot 6 of the Thatchill subdivision expanding its size from .56 to approximately 1.06 acres; and
- Dedication of approximately .74 of an acre to the City for the future road right-of-way.

The applicant is requesting a TDR-R in case in the future they would like to create two new lots.

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 plan.*
- 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 “*Low Density Residential*”. This designation corresponds to the RA-1 zone and allows for one acre lots, or half acre lots with TDRs. All of the abutting properties have the same Low Density designation. The applicant’s request is consistent with the General Plan.

Zoning: The TDR ordinance indicates that properties in the RA-1 zone are eligible to become a TDR-R. Several neighboring subdivisions have already been approved as TDR receiving sites including Thatchill, Diamond Back, Copperhead, Silver Leaf Cove and Maple Leaf Cove with lots approximately ½ acre in size. The rezone request is consistent with the development pattern of the area.

Subdivision: The applicant is requesting to do a lot line adjustments with two existing lots in the Thatchill subdivision and leave the existing dwelling on a one acre lot. Lot line adjustments are typically exempt for subdivision requirements like installing roadway and other utility improvements. However, if and when the applicant does propose to subdivide the property and create two additional lots, the normal subdivision requirements would apply. Staff has also added a special condition that if/when the property is further subdivided, that the roadway improvements would be extended to Main Street.

RECOMMENDATION

Adopt the Ordinance to rezone the property to RA-1, TDR-R with the following condition:

1. If after combining the rear portion of the parcel with lots 5 and 6 of the Thatchill subdivision, that a subdivision application is proposed to create two new lots, the subdivider shall be responsible to extend the roadway improvements (curb, gutter, sidewalk, road and utilities) to connect with Main Street.

ORDINANCE NO. 2024-

AN ORDINANCE TO REZONE A 3.1 ACRE PARCEL LOCATED AT 780 S MAIN STREET FROM A-2 TO RA-1 WITH A TRANSFERABLE DEVELOPMENT RIGHT RECEIVING SITE OVERLAY (TDR-R).

WHEREAS, the subject property is currently zoned A-2; and

WHEREAS, the General Plan designates the property as “Low Density Residential”; and

WHEREAS, the TDR ordinance indicates that that RA-1 zone is eligible to become a TDR-R; and

WHEREAS, several neighboring properties have been approved as TDR-Receiving sites in the RA-1 zone;

WHEREAS, the Planning Commission recommended approval of this application on September 26, 2024.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone approximately 3.1 acres of property from A-2 to RA-1, TDR-R as described in exhibit “A” with the condition described in the City Council Staff Report dated 10/2/2024.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH,
This 6th Day of November, 2024.

Dallas Hakes
Mayor

ATTEST:

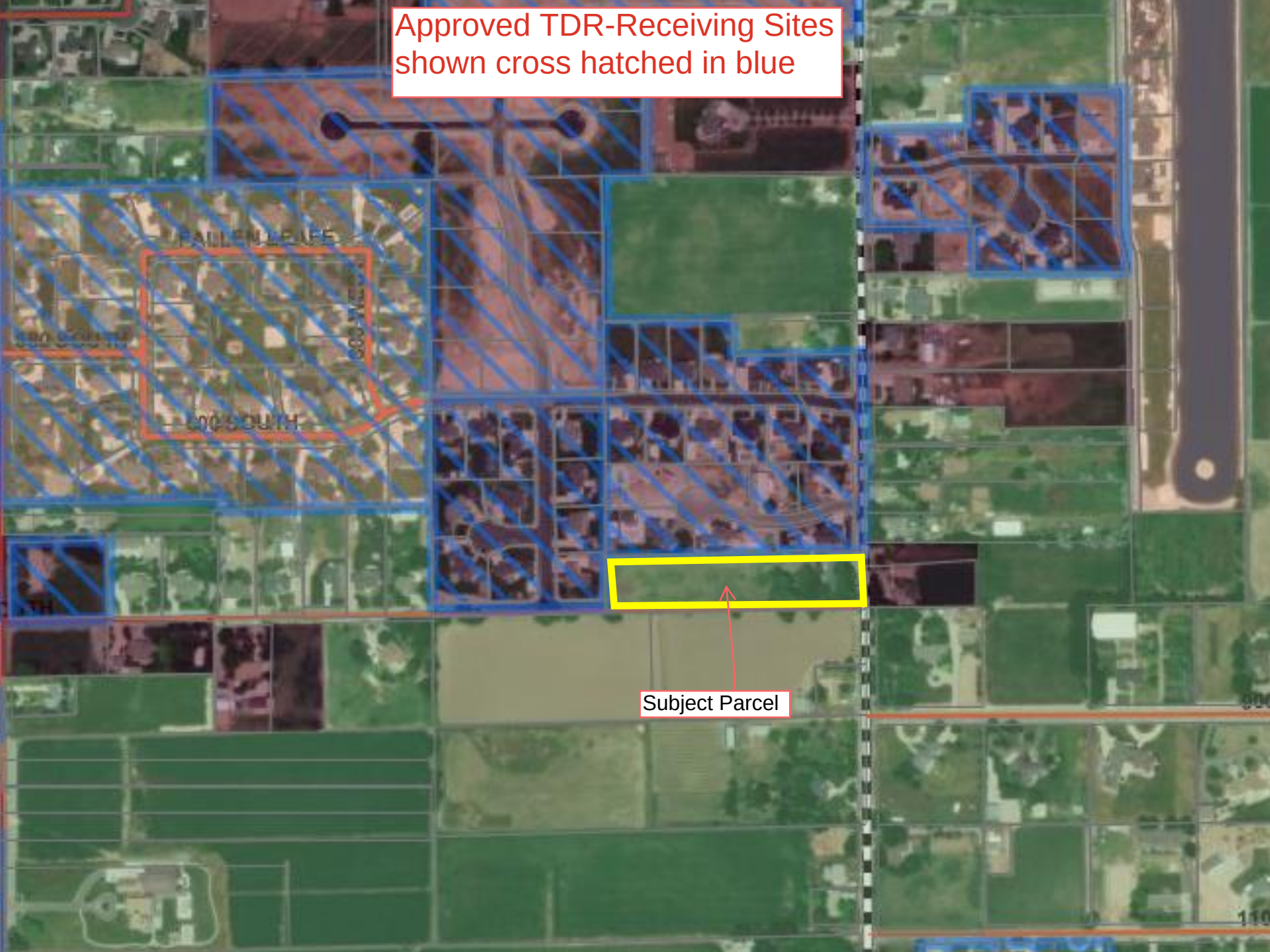
Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"
Area of Rezone to RA-1, TDR-R



