City Council Staff Report

MAPLETON

Date:
September 2, 2020

Applicant:
Adam Smith/Janice Lang

Location:
1320 W 2400 S

Prepared By:
Brian Tucker, Planner

Public Hearing:
Yes

Attachments:
1. Application information.
2. Neighborhood letters.
3. Summary of Neighborhood concerns w/staff response.

REQUEST

Consideration of an Ordinance rezoning a five-acre parcel located at 1320 West and 2400 South from Agricultural-Residential (A-2) to Residential Agricultural (RA-1) with the TDR-R Overlay.

BACKGROUND & DESCRIPTION

The subject property is approximately 5 acres in size and includes an existing single-family dwelling. The surrounding residential lots are primarily two acres in size or larger.

In 2018 an applicant proposed to rezone the property from A-2 to RA-2 in order to create 12 1/3-acre lots. The General Plan designation in place at that time was Medium Density Residential (MDR), which would have allowed lots as small as 1/3 of an acre. The proposed rezone was strongly opposed by neighboring property owners, who sent many letters expressing opposition, including a letter co-signed by approximately 46 property owners.

The Planning Commission held a public hearing on June 28, 2018 to review the rezone request. After hearing from the public, the Commission recommended denial of the application to the City Council. The applicant subsequently withdrew the application from consideration. Because the application was withdrawn, the item was never heard by the Council.

The current property owners submitted a rezone application on June 9, 2020 to rezone the property from A-2 to RA-1 with the TDR-Receiving Site Overlay. The applicants submitted a concept plan that included a 7-lot subdivision consisting of six ½-acre lots and one 1-acre lot with the existing home. The Planning Commission reviewed this application on August 13, 2020 and made the following recommendations to the City Council:

- Deny the rezone request from A-2 to RA-1; and
- Approve the request for a TDR-R, which would allow approximately four 1-acre lots.

The applicant has now submitted a revised concept plan that includes four 1-acre lots as recommended by the Planning Commission.

EVALUATION

Rezone requests are considered legislative in nature. 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 amendment 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 for the area in question.
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 Land Use Element of the General Plan was updated and approved on June 3, 2020. Prior to that date, the subject property was designated as *"Medium Density Residential"*. The designation was changed in the updated plan to *"Low Density Residential"*. Low Density developments are intended to allow one acre lots or half acre lots with TDRs.

Some of the goals from the General Plan that the Council should keep in mind during it's review include:

Goal 1: Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and the preservation of open space.

Goal 3: Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility.

Goal 8: Protect and conserve critical agricultural land, sensitive lands and sensitive natural features in the community.

Goal 9: Continue to implement the Transferable Development Rights (TDR) program by ensuring that there are sufficient areas that can qualify as TDR-Receiving sites.

In the written comments and during the public hearing with the Planning Commission, neighboring property owners argued that they had participated in the early stages of the General Plan update and made their opinions known through the Social Pinpoint progam that they desired to have this area desigated as Rural Residential. They also indicated that due to comlications related to the COVID crisis that they did not follow through when the final plan was adopted.

The Planning Commission determined that the Rural Residential designation was the most appropriate for this site, rather than the Low Density Residential designation that was adopted, which was the primary reason for recommending denial of the rezone request to RA-1.

Staff notes that the General Plan is an advisory document and is not binding. The City Council has the discretion to deny a request even if some aspects of the Geneal Plan might suggest that a project could be approved. However, staff recommends that if the Council varies from the recommendations of the General Plan that it clearly outline its rationale for the decision to maintain the integrity of the plan for future decisions.

Concept Plan & Zoning: The concept plan that was presented to the Planning Commission included six 1-acre lots and one 1-acre lot. Concerns were expressed by the neighbors, staff and the Commission that ½ acre lots may not be appropriate in this location given the size of the existing lots. The applicant's revised concept proposes four one-acre lots. Staff is supportive of one acre lots.

The existing A-2 zone requires two acres per lot, or one acre per lot with TDRs. MCC section 18.76.040 indicates that both the A-2 zone and the RA-1 zone are eligble to become a TDR-R. If the Council determines that the Low Density Residential designation for the site is not appropriate as currently adopted, staff would recommend that it support the Planning Commission's recommendation to deny the RA-1 zone, but allow the TDR-R. The applicant's concept plan of four 1-acre lots could then be approved with the use of two TDR certificates. The Council could also then direct staff to initiate the process to modify the General Plan to more accurately reflect the Council's vision for this area.

If the Council determines that the Low Density Residential designation is appropriate, then staff would recommend to grant the RA-1 rezone request but deny the TDR-R. The applicant's proposed four 1-acre lots could then be approved without any TDRs.

Improvements on 2400 South: If a subdivision plat is ultimately approved at this location, the frontage of 2400 South would be widened and would include curb, gutter and sidewalk. The subdivision ordinance does allow in some instances where no existing improvements exist along a road for the requirement for improvements to be waived. This is meant to recognize that in some more rural areas, that curb, gutter and sidewalk can detract from the character of the neighborhood. Given the existing character of 2400 South, staff would support waiving the improvement requirements for this development. This is not a decision the Council needs to make during this meeting, it could be left for the subdivision plat review. However, if the Council feels strongly one way or the other, it could include provide direction in its motion.

RECOMMENDATION

Deny the rezone request from A-2 to RA-1 but approve the request for a TDR-R Overlay.

Attachment "1"
Application Information



PROJECT ENGINEER:
LARVIN POLLOCK
ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
(801) 718-5993
LARVIN@ELEVATENG.COM

LEGEND

LOT LINES (PROPERTY)	———
PROPOSED CURB AND GUTTER	═══
PUBLIC UTILITY EASEMENT (P.U.E.)	– – –
EXISTING BUILDING	———

SITE DATA

LOT AREA: 217,800 SF± (5 ACRES)

ZONING: A-2 (AGRICULTURAL RESIDENTIAL)

RIGHT OF WAY (ROW) WIDTH: 32 FEET

TOTAL LOTS: 4

4- Lot Concept as recommended by the Planning Commission.

CALL BEFORE YOU DIG!
IT'S THE LAW
BLUE STAKES 1 800 662 4111

NORTH

SCALE: 1" = 20'
0 10 20 30 40 60

NO.	REVISIONS	BY	DATE

PROJECT ENGINEER: LP
DESIGNER: DL

ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateng.com

ELEVATE ENGINEERING

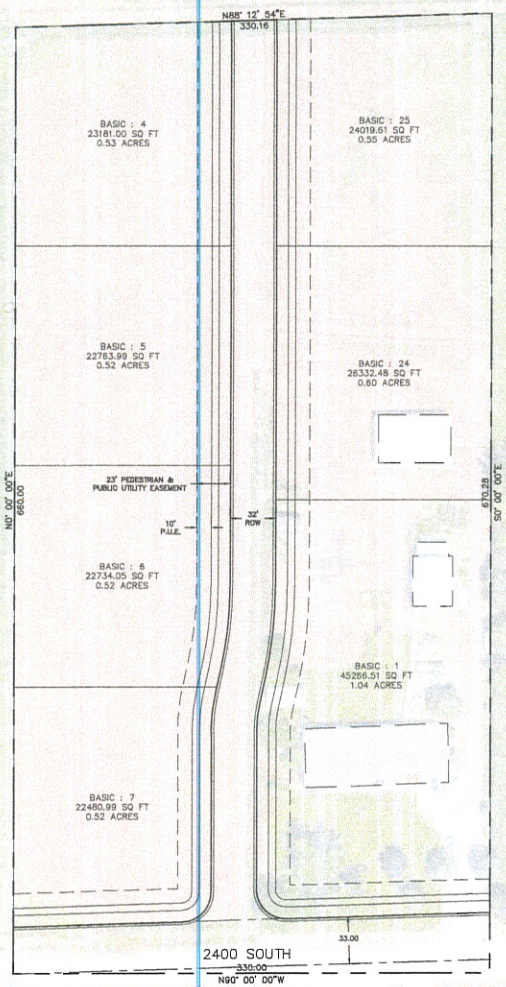
SMITH SUBDIVISION
SITE PLAN
1320 WEST 2400 SOUTH MAPLETON UT

PROFESSIONAL ENGINEER
5/04/2020
10864737
LARVIN POLLOCK
STATE OF UTAH

SHEET:
C-1

DATE:
May 04, 2020

PROJECT ENGINEER:
LARVIN POLLOCK
ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
(801) 718-5993
LARVIN@ELEVATENG.COM



LEGEND

- LOT LINES (PROPERTY)
- PROPOSED CURB AND GUTTER
- PUBLIC UTILITY EASEMENT (P.U.E.)
- EXISTING BUILDING

SITE DATA

LOT AREA: 217,800 SF± (5 ACRES)

ZONING: A-2 (AGRICULTURAL RESIDENTIAL)

