

City Council Staff Report

August 7, 2019

Applicant: Dallin Nelson

Location: 1325 East 1200
North

Prepared by: Brian Tucker,
Planner

Public Hearing: Y

Zone: A-2/Ra-2

Attachments:

1. Application
information.
2. Concept Plan

REQUEST

Consideration of a Resolution rezoning approximately 5.7 acres of land from the Agricultural-Residential (A-2) zone to the Residential-Agricultural (RA-2) zone located at 1325 East 1200 North, and review of a conceptual development plan for the property. The western 4 acres of this parcel is already zoned RA-2.

BACKGROUND AND PROJECT DESCRIPTION

The subject property is approximately 9 acres in size and is developed with a single-family residence. Most of the property has been used for agricultural purposes and is located within the greenbelt. The surrounding residential lots to the north, south and east range in size from approximately two acres to around five acres. The area located to the west is zoned RA-2 and lots as small as 1/3 acre are more common.

The western 4 acres of the parcel are currently zoned RA-2 and the eastern 5+ acres are zoned A-2. The boundary line for the zoning district is located approximately 60' west of the center of the property. The applicant is requesting approval to rezone the property from A-2 to RA-2. The applicant is applying to change the zoning on the entire 9 acres from a mix of RA-2 and A-2 to RA-2 only, however the applicant has submitted plans for only the western half of the property and has indicated that he may be satisfied with a rezone of only the additional 60' of the property.

The Planning Commission is responsible for making a recommendation to the City Council regarding the rezoning of the property. The concept plans have been provided to demonstrate how the property may develop if the rezoning is approved. If the rezoning is approved, it would not automatically entitle or obligate the applicant to construct the project as shown in the concepts. While the Commission is not approving or denying the concept plans at this meeting, it can provide guidance and feedback on the plans.

LEGISLATIVE ACTION

A rezone request is considered a legislative decision. 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. The Commission should evaluate the guidance given in the general plan as well as the standards adopted in the zoning ordinance when making its recommendation to the City Council.

EVALUATION

Potential Mapping Error: The boundary line between the RA-2 and A-2 zones is located in the same location and the General Plan Map's boundary between the Medium Density Residential area and the Rural Residential areas. Typically, the boundary between zones is drawn along either a property line or the center line of a street. The boundary line here was drawn about 60' from the property line between the Hoffman and Patten Parcels and in the middle of the subject parcel.

The boundary lines in this area do not follow this common practice. The applicant has suggested that this is an error in the mapping and that the boundary between the zoning and general plan designations should be located along the property line that separates the Hoffman parcel and the Patten parcel, and extend southward along the same longitudinal bearing to separate his parcel. It is impossible to know for sure if this is an error, but this boundary location has not changed since 1995 and is located approximately 60' from the location the applicant suggests is correct.

General Plan: The General Plan Map indicates that the current zoning map is as it should be. Any change to the zoning map would also necessitate that the General Plan Map must be amended simultaneously. Changes to the General Plan are typically indicative of changing conditions within the community or the area proposed for change.

Aside from the desire to develop the property, the applicant has not indicated that the conditions of the area are changed. City Staff would suggest that the conditions of the area are not changed but that a map revision along the lines of the applicant's assertion of an error would be appropriate. The current general plan boundary may be correct, but it is not the result of a good mapping practice in that it confuses the public rather than provide clarity. Staff propose that the General Plan be amended to be located along the property line that separates the Hoffman parcel and the Patten parcel, and extend southward along the same longitudinal bearing to separate the parcel in question.

Rezone Request: The Zoning Map should be a reflection of the General Plan Map. The property should be rezoned only if and to the extent that the General Plan Map is amended.

Concept Plan: The concept plan has been provided to give the Planning Commission and City Council an idea of how the property could develop. The applicant has taken into account staff comments while creating this concept. Staff have indicated that cul-de-sacs are to be avoided to the extent possible and that a stub into property to the north is mandatory. Staff have indicated that the aforementioned stub should be located along the property line that separates the two properties to the north. This location will provide access to both properties, should facilitate the continuation of a through street and minimize cul-de-sacs and roadway when these properties develop.

Planning Commission: The Planning Commission unanimously recommended approval of the rezone of only 60'. Ronald and Roxann Hoffman, the property owners to the north and the only other property owners directly affected by the rezone, attended the meeting and indicated that they had no objections to the partial rezone of their property.

STAFF RECCOMENDATION

Approve the Resolution.

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE DESIGNATION FROM RURAL RESIDENTIAL (RR) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND THE ZONING FROM AGRICULTURAL-RESIDENTIAL (A-2) TO RESIDENTIAL-MINOR AGRICULTURAL (RA-2) FOR APPROXIMATELY 1.85 ACRES OF LAND LOCATED AT APPROXIMATELY 1325 EAST 1200 NORTH AND AS INDICATED IN EXHIBIT "A".

