

## ZONING ADMINISTRATOR AGENDA

Notice is hereby given that the Draper City Zoning Administrator will hold a public meeting on **Wednesday, March 30, 2016** at 4:00 p.m., in the Administration Conference Room located on the main floor in City Hall, at 1020 East Pioneer Road.

The Agenda will be as follows:

1. **Public Hearing:** At the request of Ron Crapo for approval of a 2-Lot Subdivision in the RA2 (Residential Single Family) zone on 1.21 acres located at about 12601 S. Relation Street. This application is otherwise known as the *Cummings Minor Subdivision Request*, Application #150730-12601S. Staff contact is Jennifer Jastremsky at (801) 576-6328 or email [jennifer.jastremsky@draper.ut.us](mailto:jennifer.jastremsky@draper.ut.us).

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Any person adversely affected by a decision of the Zoning Administrator regarding the transfer, issuance, approval or denial may appeal such decision to the Planning Commission by filing written notice of appeal stating the grounds therefore within fourteen (14) days from the date of such final determination.

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SALT LAKE COUNTY/UTAH COUNTY, STATE OF UTAH

I, the Deputy City Recorder of Draper City, certify that copies of the agenda for the **Zoning Administrator Hearing** to be held the **March 30, 2016**, were posted on the Draper City Electronic Bulletin Board, Draper City website [www.draper.ut.us](http://www.draper.ut.us), the Utah Public Meeting Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn), and sent by email to the *Salt Lake Tribune*, and the *Deseret News*.

City Seal



  
\_\_\_\_\_  
Angie Olsen, CMC, Deputy City Recorder  
Draper City, State of Utah



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**Development Review Committee**

1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6539

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**STAFF REPORT**

March 22, 2016

**To:** Keith Morey, Zoning Administrator

\_\_\_\_\_  
Approved                      Date

**From:** Jennifer Jastremsky, AICP, Planner III

**Re:** **Cummings – Minor Subdivision Request**

Application No.: 150730-12601S  
Applicant: Ron Crapo  
Project Location: Approximately 12601 South Relation St.  
Zoning: RA2 (Residential Agricultural) Zone  
Acreage: Approximately 1.21 Acres (Approximately 52,707.6 ft<sup>2</sup>)  
Request: Request for approval of a Minor Subdivision in the RA2 (Residential Agricultural, 20,000 square foot lot minimum) zone regarding a two lot split.

**SUMMARY**

This application is a request for approval of a Minor Subdivision for approximately 1.21 acres located on the east side of Relation Street, at approximately 12601 South Relation St. The property is currently zoned RA2 (Residential Agricultural). The applicant is requesting that a Minor Subdivision be approved to allow for the development of two single family residential lots.

**BACKGROUND**

A home has been located on the property since before the incorporation of Draper City. The applicant demolished the home in 2015 in preparation of a subdivision.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the *Residential Low/Medium Density* land use designation for the subject property. This category is designed to allow up to two dwelling units per acre and “includes areas of very large lot single-family neighborhoods and ranchettes.” It also states that “equestrian uses and privileges may exist in certain areas.” The subdivision is in conformance with the existing land use designation. The property has been assigned the RA2 (Residential Agricultural 20,000 ft<sup>2</sup> lot minimum) zoning classification, supporting approximately two dwelling unit per acre. The purpose of the RA2 zone is to “foster low density development with little impact on its



surroundings and municipal services; to generally preserve the character of the City's semi-rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of animals and fowl." The RA2 (Residential Agricultural 20,000 ft<sup>2</sup> lot minimum) zoning designation is identified by the General Plan as a preferred zoning classification for the *Residential Low/Medium Density* land use designation. The RA2 zone is located on all four sides of the property.

Subdivision Layout. The property contains frontage on Relation Street. Given how wide the property is compared to its depth, both properties will front onto Relation Street. Lot 1 will be 20,064 square feet in size, and have a triangular shape. When the setbacks and 33-foot canal easement are taken into consideration, this lot will contain 6,365 square foot buildable area. Lot two will have a more traditional lot shape and contain 29,847 square feet in area. The buildable area on this lot is 16,687 square feet.