RIGHT OF WAY (ROW) WIDTH: 32 FEET

TOTAL LOTS: 7

CALL BEFORE YOU DIG! 811 BLUE STAKES 1-800-662-4111

N

0 40 80 120

Scale In Feet

BY	DATE	REVISIONS

DESIGNED: DL
DRAWN: LP

7 lot concept presented to PC

SHEET: C-1

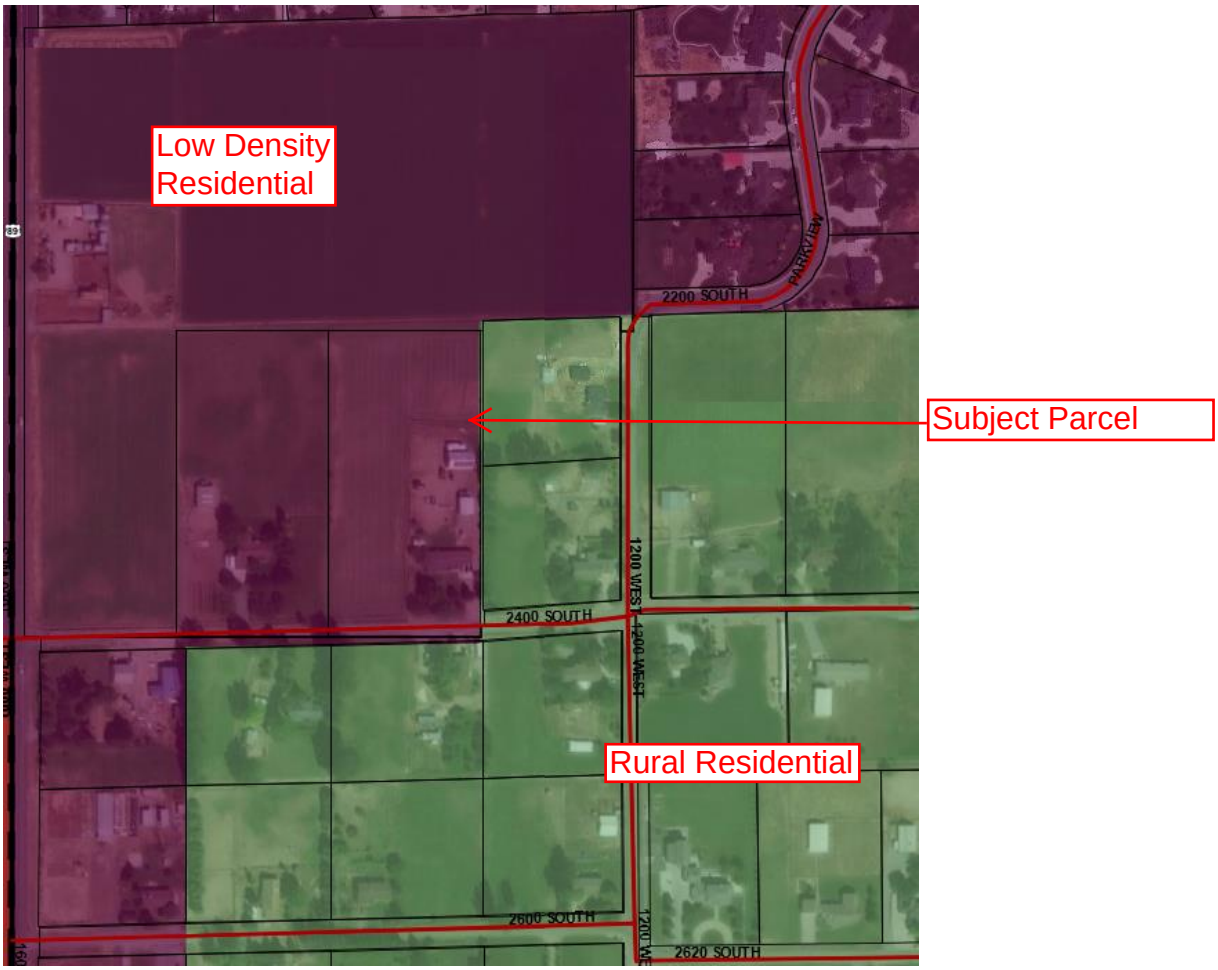
DATE: Jan 29, 2020

L:\Smith Subdivision\SMITH SUBDIVISION 1A.dwg — — Jan 29, 2020-12:57pm

CURRENT ZONING



ADOPTED GENERAL PLAN LAND USE MAP



Attachment "2" Neighborhood Letters

Members of the Mapleton City Planning Commission,

We purchased our property on 2600 South in 2011 after a long search for a very specific type of property and neighborhood. We looked at dozens of properties searching for a home that would allow us to raise our young children in a place where everyone espouses similar values and an appreciation of a rural lifestyle. We were delighted when we found our present neighborhood in south Mapleton, where we could have horses, raise livestock, and tend a garden surrounded by modest houses on 2-5 acre lots.

We would like to take this opportunity to state our position firmly against rezoning the property located at 1320 West and 2400 South from A-2 to RA-1 with TDR-R overlay. We believe this proposal is not in Mapleton's best interests. This proposal directly violates goals stated in Mapleton's 2020 updated general plan Land Use Element 2.8. We and many others participated in the process of revising the general plan. While not perfect, we believe that the goals identified in the updated general plan are representative of our shared values as citizens of Mapleton.

While the proposal appears to be in-line with the general plan map, we feel that the map is not consistent with the stated goals for the property in question and the parcel immediately to the west. Mapleton City Code Section 18.12.010.B.8 states: *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.* We encourage the planning commission to defer to the updated general plan's goals rather than simply looking at the map when considering this application. The updated general plan's goals are in-line with the feelings expressed by the planning commission in 2018 when considering a similar request for the same property and are also in-line with feedback provided by neighbors surrounding the property.

Goal 1 states: **Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and the preservation of open space**. There are many neighborhoods containing large lots in the city with expensive houses and beautiful yards, but there are not many where property owners are actively homesteading, farming, and preserving Mapleton's agricultural history. This area is one of the few rural pockets remaining in Mapleton where families are committed to maintaining this lifestyle. By rezoning the property on 2400 South you are intentionally eliminating a rural agricultural property in favor of several medium to large sized suburban lots, of which there is no shortage in Mapleton today.

Goal 3 states: **Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility**. Further, implementation measure 3.1.a states: *Limit land use transitions to a single step in density (low density to medium density, for example - not low density to high density)*. Every property surrounding the property on 2400 South is zoned A-2 and at least 2 acres in size. Rezoning to RA-1 and allowing TDR overlays creates a two-step difference in density for every surrounding property. To comply with this goal lots must not be smaller than 1 acre in size after rezoning and TDR overlay is taken into account.

Goal 9 states: **Continue to implement the Transferable Development Rights (TDR) program by ensuring that there are sufficient areas that can qualify as TDR-Receiving sites.** TDRs continue to create a problem for Mapleton to develop in a responsible way. To eliminate TDRs more quickly, Mapleton should have a preference to require TDR overlays to reach desired density instead of rezoning where possible.

We believe that Mapleton's rural character and agricultural history are worth fighting to maintain. We are not alone, evidenced by the fact that this is the first goal identified in the 2020 updated general plan. We implore you to give the citizens of Mapleton what they have asked for by denying the rezone request and not allowing TDR overlay. Maintain A-2 zoning with a two-acre minimum lot size. In a letter to neighbors, the applicants indicated that they reviewed the 2018 planning commission meeting minutes prior to purchasing the property. They were aware of the neighborhood's overwhelming opposition to a rezone away from A-2 and the planning commission's full support of maintaining A-2 lots in the area. Mapleton owes the applicants nothing other than the property rights they are granted under the current A-2 zoning.

If the planning commission feels that updated general plan map is consistent with the plan's goals and that rezoning away from A-2 is not in violation of goal 1, we ask that you give consideration to goal 3 and goal 9 by requiring TDR overlays on A-2 lots rather than rezoning the property to RA-1. This allows the city to limit density step down to a single step, allows the city to eliminate TDRs that would otherwise remain unused, and gives the applicant the same four one-acre lots that would result from a rezone to RA-1.

Sincerely,

August 12, 2020

Michelle Wickes 8/12/20

Brandon and Michelle Wickes
1224 W 2600 S

Dear Planning & Zoning Commission and City Council,

We have been residents of Mapleton since 2004. We chose to live in Mapleton for its small farm town feel. We picked south Mapleton because of our desire to have a small plot of land where we could have chickens, pigs, sheep, goats, cows and/or horses. We have spent the past 15 years improving our home as well as our property. Once again, we are having to "fight" to keep the rural feel of our neighborhood.

Back in 2004-05 we spoke out against the original Triple Crown purposed development turning farmland into High density 1/3 acre lots. We were glad that it ended up being 1 acre lots hoping to keep the rural feel with farm animals and such. Well, all it turned into was large lots with large homes, no "farming" at all. We spoke up in 2007 and 2009 when the then "New General Plan" was being looked at and created. The city then was trying to "rezone" our neighborhood from A2 to a higher density. We spoke out and said please leave our rural neighborhood alone. We are willing and wanting to continue to "farm" our land. What we where told then was the General Plan is just a concept of what it could become in the future, nothing set in stone, not a guaranteed right to be rezoned. Eighteen months or so ago, once again our way of life and rural feel of our neighborhood was being threatened. 1320 W 2400 S, a 5 acre parcel in the middle of all of our A2 lots was wanting to be rezoned to 1/3 acre lots. We all voiced our concerns. Allowing spot zoning with high density housing in the middle of farmland is not a good idea. They are two different lifestyles that will clash. Farm animals can be noisy, stinky and attract flies. Irrigation, plowing, working the land, cutting of fields "farming" happens at all hours of the day and night. Non-farmers do not understand this lifestyle, non-farmers aren't tolerant of this lifestyle that has been going on for decades in this area of Mapleton. We requested that the property be kept as it is currently zoned A2. The Commissioners agreed. One of the commissioners even made a comment that it seems like all they do is rezone, rezone, rezone and they need to take a step back and realize everything doesn't need to be rezoned.