WHEREAS, in 1995 the City Council approved a zoning map with a boundary line near 1325 East, between 1200 and 1600 North, in an atypical location; and

WHEREAS, this zoning boundary location was likely drawn in error, in conflict with best mapping practices; and

WHEREAS, on June 7, 2019, Dallin Nielsen submitted to the City an application to amend the General Plan and Zoning Map to accommodate a proposed development; and

WHEREAS, the Planning Commission has recommended approval of the General Plan and rezone request to a more appropriate location.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to amend the general plan designation from Rural Residential (RR) to Medium Density Residential (MDR) and the zoning from A-2 to RA-2 for approximately 1.85 acres of land as described in Exhibit "A".

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

This 7th Day of August, 2019.

Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"





MAPLETON UTAH

ZONING MAP/GENERAL PLAN MAP AMENDMENT APPLICATION

Applicant Information

Applicant: Dallin Nelson Phone #: 801 830 3930
Address: 315 So 500 E #202 City, State, Zip: Am Fork, UT 84003
Email: dallinn@utahproperties.com Project Parcel#: 26-066-0032
Project Location: 1401 E 1200 N, Mapleton
Project Type: Zoning Map Amendment General Plan Map Amendment
Existing Zone: A-2 and ~~RA-2~~ Proposed Zone: RA-2
Existing General Plan Designation: _____
Proposed General Plan Designation: _____
Reason for zone/general plan change: proceeding with concept, preliminary, and final plat preparation of entire parcel. Preliminary and final plat to conform to a single underlying zone and not 2 different zones.
Applicant's Signature: Dallin Nelson Date: 6/7/19
(property owner or authorized agent)

Submittal Requirements

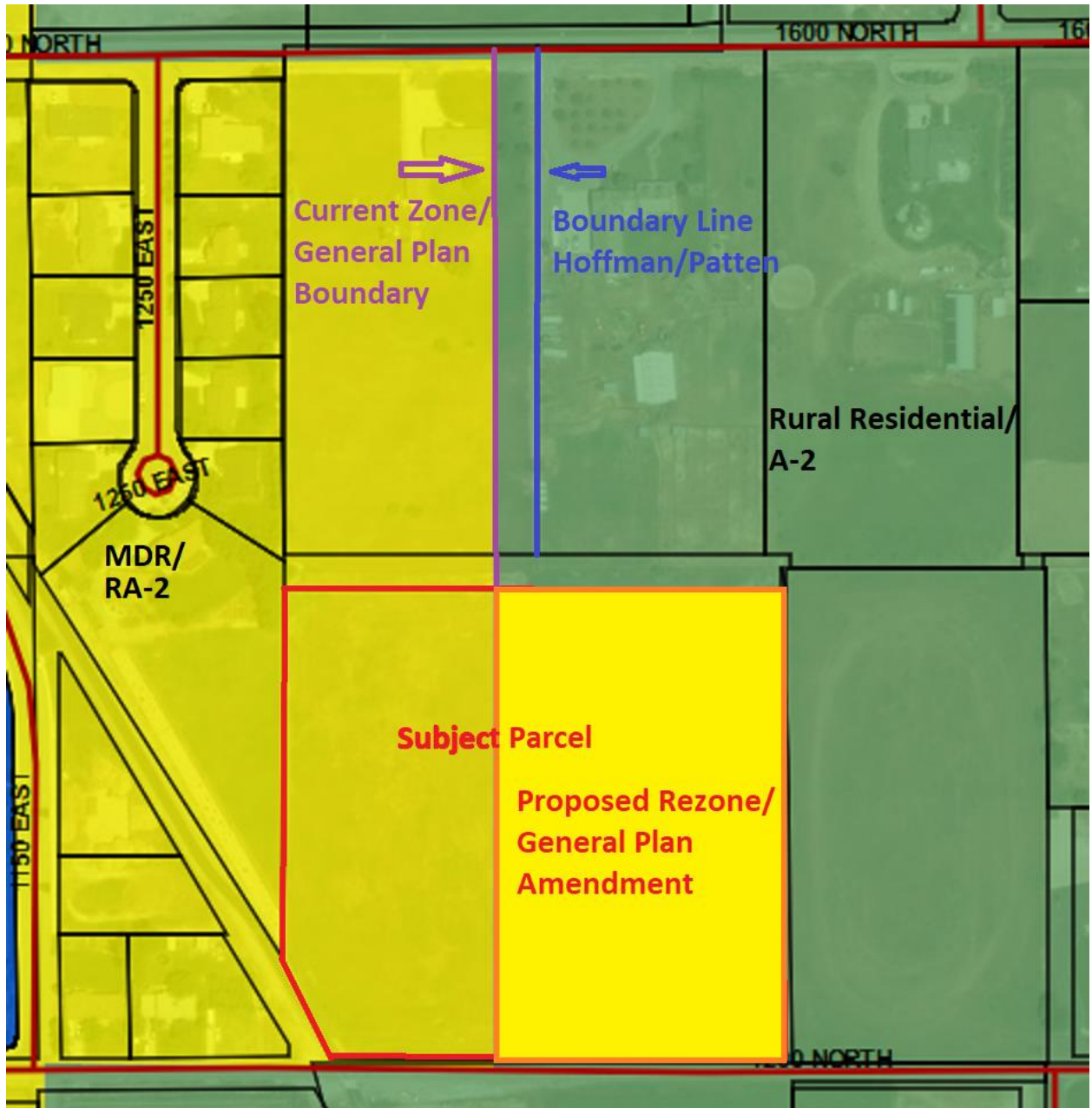
- Map showing the area of the proposed change;
- A detailed geologic study will be required for zone or general plan changes involving Critical Environmental areas; and
- A development concept plan if applicable.