There is a 33-foot wide canal easement running the length of the rear property line that has been in place since 1914. This area contains a piped canal. The easement prohibits permanent structures, including masonry walls within 15-feet of the pipeline centerline, or the planting of trees or deep rooted shrubs within 15-feet of the pipeline. A note on the plat has been included referencing the easement entry numbers and that there are fencing and landscaping requirements.

Criteria For Approval. The criteria for review and potential approval of a Minor Subdivision request can be found in Section 17-8-020 of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

"The Zoning Administrator, or designee, shall have the ability to approve, approve with conditions, or deny a minor subdivision in accordance with the regulations of this Chapter. Alternatively, the Zoning Administrator may direct that the application follow the standard procedure for subdivision approval. The applicant may appeal the decision of the Zoning Administrator to the City Council."

## **REVIEWS**

Planning Division Review. The Draper City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following proposed conditions comments:

1. Update the plat to reflect the correct entry numbers listed in the title report.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request with the following proposed comments:

1. The assessment in lieu of agreements needs to be approved by the City Council and executed prior to the recordation of the plat or to receiving a land disturbance or excavation permit.
2. The boundary description call along the south property line does not match the plan view calls, please revise.
3. Address all other minor redlines provided in the attached plan set.

Building Division Review. The Draper City Building Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

Geotechnical and Geologic Hazards Review. Taylor Geo-Engineering, LLC, in working with the Draper City Building and Engineering Divisions, has completed his review of the geotechnical and geologic hazards report submitted as a part of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

Unified Fire Authority Review. The Unified Fire Authority has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

Parks & Trails Committee Review. The Draper City Parks and Trails Committee has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

South Valley Sewer District Review. The South Valley Sewer District has completed their initial review of the Minor Subdivision submission and has issued notice, dated January 8, 2016, that sewer system capacity is available for the proposed development with the following additional comments:

1. Prior to capacity being allocated to the above reference development, construction beginning, or any development plats being approved, the following must occur: all applicable fees must be paid.

WaterPro Review. Water Pro, as a representative of the Draper Irrigation Company, has completed their initial review of the Minor Subdivision submission and has issued notice, dated January 11, 2016, that water system capacity is available for the proposed development with the following additional comments:

1. The project may still need to meet further requirements before construction or water infrastructure can begin.

Noticing. The applicant has expressed his desire to obtain a Minor Subdivision for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Minor Subdivision by Ron Crapo, application #150730-12601S, subject to the following conditions:

1. That all requirements of the Draper City Engineering and Public Works Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Draper City Building and Planning Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Unified Fire Authority are satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.
5. Obtain an assessment in lieu of agreement for street improvements from the City Council and execute the agreement prior to the recordation of the plat and to receiving a land

- disturbance or excavation permit. If an assessment in lieu of agreement is not obtained please provide street improvements as required, including updated construction drawings.
6. Include a note on the plat stating the entry numbers for the canal easement along with the fact that there are restrictions placed on the property within the easements.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.
  - a. The land use designation of Residential Low/Medium Density is designed to allow up to two dwelling units per acre.
  - b. Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.
  - c. Allow development only in those districts where community services are now available or where they can be extended without increased cost to existing residents.
  - d. Encourage development that can be adequately supported by required services and facilities; which conserves, to the extent possible, the natural and man-made environment.
  - e. Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.
2. The proposed development plans meet the requirements and provisions of the Draper City Municipal Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move to approve the Minor Subdivision Request by Ron Crapo, for the two lot subdivision, application #150730-12601S, based on the findings and subject to the conditions listed in the Staff Report dated March 22, 2016 and as modified by the conditions below:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move to deny the Minor Subdivision Request by Ron Crapo, for the two lot subdivision, application #150730-12601S, based on the following findings:”

