

# Payson City Council Staff Report September 4, 2019

## Subdivision Plat Amendment

### Background:

**Project Name:** Yamasaki                      **Applicant:** Heidi Kramer and Roberta Merrill  
**Location:** at and around 400 W 800 South   **Utah County Parcels:** Yamasaki Plat A parcels 1-4  
**Current Zone:** R-1-9

### Approval Process:

Approvals Requested:	Subdivision Plat Amendment
Approval Process:	Property Owner Petition City Council final approval
Development Review Committee:	Technical and Administrative Review
City Council:	Approve or Deny (Administrative Action)

### Current Conditions:

*Existing subdivision in yellow with land property owners subsequently added in red*



The property consists of four lots, shown above in yellow. At some point after the creation of the subdivision, land was sold (shown in red), divided, and added to the lots. This was done without city approvals. The property owners are seeking to amend the subdivision to reconfigure the parcels to include the added land. This will correct a former improper division and adjustment of land. The original subdivision was established without public utility easements and no utility easements have since been established. These easements are required and will be established along the perimeters of each lot at the time of amendment.

### Zone Requirements and Analysis:

The property is located in the R-1-9 Single Family Residential zone, and subject to those requirements. The subdivision does not have a development agreement or CC&R. The three smaller lots, which are the lots subject to amendment, have lots widths and frontages of 92 feet, which exceeds the 90 foot minimum for the zone. The lots also exceed the 9,000 square foot requirement. Staff does not see any conflict with the zoning ordinance by adding the additional land area.

The result of the plat subdivision is the creation of Yamasaki Plat B—a three lot subdivision which includes the three smaller lots (above in yellow and red). Each lot will maintain the same width and frontage as the recorded lots. This will not add any additional change for the neighborhood.

### **General Plan**

The amendment does not conflict with the general plan. No additional buildable lots will be created and the result is the same number of permitted units as before.

### **Standard of Review**

Plat Amendment (Subdivision): A request for subdivision approval that satisfies the minimum requirements of the zone (traditional subdivision), or a project that is consistent with a previous approval granted by the land use authority (i.e. overlay zone), is an **administrative action (or ministerial)**. At this stage, the Planning Commission and City Council cannot change the rules. The land use authority is responsible to ensure the project satisfies any previous approvals and all applicable ordinances. If these requirements are met, there is no discretion to deny the application. All state and city code mandated procedures for this application have been met.

The City Council may require additional information in order to make a well-informed decision.

### **Recommendation**

Staff recommends approval based on meeting the requirements of the R-1-9 zone.

The City Council may:

1. Approve, contingent on meeting all requirements, including redlines and conditions of approval. The City Council should select this option if the proposal is consistent with City Code, the General Plan, advances the land use goals of the city, and is not detrimental to the health, safety, and welfare of the city.
2. Remand to staff for further review. The City Council should select this option if it is determined that the applicant has not provided enough information for Council to formulate a well-informed decision.
3. Deny the request. The City Council should select this option if it is determined that the proposed amendment does not meet the requirements of the zone.

Each recommendation of the Council should include findings that indicate reasonable conclusions for their recommendation.