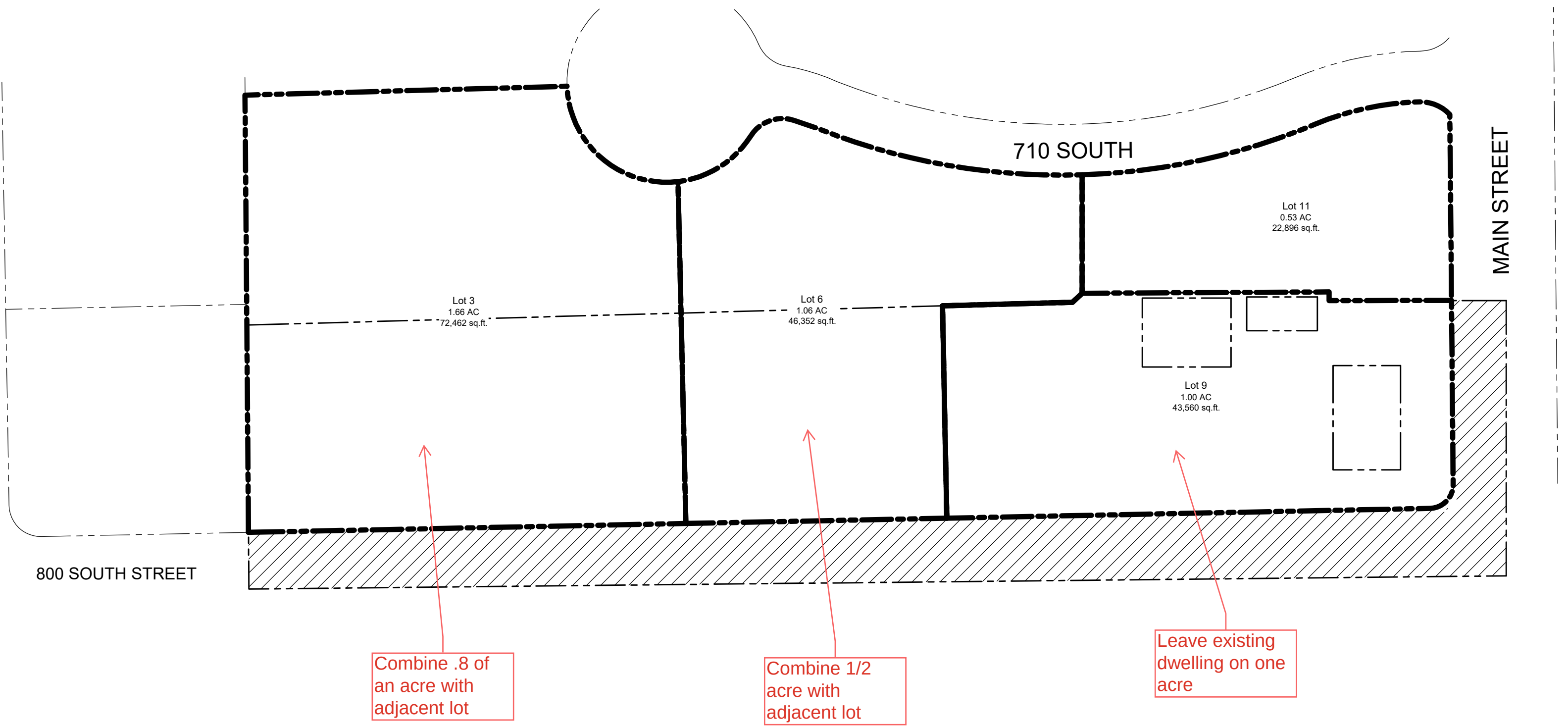
780 S Main St
Subject Property - Rezone
From A-2 to RA-1, TDR-R

Approved TDR-Receiving Sites
shown cross hatched in blue



Subject Parcel

Proposed Lot Line Adjustments





Lot 3

Lot 2

Lot 1

53:592:0004

53:592:0003

53:592:0002

53:592:0001

53:592:0008

53:592:0005

53:592:0006

53:592:0007

27:003:01

27:004:0061

27:005:0050