So here we are again, fighting to protect our way of life, fighting to protect the Mapleton feel. Its really getting old. One neighbor finally put their place up for sale because they were tired of always having to fight the city, fight developers from wanting to change the feel of our neighborhood. Luckily, and recently, a family looking for the rural farm life that our neighborhood offers, purchased their home with all intent to "farm" it. This five acre property is adjacent to the property that is wanting to be developed. Little did they know that the property next door was being purchased only to be developed into as many small lots as possible, changing the feel and lifestyle of the long existing neighborhood.

A lot of us were heavily engaged in the process of creating the most recent General Plan. Many of us spent countless hours at meetings, on surveys, participating and giving input. These two 5 acre parcels were specifically brought to attention again though group mapping exercises as well as the Social Pin Point map, that the parcels needed to be kept as A2 like the surrounding properties and not swallowed up into the large open farmed land to the north. Once the final meeting was held to adopt the New General Plan and it came time for public input, not a single Mapleton resident made a single comment. Why wasn't there any involvement at this point? Don't you find that odd? It was because Covid hit and the meeting was missed due to all of us trying to deal with all that was being thrown at our families, home schooling, employment, unemployment, staying healthy or not being able to log into the zoom meeting because of the awful internet service in our area. So, these two parcels were once again grouped in with the large plot of land to the north as Low Density. Yes, this is better than the Medium

Density that it was on the 2009 General Plan but not brought into the A2 neighborhood it is part of. The whole point of the new adopted General Plan is to create smooth transitions. Allowing this property to be rezoned and TDR's applied at this time makes absolutely no sense. Then what was the point of changing it on the General Plan from Medium to Low Density just to be changed to back basically Medium Density again? There is not enough property trying to be divided to allow step down lots from 5 acre to 2 acre to 1 acre to ½ acre lots. We all know that the probability that the large parcel to the north someday may be developed unless someone wanting to have a large property of farmland purchases it. There are people out there in the position to do that and want that. There are two prime examples of this very thing happening recently on 800 west. If this five acre parcel is allowed to rezone with TDR's applied before any such development takes place, it could be left as a small island of high density surrounded by rural A2 properties that will never be "developed". An island of ½ acre lots between the 5 acre lot to the west (which was just recently purchased with no intent on subdividing) the two 2 acre lots to the east, the large acreage to the north that is not developed at this time, with all the rest of our 2,3,4 acre lots to the south that cannot be divided. The only thing that would make since in this area at this time would be to allow this parcel to be split into two 2.5 acre A2 lots keeping the current zoning intact, thus conforming to the existing neighborhood. This gives people the opportunity to keep "open space" by purchasing small farmable land in Mapleton.

It baffles the mind, we have never lived in a town that allows property to be purchased knowing what its current zoning is, to then be allowed to change that zoning just because it was purchased with the intent of developing it. An outsider can come in and tell us that our way of life must change, and that it's "not sustainable" and that they have property rights to do whatever they want. What about the rights of the long term residents that bought here and invested dollars and years of hard work knowing what the zoning was, kept it as the current zoning with a continued willingness and desire to keep and maintain the "open space" of this small farm community? There are precious little areas in Mapleton left like our small "farming" neighborhood. You have the power to protect it.

Sincerely,

Dedee & Richard Dart

1225 W 2600 S

To Mapleton Planning Commission and City Council

I am writing to you regarding the property located on 1320 W. 2400 S. This land is located just across the street from my family and I. We have been residents of Mapleton for 5 years now and have loved every minute of it. We love the chickens, cows, cats, and dog that pepper our yard. We love the open spaces, the neighborhood, and the life that we can give our children here. They can grow up learning how to work hard and use the land. This is a way of life that is steadily declining not only all across Utah, but also right here in Mapleton.

When the aforementioned land was purchased, the property was and is zoned as A2. We would very much appreciate it staying that way. We feel this particular land fits in with the rest of our neighborhood that is also zoned as A2. If this land is rezoned, we fear it will have a domino affect on the rest of this neighborhood. We all have come to this area with the dream to have a simple, quiet life in working with our land and animals. We feel that life will be destroyed if this zoning request is passed.

A couple of years back we also had a developer try and make the five-acre property ½ acre lots. The surrounding neighbors pretty much unanimously were against it. The proposal was eventually pulled, but just as it was last time, the neighborhood is almost unanimously against this new proposal once again. We ask that you please consider the location, our neighborhood, and our way of life as a good fit to keep that property as A2.

Thank you.

Emily Beck

Dear City Officials,

I am writing to you in response to the request from Adam Smith and Janice Lange to rezone 1320 W 2400 S and purchase TDRs to subdivide the property into half acre lots.

In the June 28, 2018 Planning Commission meeting, our neighborhood and many others strongly voiced our disapproval of rezoning this property and argued that these properties should continue with the A-2 designation, consistent with the zoning of the rest of the neighborhood and area. The planning commission overwhelmingly rejected rezoning the property to allow for 1/3 acre lots but also rejected rezoning to an A-1 designation. We thought our voice was heard in 2018 and that action would be taken to fix the 2009 General Plan and preserve the integrity of the area.

So what happened since the June 2018 meeting? One thing I believe happened is that officials have been elected who are even more friendly to maintaining a rural Mapleton. They vowed to listen to the community and make a general plan according to what the residents wanted.

Overwhelmingly, the general plan goal of Mapleton residents is to maintain the rural feel of Mapleton. Our neighborhood embodies this goal with our small farms, fields, horses, cattle, orchards, etc.

Allowing half acre lots next to 2.5 acre lots will have a negative effect on the culture and livelihood of the neighborhood and will certainly lead to future development battles. Our opinions have been expressed often, such as in the June 28,2018 meeting and in the last 9 months.

In the Nov. 7, 2019 city council meeting our opinions were expressed for the council to not modify zoning changes that will allow for high density. To us, high density means anything more than one home per 2 1/2 acres.

In the Feb. 20, 2020 meeting the point was made that if zoning is changed it should allow for good transitions and transitions are good when 2.5 acre lots are next to 1 acre lots and not next to half acre or 1/3 acre lots. In the Social Pinpoint Exercise, several comments were made regarding the parcels close to the highway including the 1st, 2nd, and 3rd lots to the east of the highway. Comments such as: (these properties) should be lower density to match the 2+ acre properties to the east and south east, (these properties) should be rural residential. Several likes were made on these comments. Most residents in the neighborhood are not on social media and were not aware of the process but those that were aware of the general plan did express their opinions of how the general plan should designate these properties. We did everything we could in this process.

Many of us regret that we didn't properly follow-up on my concerns in the city council meetings over the last few months while the council voted on the general plan. I think you'll agree that the virus has been a large disruption to many of us and has affected how we can participate in the normal city council proceedings and general plan process.

What city council members have explained to us, though, is that the general plan is a guideline of how Mapleton can grow that does not have to be exactly followed. It's a guideline that is not legally binding and probably didn't get every foot, parcel, and acre right. Past general plans weren't legally binding and from what I've observed since living in Mapleton, a general plan has always been treated as a guideline. Anyone that buys a home, looks at the zoning as a protection. That's what residents of our area have done, we bought our homes, having done research on the zoning and knew that it's zoned A2 and has agriculture land-use.

In the recent Growth Perceptions Survey, 85% said Mapleton is growing "much too quickly" or "a bit too quickly." This is my view as well. The Mapleton City Code Chapter 18.12.010 states that development within the city should be "sound, stable, and desirable." I am a reasonable person and understand that growth will happen but the projected growth as designated in the general plan for this neighborhood is not desirable and that opinion is nearly unanimous in our area of Mapleton. The proposal is not sound either. essentially puts in a sub-division as an island within a neighborhood isn't sound either. All other property around this proposed island of development will be agriculture. If you talk with those that have lived in the neighborhood for several years and know this area best, you will hear how this development wouldn't be stable, either. There are complications for lack of emergency vehicle turnaround clearance, an aquifer close to the surface, sewer grade, irrigation ditches that water fields surrounding the property, etc.

In the City Code, Chapter 18.12.010B states how to determine if a request is in the interest of the public. The points applicable to this conversation are points 3 and 6; point 3 states "compatibility with the general plan, policies, goals, and objectives." The general plan is by definition "general" and the main outcome of the general plan is to be in favor of a rural feel, small farms, fields, open space, etc. Rejecting this proposed development is aligned with the general plan goals. Point 6 states that adverse impacts on adjacent landowners should be considered for zoning changes. The current zoning is acceptable, the proposed changes on the general plan (and use of TDRs) would create adverse impacts on adjacent landowners. Horses, cattle, gardens, irrigation ditches, hay fields would be next to half acre lots (by use of TDRs). In the last 5+ years many of us purchased our homes and moved into this part of Mapleton to have small farms and live differently than other cities in Utah Valley. We have invested millions into our livelihood to create this lifestyle. The general plan changes to this area will not create a harmonic situation amongst neighbors now and in the future.