1. List any additional findings...

**DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT**

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

  
\_\_\_\_\_  
Draper City Engineering Division

  
\_\_\_\_\_  
Draper City Building Division

  
\_\_\_\_\_  
Draper City Operations Division

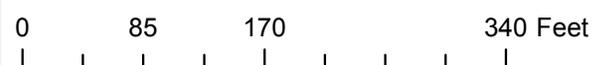
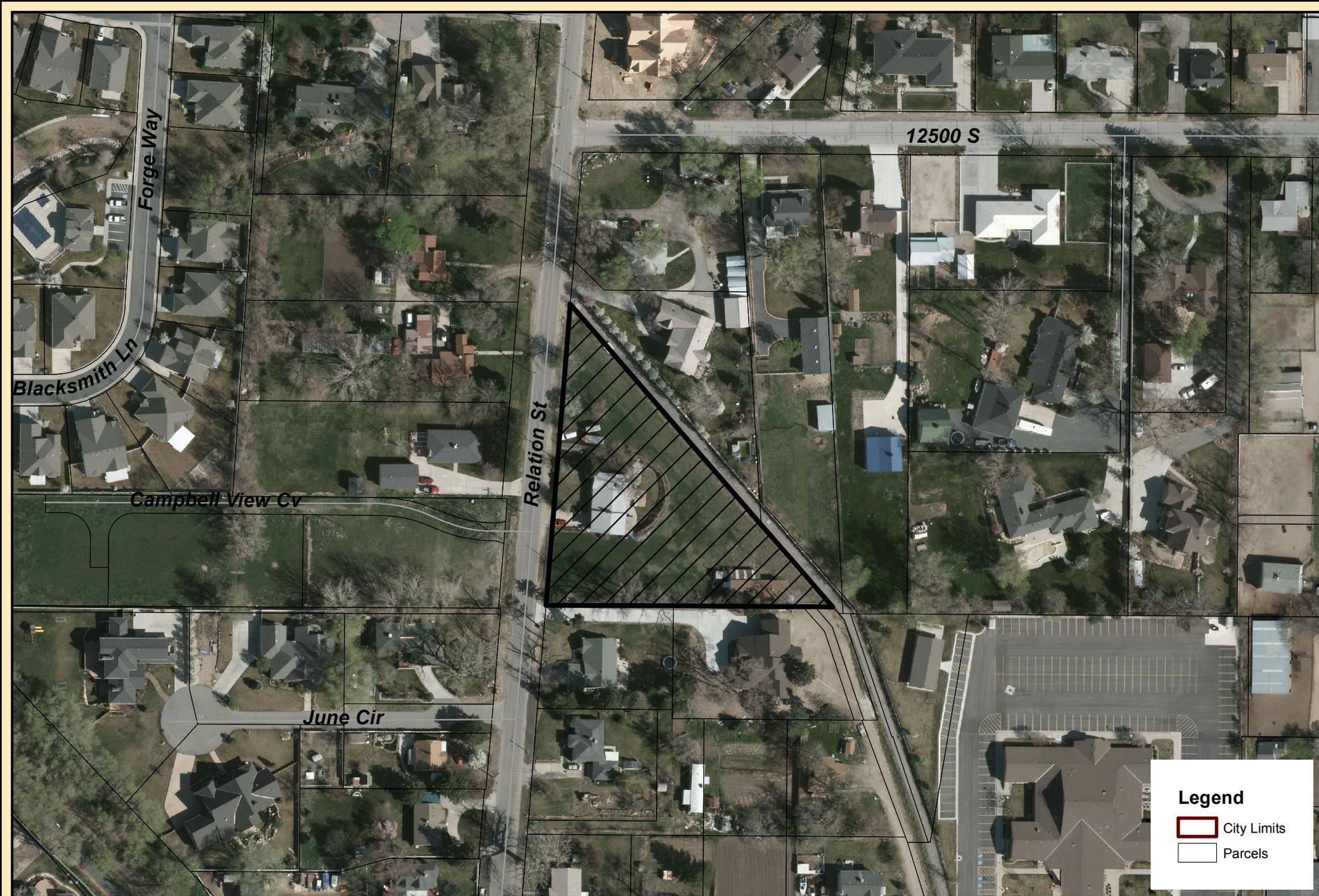
  