RZ-02-19

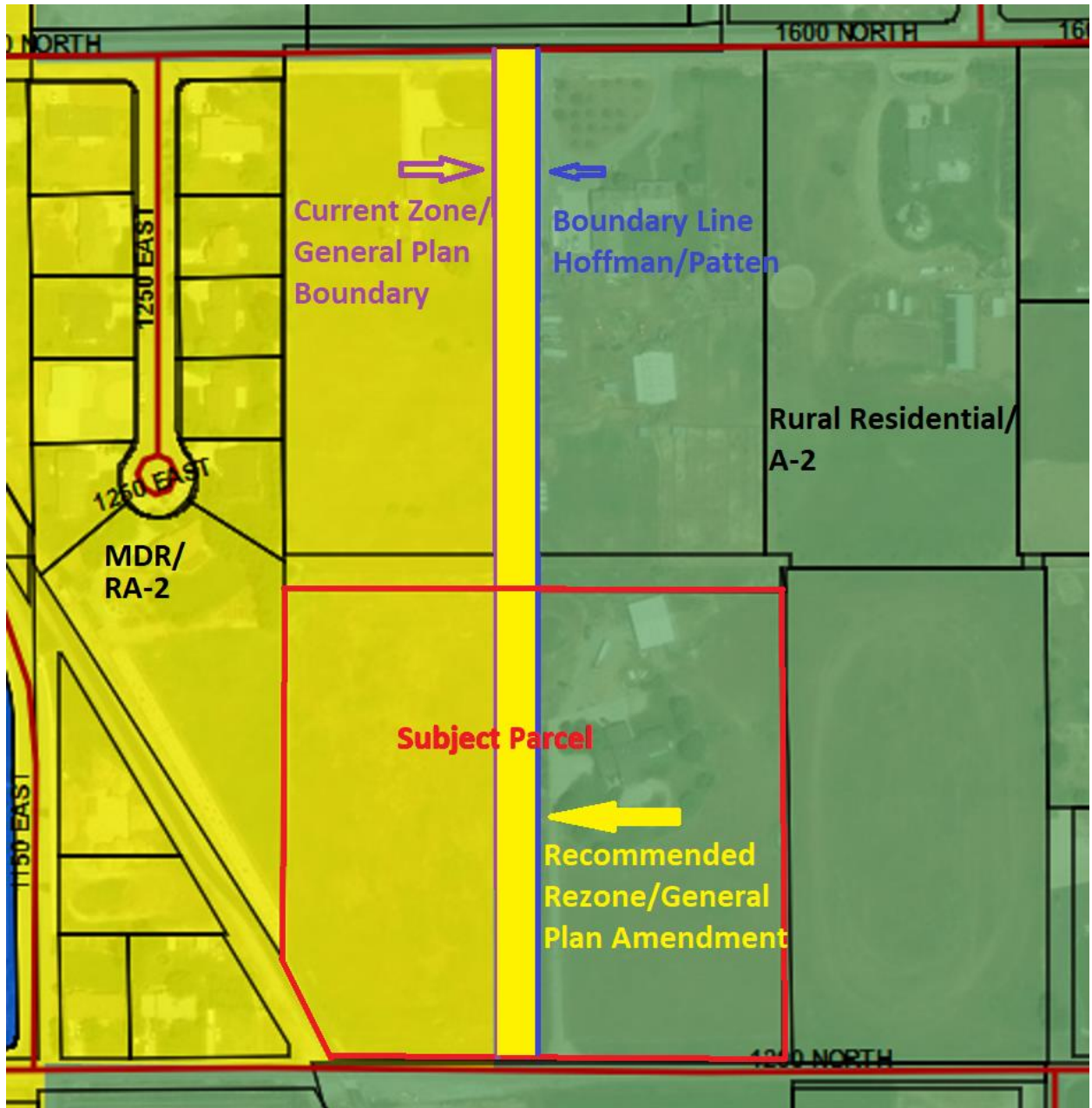
Current General Plan and Zoning Boundaries