We ask that you reject this proposal and respect our wishes and goals for our properties and livelihood.

Sincerely,

Kasey Beck

Sean

I am writing a letter in regards to a possible zone change that I completely oppose. A house on a 5 acre lot has recently been purchased right across the street from my home on 2400 South in Mapleton.

My husband and I dreamed of moving to Mapleton where there was some rural land available making this city charming and beautiful. We own horses and wanted a place where we could have them on our property. We worked tirelessly to get our finances to a point where we could purchase a home in this beautiful city. We bought one of the first houses built on 2400 S. It was in need of a lot of work. But we fell in love with the land and the way of life of the area. We have worked extremely hard to make improvements on our home and land. Before purchasing our home we researched the zoning not just on our lot but on the streets surrounding ours and was overjoyed with the zone of 2 acre per dwelling. It makes this area one of country, of space, of animals, of ranch and farm life and so much charm. It is indeed a wonderful place to raise a family and we truly love it.

About 2 years ago our neighbors right across the street of our house on 2400 South, tried to develop the 5 acre lot into 1/3 acre lots. The entire surrounding area came to the meeting and made it very clear that it isn't what any of us desire. There is a lot of passion in this area of our life style and We fought their request as we feel it isn't conducive with how our neighborhood is with the rest of us being on at least 2 acre lots. That same 5 acre lot has recently been sold and they now are trying to change the zoning to develop that land into 1/2 acre lots. They should be held accountable for the zoning at the time they purchased the land. The new land owners have expressed their desire to some in our neighborhood their intent to develop "that our hobby farms around here are not sustainable and they want to make Mapleton more affordable." I have thought about that a lot. Having horses in our yard has been an extreme benefit for our family. Horses are used so often in therapy. They are a brilliant animal and bring a lot of peace to many. I know that horses are used in many situations to help sustain life and are used often in working with individuals who seek for healing. My children help take care of our animals and our land. They love the horses deeply and love to spend time with them. Our horses have personally rode us out of some challenges in our own lives. We argue that life just might not be as sustainable without our horses and we need places like our neighborhood is now to be able to have such incredible animals.

Shoving a subdivision within a subdivision is awkward and doesn't create a feeling of community. It disrupts our quality of life. It makes a peaceful country feel and road where children ride bikes with friends into a crowded road where they are no longer safe to ride. This development effects us greatly as it is literally right across from where My husband and I live with four kids. We plead with you to reject the request for a zone change on this lot and to not allow TDRs to be used. It should be kept in harmony with its surrounding area of at least 2 acre lots per dwelling. It strengthens a community rather then divides it. It is worth keeping this area of Mapleton in line with the vision and goal that Mapleton was built on and we ask to continue with the goal in mind to "Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and preservation of open space." This 5 acre parcel should be preserved and stay at the zoning of more rural living with 2 acre lots.

Thank you for your time
Jarica Hanson

To: Planning Commission and City Council members

From: Chad and Lynette Cornaby
2445 South 1600 West
Mapleton, Utah 84664

Dear Mapleton City Planing Commission and City Council,

We are writing about the zoning change proposal now in consideration for the property located just up the street from our house. We are opposed to 6 houses being built on the 5-acre parcel located at 1320 West 2400 South. Our neighborhood has been agricultural, open, and usable for livestock and farms, and we believe it is in Mapleton's best interest to keep the A2 zone on our street. Most of us living here keep livestock, and we accept the noise and smells and flies and other inconveniences that animals bring. New neighbors on smaller lots could potentially complain and cause trouble when roosters wake them up at all hours and their new home is full of flies, not to mention the manure, the dust, and the smell of Frank Nelson's silage every spring. It seems to me Mapleton has plenty of space elsewhere for higher density housing.

Our family has loved living here; we moved in 19 years ago - away from the traffic and crowded subdivisions of Spanish Fork. On our 2 acres we currently own 2 horses, 4 steers, a flock of hens and a few roosters. The families on the street support and help each other with the livestock, gardens, orchards, hay production, etc. We choose to live here because we love the open spaces, the fields, the views, and Frank Nelson's farm.

We understand the new owners have rights to use their property in certain ways and they are following the correct procedure to get what they want. We understand the city is following correct procedure as well and wants to accommodate as far as is reasonable. But we also believe the city officials have a responsibility towards surrounding landowners who came here to experience this lifestyle and are good citizens. We want to be good neighbors and would welcome a new family — or 2 would be fine, at most 3 — but not 7.

We have had a similar experience as the Smith's are going through. Here is our story: We own a structural steel and railing manufacturing business. After starting the business in Spanish Fork, we moved it to Mapleton, and operated it in the shop on the property where we live now. We applied for a zoning change from rural to commercial after purchasing our home. It was granted; no one complained at the time. It was according to the General Plan. Our business grew. Along with the growth came more noise, more traffic, more industrial smells and fumes, and many semi-truck deliveries. A new building was added to accommodate a new type of production. The yard was cluttered at times. The neighbors started complaining. They complained to the city and threatened lawsuits. City officials had to come up with violations to cite against us. We tried to comply. In the end we almost sold out and moved away. But thank goodness our hearts were softened, and another solution presented itself. We asked for patience while building our shop in Spanish Fork, and decided to stay. We couldn't live in a place where the neighbors didn't like us, and we didn't want to make life miserable for our neighbors, so we just moved our business. We have enjoyed years of friendship since then. We like the area — with its agricultural nature! — as it is. We have always tried to comply and be good neighbors and citizens. We hope the city will consider our wishes as well as the wishes of the Smith's. Please keep the neighborhood at A2. Please save the city the potential future trouble of high density housing in the middle of an agricultural neighborhood.

Sincerely, Chad and Lynette Cornaby

Chris Vincent
2373 S 1200 W
Mapleton

July 4th, 2020

Mapleton City Council & Planning Commission,

I am writing this letter in regards to a request that has been submitted to rezone a neighboring lot to the west of my own. Just short of two years ago a similar request was submitted to rezone the same property from A2 to into 13 separate lots. My neighborhood and I attended meetings regarding this and ultimately has the city council denied the request with a recommendation to the planning commission to keep the neighborhood A2 zoning. We thought that was the end of it but it turns out the developer pulled the request and therefore kept the recommendation from making it to the planning commission. We barely learned of this when we were told someone else was planning to develop it.

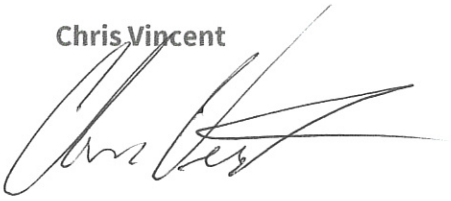
I took part in the ourmapleton survey regarding the general plan and even selected my neighborhood and left notes regarding keeping it A2 land. I apologize for my ignorance regarding the council meetings that were held but with the covid-19 pandemic my mind has been a little scattered to say the least. I was also under the impression that our neighborhood had been decided by the council back in 2018 to remain A2.

I would like to see that the city council and planning commission revise the new general plan regarding this neighborhood back to A2 and to limit or deny the use of TDR's in the neighborhood as well.

We love it here in Mapleton and we live here because of the atmosphere we currently have. Open spaces, space between neighbor's with our A2 zoning, animal rights and owning animals such as horses and livestock. We want our children to grow up learning about animals and this lifestyle.

Sincerely,

Chris Vincent



Mapleton City Counsel & Planning Commission,

I am writing to you about the land directly west of my property located on 2400 south. In the last few years, we faced our neighbors attempting to rezone the land and it into 1/3 lots. This was met with strong opposition by all of the neighbors voicing our concerns. Ultimately the rezoning was denied and with that we thought this issue was put behind us. When the planning commission put out land surveys my husband and I participated and tried to be an active part of that online. As the plans were released, we were in the midst of the COVID 19 pandemic and as a Nurse working on the frontlines everything else in life seemed to be put completely out of mind as crisis mode kicked in.With new owners came another rezoning effort to develop the land to something that is out of place in our beautiful neighborhood.

We moved to Mapleton 7 years ago and plan on this being our forever home, but our story is much more than that. My grandparents moved to this beautiful area from California to settle in and enjoy a more quiet life. This became a haven for the entire family to come and not only enjoy each other but also learn to be responsible. My grandfather got us animals and taught us how to properly care for and raise them. He also taught hard work planting fields of vegetables having us weed, water, harvest, and then share with all of those around him. I still hear stories about my grandfather and his amazing corn from those neighbors around us that still live in and love this neighborhood.

When both of my grandparents passed on within a few years of each other my husband and I decided that this would be an amazing opportunity to continue my grandparents legacy giving our kids the opportunity to enjoy the way of life I was able to as a child. Living in this beautiful part of Mapleton with the land that we have been afforded the opportunity to raise our children around horses and teach them the same responsibility I was able to learn as a child. These are invaluable lessons in life that not everyone is able to experience. It is great if the rural living is not your thing, but it is so disheartening having individuals come into this area and try to change everything for the rest of us. I have had many people from family to friends spend time at my house to get away from it all in our little paradise.