\_\_\_\_\_  
Draper City Planning Division

\_\_\_\_\_  
Unified Fire Authority

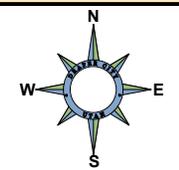
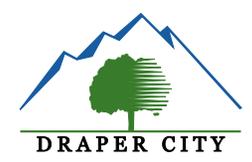
  
\_\_\_\_\_  
Draper City Legal Counsel



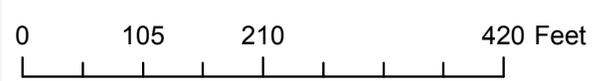
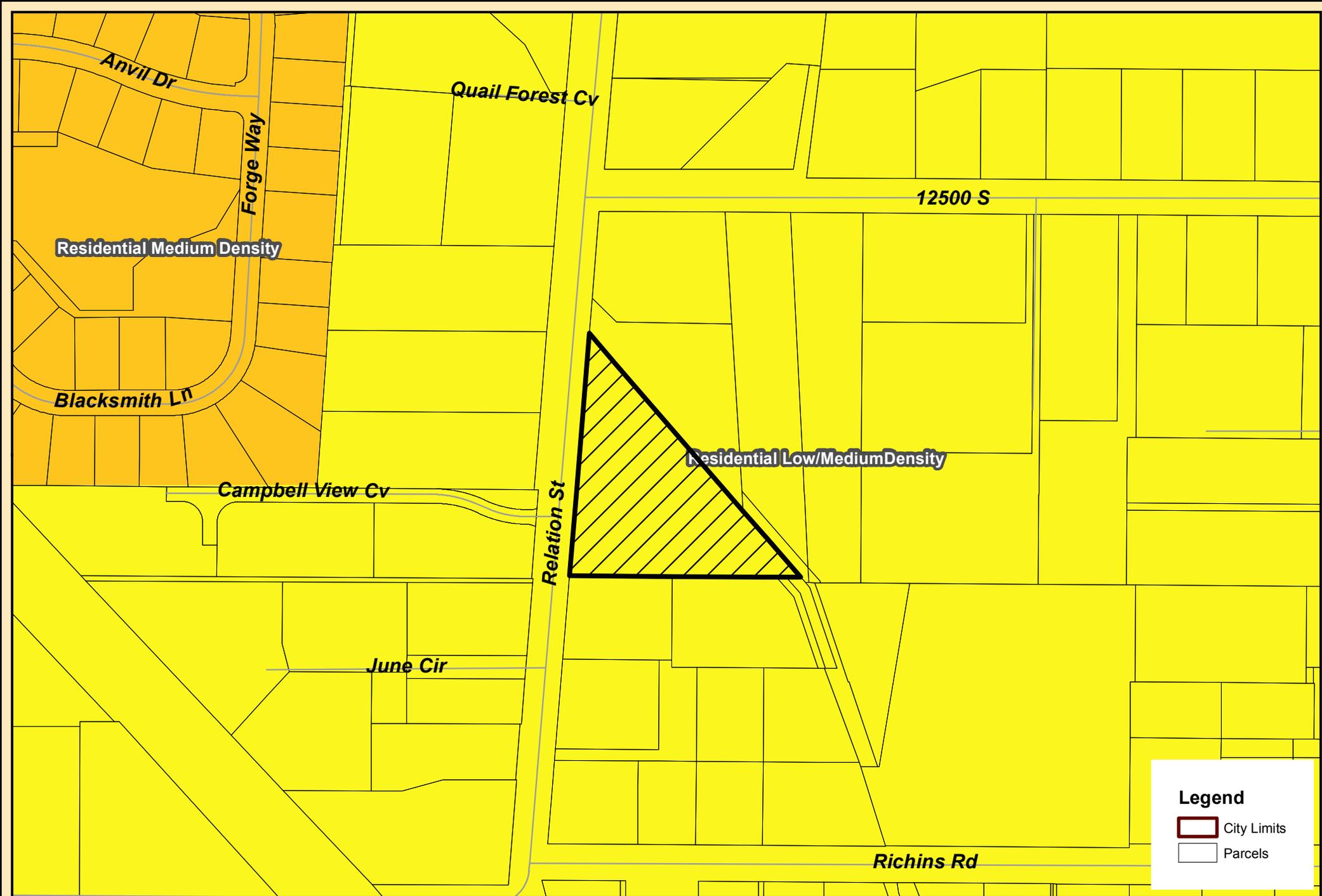
**EXHIBIT A**  
**AERIAL MAP**