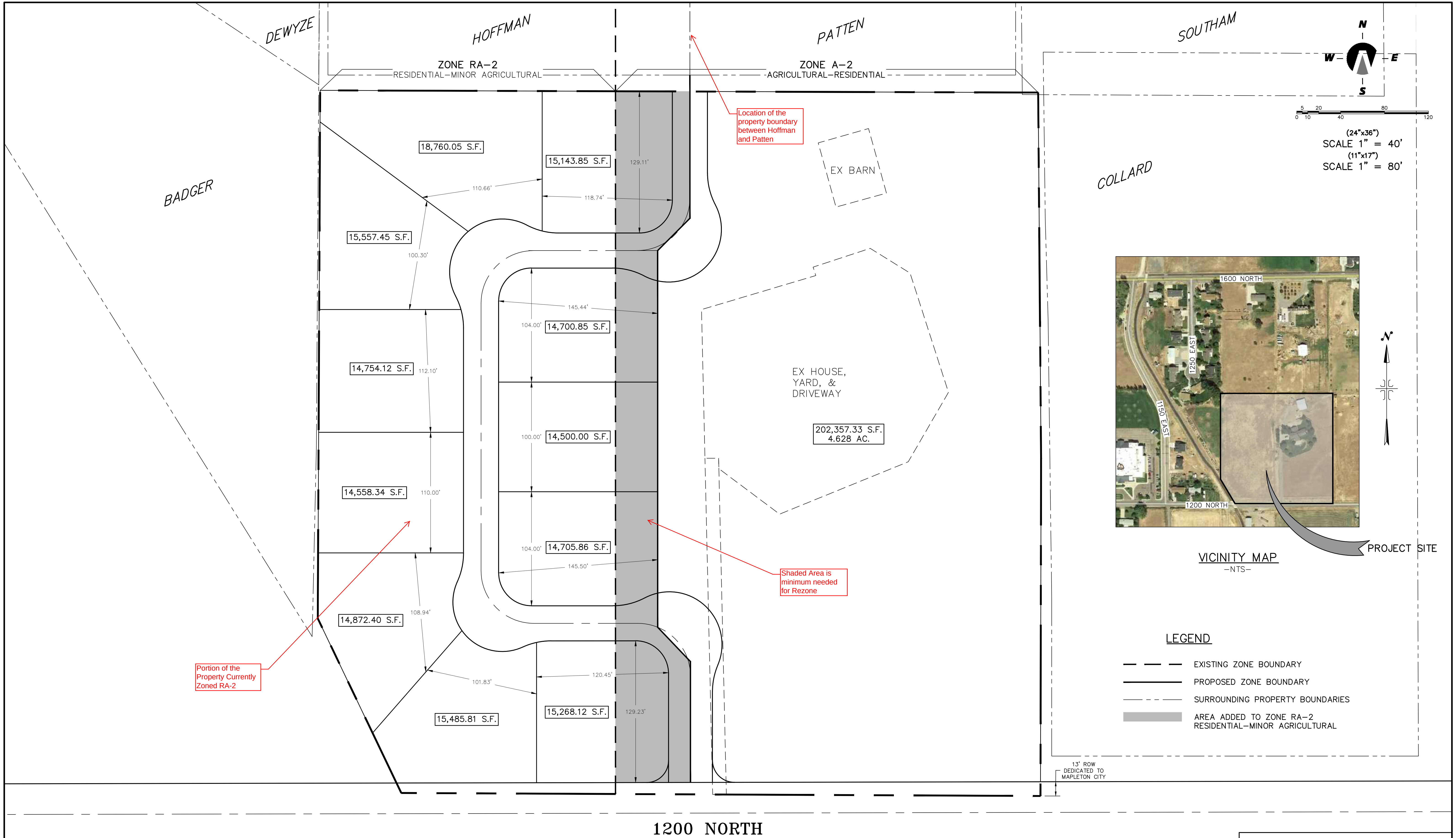


Proposed General Plan and Zoning Boundary



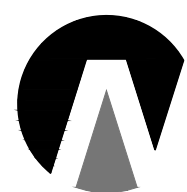
Recommended General Plan and Zoning Boundary





5			DESIGNED BY:		DATE:
4			DRAWN BY:		DATE:
3			CHECKED BY:		DATE:
2			APPROVED:		DATE:
1			COGO FILE:		DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:

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**Northern
ENGINEERING INC**
ENGINEERING—LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

DALLIN

CONCEPT PLAN
MAPLETON, UTAH

JOB NO.
3-19-029
SHEET NO.
11

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED
ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY
AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.