I do understand that development is something that happens, but I believe that the current zoning of the property (A2) should be followed. I like many of my neighbors live in this particular area because of the beautiful open spaces and the zoning that allows us to preserve that. Rezoning this area would be a great disservice to Mapleton and its beauty. To summarize what I am asking I would like to ask the counsel and planning commission to amend the newly adopted General plan back to A2 for our neighborhood and to restrict/limit the use of TDR's in the neighborhood as well.

Thank you,
Jessica Vincent

July 7, 2020

Mapleton City Planning Commission Members
Attention: Mayor Dallas Hakes
City Council Members: Reid Carlson, Jessica Egbert, Therin Garret, Leslie Jones, Jim Lundberg

Mapleton City Planning Commission:

My husband and I built our home at 1551 W 2400 S in 1983 when there was only a dirt road and very few homes. The master plan for Mapleton indicated to us this area would remain A-2 agriculture residential zone. We enjoyed having animals which included horses, goats, steers, rabbits, dogs, and cats. Also, deer were free to range. Not so enjoyable were skunks and raccoons. It was rural and we loved it.

So almost 40 years later, developers are ruining Mapleton; and you, the planning commission and the council members, are allowing it to happen with way too much development. Yes, the farmers that owned the land are responsible too. They sold the land to the developers. But why should a family come into the neighborhood and be able to change the way of life for the last 40 years with a little maneuvering of TDRs? Please do not allow the exchange of TDRs to be used for developing in this area. Our few blocks of property with 2 to 5 acre plots are practically the only ones left in Mapleton.

When my husband and I sit out on our front porch, we see acres of land with deer and horses and cattle with Mt. Timpanogos in the background. Our dog and cats join us for this beautiful scene. Homes are distant. Now all we'll see are homes right across the street from us. What has happened to our peace and tranquility? What has happened to Mapleton? It's gone to . . .

Sincerely,

Shelley Scott

Shelley Scott
Mapleton

Jerry C. Scott
1551 West 2400 South
Mapleton, Utah 84664
(801) 361-6003
email: sas@digis.net

July 4, 2020

Mapleton City Planning Commission Members
Attention: Mayor Dallas Hakes
City Council Members: Reid Carlson, Jessica Egbert, Therin Garret, Leslie Jones, Jim Lundberg

Mapleton City Planning Commission:

My wife and I built our home at 1551 W 2400 S in 1983 when it was only a dirt road and no homes across the street. The city master plan and the city mayor assured us this area would remain A-2 agriculture residential zone. He said that **the Mapleton Vision Statement encourages the city to maintain its rural character.**

Presently, we have two new families planning to move into the house at 1320 W 2400 S. The home was built by Ken Larson, and now Adam Smith, who hasn't moved in as yet, wants to change the zoning to RA-3 high density from A-2 agriculture living. The two zoning applications cannot co-exist next to each other without arguing and disruptive feelings.

These people have been working for two months on serious upgrades including structural changes within the house including new plumbing and electric changes. The city was called and the family does not have a permit. If you have a permit, it will require inspections from Mapleton City, thus ensuring the proper code was maintained for the plumbing, especially for leaks, and electrical inspections for proper installation. When walls are moved it requires inspections to seek out weakness of the structure itself.

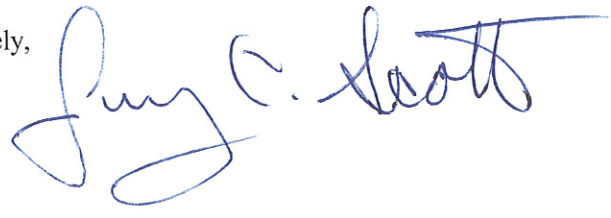
So who are the developers? New owners bringing in workers, failing to have the proper permits and inspections. Is this the liability the city wants? Think of the lawsuits for the city failing to do their job as well as the new owners. We have notified the city and now the responsibility rests with Mapleton City and anyone affiliated with job assignments to ensure home safety.

Adam Smith, the son-in-law of Janice Lange, who is the developer, does not want to spend too much money on curb and gutter and his plan fails to show sidewalks, curb and gutter, and a turnabout for emergency equipment including snowplows. By law, fire trucks should not have to back up over 150 feet. Without the turnabout or cul de sac this would not meet city code.

Please read the attached proposed zone change concerning the Dixie Foran property now owned by Janice Lange. There are serious water problems and the homes will require pumping stations. Back-up electricity will be required for each home if the power lines fail. This is an absolute necessity as the property is three feet below the city sewer line. Water does not flow up hill.

Please do not allow the exchange of TDRs to be used for developing in this area. We have invested millions of dollars, and I am wondering why no one in the neighborhood was contacted by the Langes and Smiths concerning their desire to have high density homes in the middle of low density farming community and taking our little bit of heaven away from us**. Please, I beg you. Do not take our happiness away from us.**

Sincerely,



July 14, 2020

To Members of Mapleton Planning Commission and City Council:

We are residents of Mapleton and live around and near property located at 1320 West 2400 South being proposed for zone change and development.

On June 28 of 2018 neighbors around 1320 West 2400 South presented their objection of developing 5 acre property at said address using TDRs and rezoning of the property. The neighborhood made their objection loud and clear. The objection by the community was emotional and full of passion for our way of life. We are a big family and we love our neighborhood and country life. These two blocks of homes are more than just a piece of property. It is precious to us and sad to see rural living is disappearing in Mapleton. The meeting with the planning commission was successful and rezoning was not approved. Unfortunately the developers pulled their application, as a result the planning commission decision never made it to the council. Unfortunately our community understood that the planning commission's decision was binding and that we didn't need to worry about other attempts.

We also had an opportunity to remark on the landmark study in Mapleton. The neighborhood made comments and overwhelming households recommended keeping the neighborhood A2-R. We were under the impression that our voices have been heard and attending a meeting in the middle of Pandemic was not a good idea. Our action is not an excuse for lack of continued engagement with the city but these are unfortunate times. We hoped that our comments made in the study would have been looked at and not side stepped.

The property on 1320 West 2400 South has been sold and to our surprise in the spotlight again. Now with the updated city plans, developers are once again trying to destroy our way of life and aggressively pursuing to challenge the integrity of our 2 blocks of rural living. This time the new developers are armed with a new city plan and asking for TDRs and 1/2 acre lots. Half acre lots are not a good match for this area; all the surrounding developed lots are a minimum of 2 acre.

Residents have made significant financial investments in homes and properties that comply with the A-2 zoning. The A-2 zoning and lifestyle it affords is what draw the people to our neighborhood.

We would like to express our concern to the Planning Commission and City Council again. We would like to ask that council limit the use of TDRs on this property and limit any rezoning of this property. We all have been engaged with the city from the beginning. We are trying to preserve our country living. We are not against responsible development. We prefer to keep zoning to a minimum of A2 (2 acres) as is.

7/10/2020

	Name	Address
	Jerry Leatt	1551 W 2400 S Mapleton
SLS	Shelley Scott	1551 W 2400 S "
	[illegible]	1548 W. 2400 S. Chad
	[illegible]	1548 W 2400 S "
KLB	Kasey Beck	1225 W 2400 S, Mapleton
EB	Emily Beck	1225 W 2400 S, Mapleton
RW	ROLF WALPOLE	1185 W. 2400 S. MAPLETON
DW	TANGIE WALPOLE	" " "
AD	Ann Daybell	1180 W. 2400 S Mapleton
AL	Alecia Liecy	1088 W 2400 S Mapleton
MP	Monty Pierce	1088 W 2400 S. Mt.
LW	[illegible]	2373 S. 1200 W.
BH	Brent Hanson	1325 W. 2400 S.
JH	JACLYN HANSON	1325 W. 2400 S.
	[illegible]	[illegible] Mapleton
	[illegible]	2975 S 1600 W MAPLETON
LC	[illegible]	2445 S 1600 W Mapleton Signed Quest [illegible]
	[illegible]	1985 1600 W Mapleton
	[illegible]	N 25 [illegible] W Mapleton
LD	Tammy Daybell	1180 W 2300 S Mapleton
	Frank W. Nelson	2125 S 1600 W Mapleton
RES	R E Littlefield	1059 W. 2400 So. MAPLE.
JV	Jessica K. Vincent	2373 South 1200 West Mapleton UT 84664 ChadK
CDC	Chad Crowley	2445 S. 1600 W. MAPLETON UT. ChadC