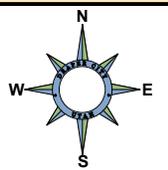
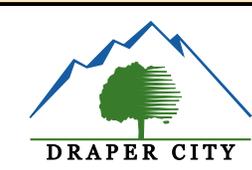
### Cummings Minor Subdivision Aerial Map



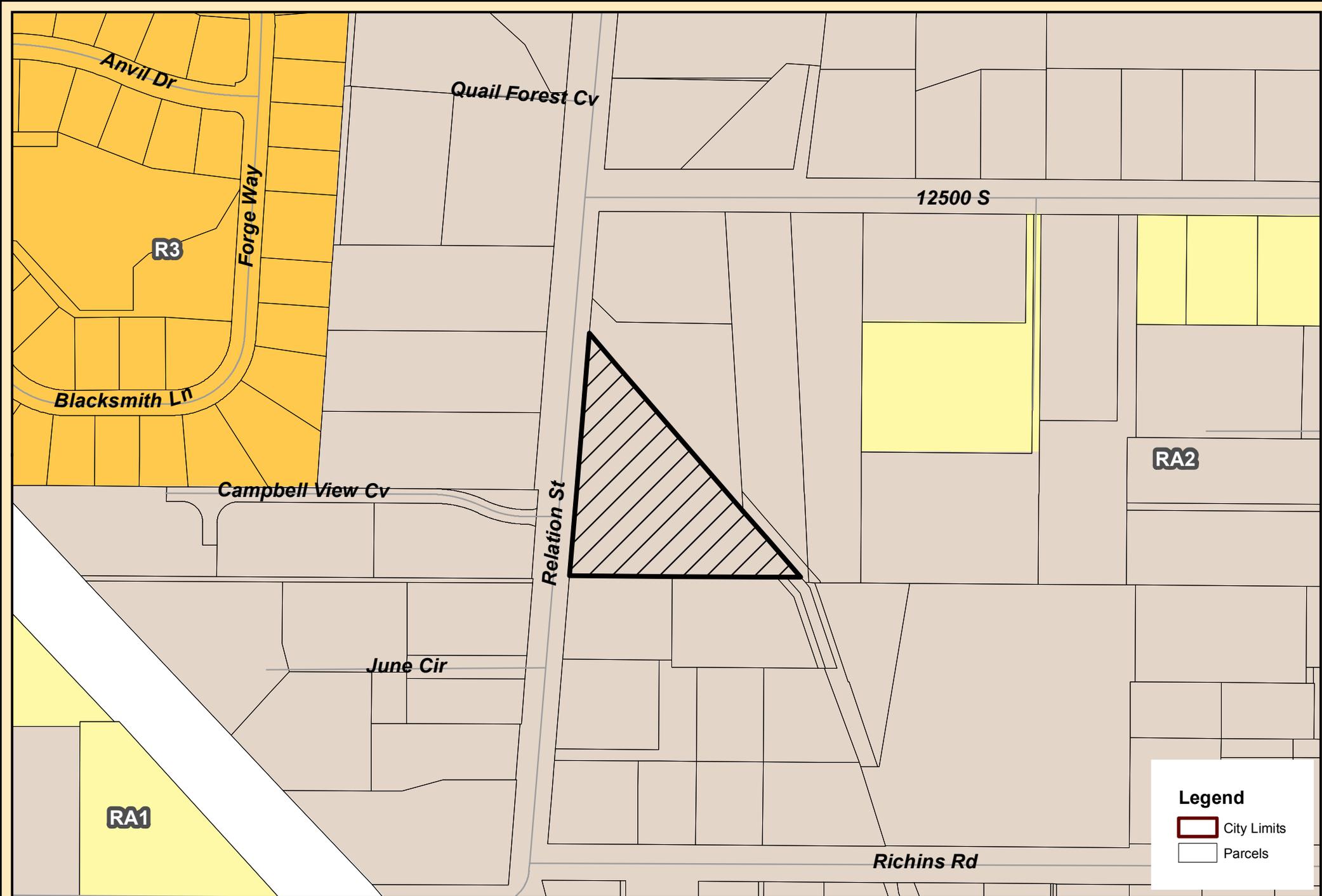
**EXHIBIT B**  
**LAND USE MAP**



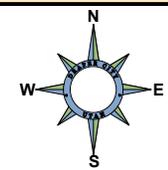