7/10/20

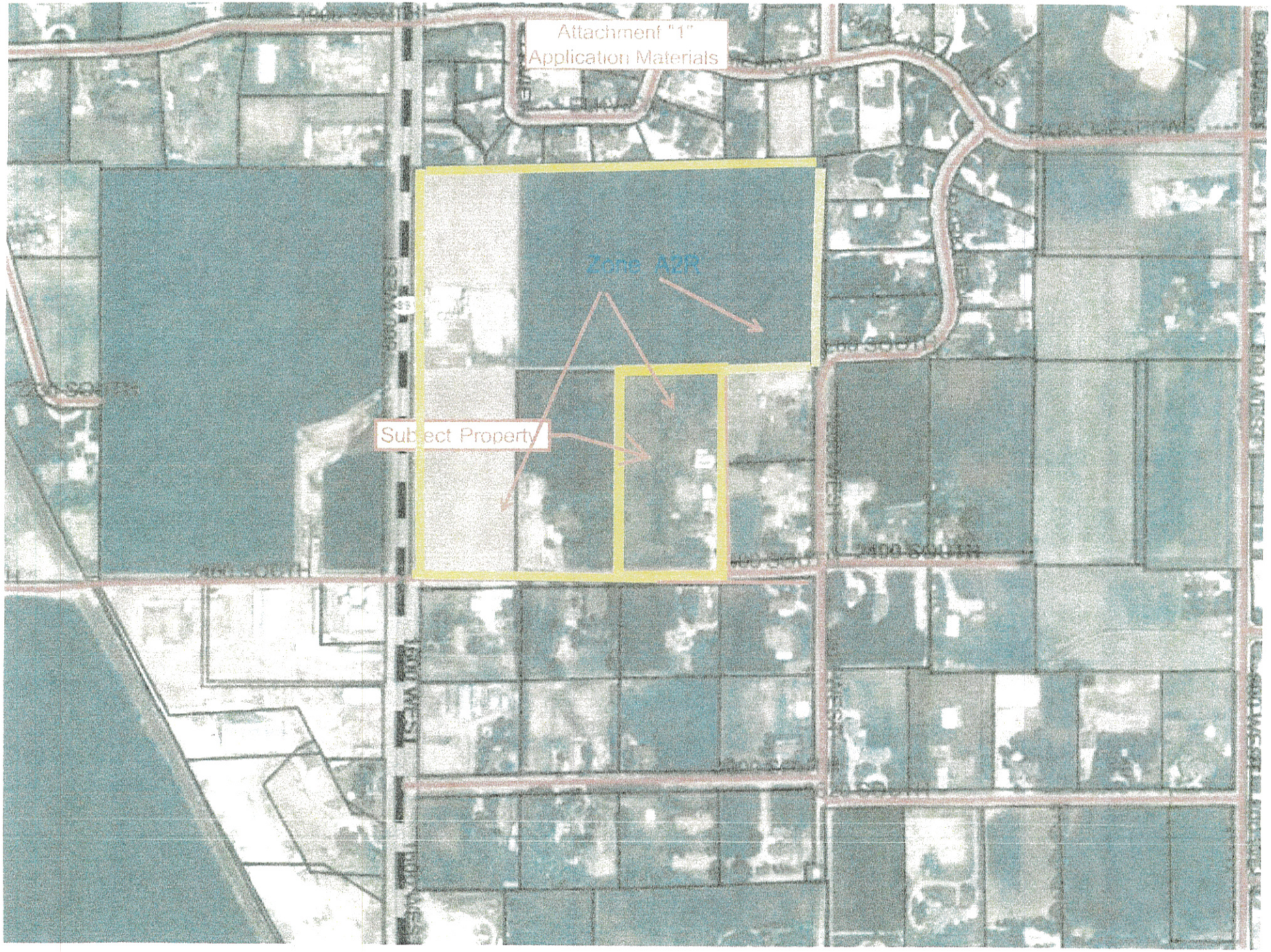
	Name	Address
	Debbie Dart	1225 w 2600 s Mapleton UT
	~~Forrest Dart~~	1225 w 2600 s Mapleton, UT
	Michelle Walker	1224 W 2600 S, Mapleton UT 84664
	Brandon Walker	1224 W 2600 S, Mapleton UT 84664
NG	Nicholas Glasgow	1140 W 2620 S Mapleton UT 84664
	Abby Glasgow	1140 W 2620 S Mapleton UT 84664
	Julian McKay	1151 W 2620 S Mapleton, UT 84664
	Mandani S Kay	1151 W 2620 S Mapleton, UT 84664
CB	Caitlin Bastian	1060 W 2620 S Mapleton
~~KB~~	Kim Bastian	" " "
JG	Jennifer Gibson	[illegible] Mapleton, Utah
	[illegible]	[illegible] Mapleton, Utah
	[illegible]	next Page
	~~Jason Sheridan~~	975 W 2620 South Mapleton, Ut
	[illegible]	[illegible] 2620 South Mapleton UT
	[illegible]	[illegible]
KMJ	Kenneth Mycock Jr	1590 W 2600 S Mapleton UT 84664
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	[illegible]
	Peggy Mostashari	1210 W 2400 S Mapleton UT 84664
	Jose Mostashari	1210 W 2400 S Mapleton, UT
	Richard Dart	1225 W 2600 S Mapleton, UT

Petition Against Rezone and Development of Property at 1320 West 2400 South Mapleton - July 15, 2020	
Name	Address
Kim Spilker	1355 W. Elk View Circle Mapleton UT 84664
Lindsey Heath	1405 W. Elk View Cir Mapleton UT 84664
Cindy Tyler	1405 W. Elk View Circle Mapleton UT 84664
Cindy Walgate	1225 W. Park Meadows Mapleton, UT 84664
Chuck Walgate	1225 W Park Meadows Dr Mapleton UT 84664
Lindy Summerhill	2030 S Parkview Dr Mapleton UT 84664
	2030 S Parkview Dr Mapleton UT 84664
	Blair Schmoekel 1265 W Park Meadows Mapleton
	1155 W Park Meadows Dr Mapleton UT 84664
	1455 W Elk View Cir. Mapleton, UT 84664
Kelly Cull	1455 W. Elk view circle Mapleton, UT 84664
Shara Pease	1475 W. Park Meadows Dr Mapleton, UT 84664
Jo Pease	1475 W. Park Meadows Dr. Mapleton, UT 84664
Bobbie Stilton	1918 W. 1900 S. Mapleton UT 84664
	1918 W 1900 S Mapleton, UT 84664
Melinda James	2015 S Parkview Drive Mapleton, UT 84664
Dawee James	205 S Parkview Drive Mapleton, UT 84664
Char Dastrup	1105 W Parkview Dr Mapleton, UT 84664
Cheryl Felix	1055 W Parkmeadows Dr. Mapleton

Petition Against Rezone and Development of Property at 1320 West 2400 South Mapleton - July 15, 2020	
Name	Address
Garth Felix	1088 W. Park Meadows Dr. Mapleton
Dena Harness	1654 S. 2100 W Mapleton
Tom Maxwell	1056 W. Park Meadows Dr. Mapleton
Danielle Maxwell	1056 W. Park Meadows Dr. Mapleton
[illegible]	1849 S. 2100 W. Mapleton
[illegible]	1849 S 2100 W Mapleton, UT
[illegible]	1806 W 1900 S Mapleton Ut
[illegible]	1806 W 1900 S Mapleton Ut
[illegible]	1550 W Park Meadows DR.
Ken Cox	1550 W Park Meadows Dr.
[illegible]	1476 W. Elk View Circle Mapleton
Melissa Bushnell	1476 W. Elk View Circle Mapleton
Roxanne Shumway	2203 S 2000 W Mapleton, UT 84664
Lorna Neubold	1420 W. Elk View Circle Mapleton
[illegible]	1420 W Elk View Circle Mapleton UT
Cindy Christensen	1501 West Elk View Circle Mapleton
Holgen Freeman	1325 W. 2600 South Mapleton

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Petition Against Rezone and Development of Property at 1320 West 2400 South Mapleton - July 24, 2020	
Name	Address
Virginia Gore	2975 S. 1600 W. Mapleton
Jessica Balser	2935 S. 1600 W. Mapleton
Jared Balser	2935 S. 1600 W. Mapleton
Kellie C. Duncan	1420 W. 2000 S. Mapleton
James Duncan	1420 W 2000 S Mapleton
Ann Tuttle	850 W. 2620 S. Mapleton
Dave S Tuttle	850 W. 2620 S. Mapleton
	1548 W 2400 S MAPLETON
SUSIE KOTTER	1548 W 2400 S MAPLETON


Attachment "1"
Application Materials
Zone A2R
Subject Property
2400 SOUTH
2400 WEST

Brian Tucker

From: Sean Conroy
Sent: Thursday, July 2, 2020 2:12 PM
To: Nicholas Glasgow
Subject: RE: 2400s request for rezone and application of TDRs

Thanks Nick for your thoughtful comments. I will forward them to the Planning Commission and then the City Council when the application gets scheduled for hearings.

Sean Conroy, AICP
Community Development Director
125 W 400 N
Mapleton, UT 84664
(801) 806-9101
sconroy@mapleton.org

-----Original Message-----
From: Nicholas Glasgow <
Sent: Thursday, July 02, 2020 1:17 PM
To: Sean Conroy <sconroy@mapleton.org>
Subject: 2400s request for rezone and application of TDRs

Sean,

About Two years ago the neighborhood made its voice loud and clear that we as neighbors do not support the rezone and use of TDRs to take lots from 5 acres down to 1/3 acre lots in our neighborhood. The property that attempted to rezone two years ago was the lot on 2400 S. The neighbors touching this property all attended the planning commission meeting and all said that they were in opposition. The community came out with such passion because we love this little 2 block island of rural living. Our way of life is slowly disappearing, piece by piece in Mapleton. So many neighbors came out and voices were heard that even with a 10 year old city plan allowing for higher density on those lots the planning commission recommended to not allow the developer to move forward. Because of opposition and an unfavorable recommendation from the planning commission, the development idea was pulled and it never made it before the council.

Fast forward to this year with the online landmark study, I personally marked these lots and areas and made comments that these lots should be re planned to match the neighbors at A2. My fear was any movement of higher density into this 2 block island of rural living would have a domino effect. Many of my comments online on the map were liked and commented on expressing the community also supported my desires to preserve our 2 blocks of country living.

When landmark was released it was in the midst of one of the worst pandemics in recent history. Many of us who were very engaged in giving input on city planning we're now focused on this pandemic. It's not an excuse for lack of continued engagement but it is a reality we all faced none the less. I hoped that my comments made in the study would not fall on deaf ears and that my voice would be considered. I appreciated the up dated city plan lowering the density of this area even if it didn't match the entire 2 blocks as my comments requested.

The lot in question from two years ago on 2400s has now been sold again and now with the updated city plans, developers are once again attacking the integrity of our 2 blocks of rural living. This time the new developers are armed with a new city plan and asking for TDRs and 1/2 acre lots.

These half acre lots would not match the surrounding neighborhood and would possibly open the door to leap frog development. Potentially we could loose one of the last few islands of rural living left in mapleton.

I would ask that you express my concern to the council, I would ask that you limit the use of TDRs here and limit any rezone of this property to a minimum of 1 acre lots. I am not simply another not in my backyard letter writer. I was engaged in the planning process from the beginning. I am for responsible growth in Mapleton while maintaining the rural feel. 2400 S 2600 S and 2620 S are two blocks which are worth preserving as a small island of rural living in Mapleton. Thanks for listening.

Nick Glasgow
1140 w 2620 s
Mapleton Utah
Sent from my iPhone

7,2,2020

Mapleton city council,

We were at the planning commision meeting about 2 yrs ago. We made it clear that when you let subdivisions into mapleton on every place of ground it is no longer the Mapleton most of us came here to live ~~in~~ in. Because it was voted on by the planning commision to leave our neighborhood on a 2½ acre or more zone. I ask if we should go to the city counsil meeting also + was told I wouldnd have to. Usually what the planning commision votes the city council will vote that way. Come to find out that advice was wrong. I feel really sad about being given the wrong advice. I feel like I can't trust city officials.

In this neighborhood we paid alot more for our ground + homes because we were buying a farm like atmosopher.

Please keep the zoning at a minimum of 1 area lots without the use of TDRs. I feel that would be fair under the circumstance.

Thanks. Lonny + Ann Daybell

Dear Sirs:

We have heard about subdividing our neighborhood which we are not approving of. We built up here in 1979. We have been here ever since. We have loved being here, and would like to keep it the same! We bought here because it was nice and privet. We are at the time our property taxes are higher than our house payment will be, but we still save money to pay them. You could classify us as red necks! We don't do computers or fancy phone or TV's. We do 4 wheelers motorcycles & boats. When we bought here there was no road, only dirt & weeds! My dad and I drew the floor plans & went from there. We didn't have landscapers to do the yard, which most of stuff came from shoots from other people, or off the mountain somewhere. We still have deer in our yard all year, and pheasants, racoons & skunks. It has always been zoned for 5 acres or 2½ acres. We would love to see it stay the same. If someone buys to sell their property for more houses so they can make money. Please go buy elsewhere! If they all for our house, okay but no more than five! Let all of us keep it the way it is. Now days everywhere we go in Maple Ln. I wonder where we are. There are to many subdivisions & houses. Our directions were to be go to the white church & turn, or go to Deans shoot back, which are gone! It use to be a very fun place to live, when everyone here was poor not rich. Please keep it the way it is. Thank you - By the way our house payment is $320. per month

Glenn & Mont Pierce 7-3-2

Comments on 1320 W 2400 S, Mapleton, UT 84664 possible subdivision

This property is in an area zoned A2 at the southwest corner of Mapleton and is one of the few remaining areas where reasonable space exists for "rural" activities – i.e. farming, livestock raising, horseback riding, etc. The recent changes to the Mapleton Master Plan preserved this zoning for the southwest area of Mapleton wherein minimum lot sizes of at least 2 acres are to be maintained. It is understood that with the use of TDRs 1 acre lots are permitted.

The referenced property development indicates the desire to have several half acre parcels within the current 5 acre parcel. If approved, this situation would lead to the building of residences and the establishment of lot sizes totally **incompatible** with the existing neighborhood and would eventually provide for **conflicting lifestyles** to have to co-exist within the current zoning of the greater southwest area of Mapleton.

Quoting from the currently approved Master Plan, the following thoughts pertain to this matter:

"...As the community develops and current land use patterns change, several issues must be addressed prior to approval of rezone requests, annexation petitions or amendments to Subdivision or Zoning Ordinances...Mapleton desires to protect and encourage residential and commercial agriculture through appropriate zoning and density development. As stated in the Vision Statement: 'We encourage...Preserving animal rights,...agriculture,...green spaces, trails,...horseback riding...', etc. Agriculture uses include commercial agriculture, the raising of livestock, "gentleman farming", as well as residential agriculture uses such as pastures, the growing of gardens, and other agriculture endeavors.

As a long time resident of an A2 Zoned area and for the reasons of compatibility and adjacency in paragraph 2 above, it is respectfully suggested that TDRs not be permitted to be used to reduce subdivision lot sizes to less than one acre in and adjacent to A2 zoned areas of Mapleton.

Julian M. F. Kau
Captain, Civil Engineer Corps, U. S. Navy (Retired)
1151W 2620 S, Mapleton, UT 84664
801 489 8273
"juliankau@gmail.com"

Brian Tucker

From: Sean Conroy
Sent: Wednesday, July 8, 2020 5:22 PM
To: Brian Tucker
Subject: Fwd: 1320 West 2400 South development

One more for the file.

Sent from my iPhone

Begin forwarded message:

> **From:** Celia Riding <
> **Date:** July 8, 2020 at 3:37:49 PM MDT
> **To:** Sean Conroy <sconroy@mapleton.org>
> **Subject: 1320 West 2400 South development**
>
> Sean,
>
> Thank you for taking the time to listen to the voice of the people in regard to the 2400 South development. We are united as neighbors numbering more than 30 families in that we all LOVE this unique rural area that we live in. We moved to the area because of what it offers us and our families. We are not interested in drastic increases in development within our neighborhood! We love the feel of the rural living complete with horseback riding, hauling hay, irrigating, gardening, beautiful quiet starlit nights without the noise and business of so many people. If exceptions are made for this area there is great concern that it will have a domino effect on the other open space that surrounds us and we just don't want it to grow like everything else around us! Please keep the density of lots adjacent to A2 lands at 1 acre or more. Please do not use the TDR's to change the 1 acre lots to 1/2 acre lots in this quiet rural piece of heaven.
>
> As a resident of Mapleton I would like to "Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and preservation of open space, " as listed as the number one statement in the Land Use Guiding Principles. In order to preserve Mapleton's rural atmosphere and open space we need to have a higher percentage of rural and low density housing not medium and high density housing. We cannot have a rural atmosphere without open space. My vision also aligns with the number two statement in the Land Use Guiding Principles which states, "Continue a focus on large-lot, single-family residential uses to help preserve Mapleton's rural character." Lastly, "Ensure that land uses are compatible or have adequate buffers." The land that surround the 2400 South development is all A2 area with a large portion of it currently being used for agricultural. Most lots in the "Park View Meadows" development north of 2400 south are also 1 acre lots. Please listen to the voice of the people, preserve the rural atmosphere of Mapleton, preserve the open space in this charming town.

This is the voice of the people in Mapleton City as well as the voice of the neighbors affected by the development of the 2400 South area.

Please share this concern with the planning commission and city council.

Kind Regards,

Celia Riding
990 West 2620 South
Mapleton, Utah 84664

Darren Turley
850 West 2620 South
Mapleton, UT 84664

801-427-70742

July 8, 2020

Mapleton City Council and Mapleton Planning Commission
Mapleton, UT 84664

Comments on proposed subdivision – 1320 W 2400 S, Mapleton

It has come to our attention that the new owner of the property located at 1320 W 2400 S is anticipating requesting a zone change on their new property which is currently zoned as A2. They would like, through zone changes and using TDR's, to develop six ½ acre lots from their 5 acres.

I understand that they have every **right** to do as they please with their property. However, they were fully aware of the zoning of the property that they were purchasing and that they would have the right to develop down to an A2 level. Anything beyond this is a opportunity that may or may not be allowed. They do not have the "right" to rezone their property and to try to sell it for a profit at the expense of the neighbors. As has happened in the past, when the zone change is denied by the city, the property owner cries "Foul", "You are taking away my rights", "You are making it so I can't make any money". Is this the real reason why the purchased the property. To develop it? That is a pretty big gamble to make on a large purchase.

All of the properties in this neighborhood are well established and have been here for several decades. These properties has various animals including horses, cows, sheep, chickens, dogs and cats. Many also farm and irrigate their land which means sometimes running farm equipment late at night and irrigating at all hours of the day at night. I don't know how these activities and animals will be received by new neighbors that are on ½ acre lots.