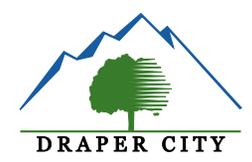
### Cummings Minor Subdivision Land Use Map



**EXHIBIT C  
ZONING MAP**



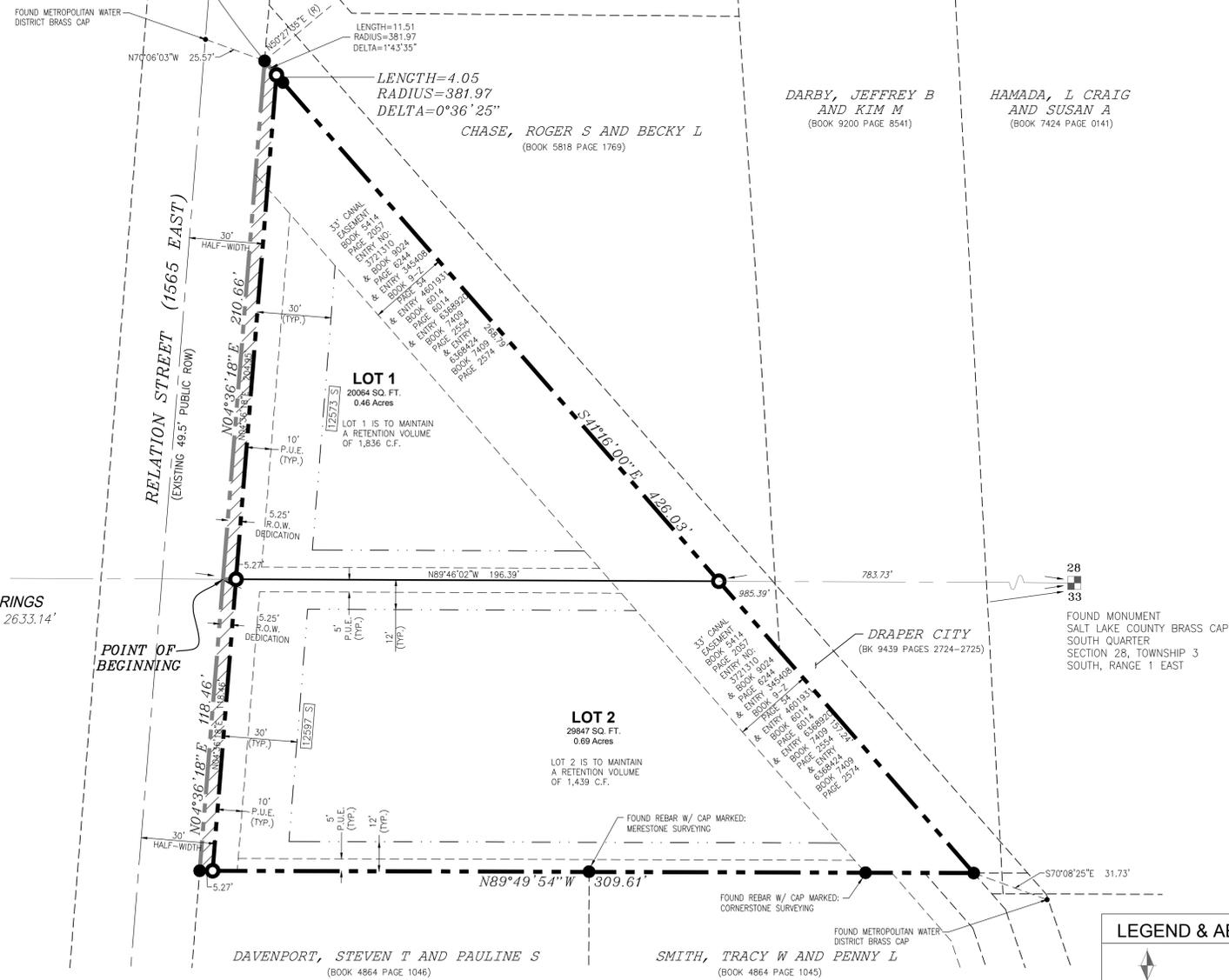
### Cummings Minor Subdivision Zoning Map



**EXHIBIT D**  
**MINOR SUBDIVISION PLAT**

# CUMMINGS SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28  
AND THE NORTHWEST QUARTER OF SECTION 33,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE  
AND MERIDIAN, COUNTY OF SALT LAKE, STATE OF UTAH  
JANUARY 2016

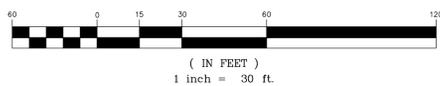


**BASIS OF BEARINGS**  
N 89°46'02" W 2633.14'

FOUND MONUMENT  
SALT LAKE COUNTY BRASS CAP  
SOUTHWEST CORNER  
SECTION 28, TOWNSHIP 3  
SOUTH, RANGE 1 EAST



GRAPHIC SCALE



**NOTE:**  
ALL LOTS ARE SUBJECT TO THE REQUIREMENTS AS OUTLINED WITHIN THE CANAL EASEMENT DOCUMENTS, INCLUDING THE LANDSCAPING AND FENCING STANDARDS. EASEMENT DOCUMENTS CAN BE FOUND WITH THE SALT LAKE COUNTY RECORDER'S OFFICE AS ENTRY NUMBERS 3721310 & 9143574.

**infinity CONSULTANTS**  
2975 Executive Parkway, Suite 162  
Lehi, Utah 84043 • Tel: 801.541.3040

**WATER PRO**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, A.D. 20\_\_\_\_.

REPRESENTATIVE \_\_\_\_\_

| PUBLIC / PRIVATE UTILITY SIGNATURES |                      |
|-------------------------------------|----------------------|
| DATE _____                          | ROCKY MOUNTAIN POWER |
| DATE _____                          | COMCAST              |
| DATE _____                          | QUESTAR              |
| DATE _____                          | CENTURY LINK         |

**SOUTH VALLEY SEWER DISTRICT**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, A.D. 20\_\_\_\_.

REPRESENTATIVE \_\_\_\_\_

**SALT LAKE COUNTY HEALTH DEPARTMENT**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, A.D. 20\_\_\_\_.

REPRESENTATIVE \_\_\_\_\_

**DRAPER ZONING ADMINISTRATOR**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, A.D. 20\_\_\_\_.

DATE \_\_\_\_\_ DRAPER ZONING ADMINISTRATOR

**OFFICE OF THE CITY ATTORNEY**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, A.D. 20\_\_\_\_.

ATTORNEY FOR DRAPER CITY \_\_\_\_\_

**DRAPER CITY ENGINEER**  
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ CITY ENGINEER

### LEGEND & ABBREVIATIONS:

- SECTION CORNER AS NOTED
- 1/4 CORNER AS NOTED
- BOUNDARY LINE
- R.O.W. DEDICATION
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- SECTION LINE
- R.O.W. CENTER LINE
- ADJACENT PROPERTY/RIGHT-OF-WAY LINE
- PUBLIC UTILITY EASEMENT
- 
- 