I would recommend that this property remain as an A2 zone and that they can develop the land down to the A2 size level. I would recommend that this site not be allowed to use TDRs to gain greater density as this would be completely inconsistent with the current neighborhood and would lead to other conflicts (i.e. animals and farming) in the future.

Thank you for your consideration on this subject and thank you for your service to the community.

Sincerely,

Darren Turley

July 2, 2020

Mr. Conroy,

On June 28 of 2018 neighbors around 1320 West 2400 South presented their objection of developing 5 acre property at said address using TDRs and rezoning the property. The neighborhood made their objection loud and clear. The objection by the community was emotional and full of passion for our way of life. We are a big family and we love our neighborhood and country life. These two blocks of homes are more than just a piece of property. It is precious to us and sad to see rural living is disappearing in Mapleton due to greed of some individuals. The meeting with the planning commission was successful and rezoning was not approved. Unfortunately the developers pulled their application, as a result the planning commission decision never made it to the council. This is pretty sneaky and smart on the developers' side to keep the door open for a future development pursuit. Unfortunately our community understood that the planning commission's decision was binding and that we didn't need to worry about other attempts.

We also had an opportunity to remark on the landmark study in Mapleton. The neighborhood made comments and overwhelming households recommended to keeping the neighborhood A2-R. We were under impression that our voices have been heard and attending a meeting in a middle of Pandemic was not a good idea (We were WRONG). Our action is not an excuse for lack of continued engagement with the city but these are unfortunate times. We hoped that our comments made in the study would have been looked at and not side stepped.

The property on 1320 West 2400 South has been sold and to our surprise in the spotlight again. Now with the updated city plans, developers are once again trying to destroy our way of life and aggressively pursuing to challenge the integrity of our 2 blocks of rural living. This time the new developers are armed with a new city plan and asking for TDRs and 1/2 acre lots. Half acre lots are not a good match for this area; all the surrounding developed lots are minimum of 1 acre.

We would like to ask you to express our concern to the council again. We would like to ask that council limit the use of TDRs on this property and limit any rezoning of this property to a minimum of 1 acre lots. We all have been engaged with the city from the beginning we are trying to preserve our country living. We are not against responsible development. Our philosophy is not "not in my neighborhood". We are a family, we take care of each other, we enjoy what we have and we would like to preserve it. It is green space which is good for the city and environment. We are animal lovers, we have horses, cows, sheep and other creatures, there are flies, birds, chickens and Guinea

hens. This is a country living with animal noises, smells, and cutting hay at midnight. This style of living is not for everyone.

We prefer to keep zoning to a minimum of A2 (2 acres), however we are reasonable people and will consider a minimum of 1 Acre lots with appropriate city requirements. TDRs are not an appropriate vehicle in this case.

Other items to consider:

1. West end of the said property with homes with basement is lower than sewer line to our knowledge. Is Mapleton willing to maintain Sewage pump station?

2. Hammerhead turnaround is very poor way of handing emergency vehicle. Years ago the only way the city would approve development was way in and way out for emergency vehicles. This is a safety item. Are you willing to compromise it? You know as well as we do 2200 South is pie in the sky at this time.

Cordially,

Fred and Peggy Mostashari

1210 West 2400 South

Mapleton, Utah

509-528-0392

PProposed Zone Change

Not one of the existing landowners knew the master plan had been changed, but we are still protected by the present zoning A-2 agriculture residential. Who and why was it changed?

Ken Larsen building story and Kent Wheeler – aquafir – Art Juski surveyor

1. Sewer depth at road 10 feet Brent at Public Works
   a. Creers and Forans set approximately 3 feet lower than road; basement is 8 feet.
   b. Creers cannot hook up to sewer, still on septic; Foran home great difficulty, kept backing up; Mostashari was hooked up and approved for sewer, then it backed up, flooded basement; city paid for re-hooking to fix problem. Fred Mostashari used his insurance to cover cost and eventually lost insurance; Chris Vincent still on septic.
   c. No new homes are allowed to have septic tanks/leach lines.
   d. No lift stations – last one in Park Meadows; city must maintain it. Too costly. Three phase power generator, two pump computerized system, building.

2. Street width is 20 feet, then extends along 300 feet frontage from Mostashari to Creer; curb, gutter, sidewalk; street will widen width 300 feet and narrow again.
3. Emergency road service for fire dept, ambulance, and snow plows must be able to turn around at 90 foot culdesac; dead end access. Proposed concept is not to scale.
4. Read adverse impacts on adjacent landowners.
   a. Mapleton City Policies
   b. Kathy's letter
5. Established homeowners are farming and animal owners on each side of the Foran parcel; they lived here 5 year; now want to change present zoning to get out.
6. Who benefits from rezoning?
   a. Foran/developers
   b. All others lose home values and peace of mind.
7. Finally, there has been no survey of the Tenney Meadow development.
   a. No percolation test to determine high water and underground aquafirs.
   b. Monta Vista has high water problems, sump pumps. (Don Little)
   c. Drive by and see how out of place this is to change zone, to leapfrog from A-2 to RA-2 high density.
8. **MAPLETON VISION STATEMENT ENCOURAGES THE CITY TO MAINTAIN ITS RURAL CHARACTER.**

Attachment "3" - Summary Concerns and Staff Response

The following is a list of specific neighbor concerns and objections with Staff commentary:

Concern: The General Plan does not conform with individually submitted comments. A number of the letters submitted in opposition to this rezone application have suggested that, during the public process for the General Plan amendment, they either would have or did indicate that they wanted this area to be a two-acre area.

Response: During the public workshop held as part of the public process for the General Plan amended included an opportunity for all of the attendees to participate in a group activity where each group was asked to mark up maps of Mapleton to indicate what their preferred future looked like. All of the maps where then used to create a composite map indicating what the workshop participants had collectively given as feedback (see Mapleton General Plan page 7). This composite map identified this area as appropriate for "Low Density Residential". This is the designation that the City Council subsequently approved.

Concern: The zoning issue was resolved two years ago.

Concern: The neighbors were misled by staff about the need to attend the City Council meeting.

Response: The 2018 rezone application was unanimously recommended for denial by the Planning Commission. The applicant withdrew the application prior to the City Council meeting, consequently the City Council did not hear the item and did not act upon the item. As the applicant withdrew, the zoning did not change.

The applicant withdrawing the item in 2018 has nothing to do with the current application. Action by the City Council 2 years ago would not have precluded the current application. An applicant has a right to make as many applications as he or she chooses, and the City must conduct the required public process each time an application is made. The applicant must pay the required fees for each application they make.

Concern: Some neighbors fear that they will lose their existing animal rights or fear that the new lots not having animal rights will lead to the eventual decline of their ability to have animals.

Response: No one will lose their existing animal rights and the new lots will have animal rights consistent with the current code. In areas such as this where animal rights exist, each property owner is entitled to one animal unit for each 20,000 square feet of land they own. The half-acre lots will be entitled to 1 animal unit and the 1-acre lot will be entitled to 2 animal units. The existing lots will have the same animal rights as at present.

Concern: 2200 South will never be built and so the road should end in a traditional cul-de-sac.

Response: The current plan shows the road dead ending at the north end of the property and a hammer head being installed for emergency service vehicles to turn around. It is true that a permanent dead end road must have a circle, but in cases like this where the intent is to provide access to developable property, the hammer

head is used because the road is not intended to permanently end at this point. Even if 2200 South is never built, the 25-acre parcel has a great deal of development potential. The City typically requires developers to stub roads into large, developable parcels.

Concern: The subdivision doesn't have a 90' radius circle at the end and is not safe.

Response: In terms of safety, the fire code treats a traditional cul-de-sac with a 90' radius circle and a hammer head as two interchangeable and equal methods of providing a turnaround.

Concern: The ground water is high on this property, making it difficult or impossible to build.

Response: Ground water is not uncommon in Mapleton. Many homes are built in areas that have high ground water. There is an engineering process to determine what the soils and ground water will allow and what actions need to be taken to build sustainably. This is a process that is part of the subdivision application. Ground Water may be a factor that requires mitigation, but high ground water is not typically an insurmountable obstacle.

Concern: The sewer in this area is not very deep and this will require the pumping of sewage or a lift station that the City will have to maintain.

Response: The as built drawings for the City sewer system show the sewer depth in the manhole located in front of the home at 1320 West to be 15.69 feet below the sewer lid. Sewer depth is not anticipated to be an issue. Where sewer depth is an issue other options exist besides pumps and lift stations. In some cases, the road has been built up to accommodate the sewer depth. In other cases, owners have chosen not to install basements or to build basements that are quite shallow.

Concern: Other design and engineering concerns were raised in the various neighbor letters.

Response: Many of these questions address important details that require an answer prior to the recording of a subdivision. However, at the rezone phase of a project they are often not known. These questions must be answered by the applicant's engineer to the satisfaction of the City's engineer before any subdivision is approved and recorded. The City has a computerized water model that each subdivision applicant must be evaluated by. This water model will determine flow to the homes and fire hydrants and if these flows are sufficient. Other engineering issues and questions will be covered by staff during the City's substantial subdivision review process.

Concern: Several neighbor letters addressed issues such as incompatibility of lot sizes, loss of open space, etc.

Response: The staff report, specifically the section evaluating compliance with the General Plan, was written with these questions in mind and has endeavored to address these questions, comments and issues.