### SURVEYOR'S CERTIFICATE:

I, \_\_\_\_\_ DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PARCEL OF LAND SHOWN AND DESCRIBED ON THIS MAP. I ALSO CERTIFY THAT BY AUTHORITY OF THE OWNERS OF SAID PARCELS, I HAVE DIVIDED THE PROPERTY INTO LOTS.

DATE: \_\_\_\_\_ MATT W. CLARK  
LICENSE NO. 323716

### BOUNDARY DESCRIPTION:

A parcel of land located in the Southwest Quarter of Section 28 and the Northwest Quarter of Section 33 both in Township 3 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake County, Utah described as follows:

BEGINNING at a point on the east line of Relation Street, which point is North 89°46'02" West 985.39 feet along the section line from the South Quarter Corner of Section 28, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence along said east line North 04°36'18" East 210.66 feet to the centerline of the Utah Lake Irrigation Co. Canal; thence along said centerline the following (2) courses: (1) Southeasterly 11.51 feet along a 381.97 foot radius non-tangent curve to the left through a central angle of 01°43'35" and a long chord of South 40°24'12" East 11.51 feet and (2) South 41°16'00" East, 426.03 feet to an existing fence line; thence along said fence line North 89°49'54" West 314.88 feet to said east line of Relation Street; thence along said east line North 04°36'18" East 118.46 feet to the point of BEGINNING.

Contains 51,625 square feet or 1.185 acres, more or less.

Subject to a 33 ft. right of way along the NE property line for operation and perpetual maintenance of said canal.

### BASIS OF BEARINGS:

THE BEARING NORTH 89°46'02" WEST ALONG THE LINE FROM THE SOUTH QUARTER CORNER OF SECTION 28 TO THE SOUTHWEST CORNER OF SECTION 28, AS MEASURED, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

### OWNERS DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER(S) OF THE HEREON DESCRIBED TRACT OF LAND, HERBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT:

**CUMMINGS SUBDIVISION**

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO DRAPER CITY, UTAH: (1) ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER; (2) THOSE CERTAIN PUBLIC UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON; THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINE AND DRAINAGE; AND (3) THOSE PARCELS DESIGNATED AS PUBLIC OPEN SPACE, PARKS, TRAIL OR EASEMENTS, OR OF SIMILAR DESIGNATION.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUT HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_.

STATE OF UTAH  
COUNTY OF SALT LAKE S.S.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNERS DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE \_\_\_\_\_ OF \_\_\_\_\_, A \_\_\_\_\_ COMPANY AND THAT SAID OWNER'S DEDICATION WAS SIGNED BY HIM IN BEHALF OF SAID \_\_\_\_\_, AND THAT THE SAID \_\_\_\_\_ EXECUTED THE SAME.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC RESIDING AT: \_\_\_\_\_

### ACKNOWLEDGEMENT:

STATE OF UTAH  
COUNTY OF SALT LAKE S.S.

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MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC RESIDING AT: \_\_\_\_\_

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STATE OF UTAH  
COUNTY OF SALT LAKE S.S.

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MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC RESIDING AT: \_\_\_\_\_

### ACKNOWLEDGEMENT:

STATE OF UTAH  
COUNTY OF SALT LAKE S.S.

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MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC RESIDING AT: \_\_\_\_\_

**CUMMINGS SUBDIVISION**

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, COUNTY OF SALT LAKE, STATE OF UTAH  
JANUARY 2016

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FEES \$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER