

City Council Staff Report



Date:
7/7/2021

Applicant:
Stephen Scutt

Location:
1155 West 800 South

Prepared By:
Brian Tucker, Planner

Public Hearing:
Yes

Zone:
A-2/RA-1 w/ TDR-R

Attachments:

1. Standard Findings
2. General Plan and Current Zoning Maps
3. Subdivision Plans
4. May 2021 DRC comments
5. Planning Commission Minutes

REQUEST

Consideration of an ordinance rezoning 2.013 acres located at 1155 West 800 South from A-2 to RA-1 with the TDR-Receiving Overlay and granting Preliminary Plat approval of the 2 lot Emerald Corner Subdivision.

BACKGROUND & DESCRIPTION

Located at 1155 West 800 South, in the midst of an area that is rapidly becoming fully developed, lies an under-developed parcel with just over 2 acres and an existing home and shop. The owner of that property would like to divide the property, leaving 1 acre with the existing home and accessory buildings and creating a .60 acre building lot on the corner of 800 South and 1200 West.

The applicant will be required to install the curb, gutter, and sidewalk improvements along with some degree of road widening. The existing parcel includes a significant portion of the current roadway, as well as the location of the required improvements, necessitating the dedication of nearly .40 acres of roadway. The property is currently zoned A-2.

Because approval of the subdivision requires a rezone and the application of the TDR-R Overlay, the City Council is the land use authority for this decision. The Planning Commission is an advisory body for this request.

EVALUATION

Rezone requests, including a TDR-Receiving Site, are considered legislative in nature. 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.

General Plan & Zoning: The General Plan indicates that this property should develop in a low-density manner. The characteristics of the "Low Density Residential" land use category indicated by the General Plan "include low density, single family homes with ample open spaces and setback requirements meant to provide adequate spacing between dwellings, and houses of worship. Some additional goals and policies from the General Plan that are applicable include:

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

of open space.

Goal 2: Continue the established focus on large lot, single-family residential uses as the primary means for preserving Mapleton's rural character.

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

Goal 9: Continue to implement the TDR program.

The "Low Density Residential" land use designation typically equates to the RA-1 zone, as the applicant is requesting. Mapleton City Code (MCC) section 18.76.070 indicates that the RA-1 zone is a candidate for a TDR-R overlay. If a TDR-R overlay is approved, the minimum lot size is reduced to ½ acre. The city recently amended the density allowances with the use of TDRs. MCC Section 18.76.090 states that density may be increased by up to one 100%, or double, in the RA-1 zone only when the result is no more than two lots.

The applicant's proposal for a TDR-R overlay and the .60 and 1 acre lots are consistent with the "Low Density Residential" designation and the zoning ordinance. These lots are also quite compatible with the surrounding homes. Most of the homes in the surrounding area are on lots with less than 1 acre. The applicant's request for only one additional lot is also consistent with the recently adopted density limitations.

Review Criteria: MCC Chapter 17.04.050.B outlines the subdivision review standards that shall be used by the Planning Commission. These standards are shown in attachment "1". The proposed project complies with these standards.

Planning Commission: The Planning Commission recommended approval of the rezone from A-2 to RA-1 with the TDR-Receiving Overlay and the Preliminary Plat for the Emerald Corner Subdivision, Plat "A".

RECOMMENDATION

Adopt the ordinance approving the rezone from A-2 to RA-1 with the TDR-Receiving Overlay and the Preliminary Plat for the Emerald Corner Subdivision, Plat "A" with the attached findings and conditions.

SPECIAL CONDITION

1. Any outstanding issues raised in the DRC minutes shall be addressed prior to plat recording.

ORDINANCE NO. 2021-

AN ORDINANCE REZONING 2.013 ACRES LOCATED AT 1155 WEST 800 SOUTH FROM A-2 TO RA-1 WITH THE TDR-RECEIVING OVERLAY AND GRANTING PRELIMINARY PLAT APPROVAL OF THE 2 LOT EMERALD CORNER SUBDIVISION.

WHEREAS, the project site is currently zoned A-2; and

WHEREAS, the Land Use Element of the General Plan designates the project site as “Low Density Residential”; and

WHEREAS, the goals and policies of the Land Use Element encourage large lot developments and the implementation of the TDR program; and

WHEREAS, the proposed rezone is consistent with the General Plan; and

WHEREAS, the Planning Commission recommended approval to the City Council on May 27, 2021.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone 2.013 acres located at 1155 West 800 south from Agricultural-Residential (A-2) to Residential Agricultural (RA-1) with a Transferable Development Right Receiving Site Overlay (TDR-R) and grant Preliminary Plat Approval of the 2 lot Emerald Corner Subdivision.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH, this 7th July 2021.

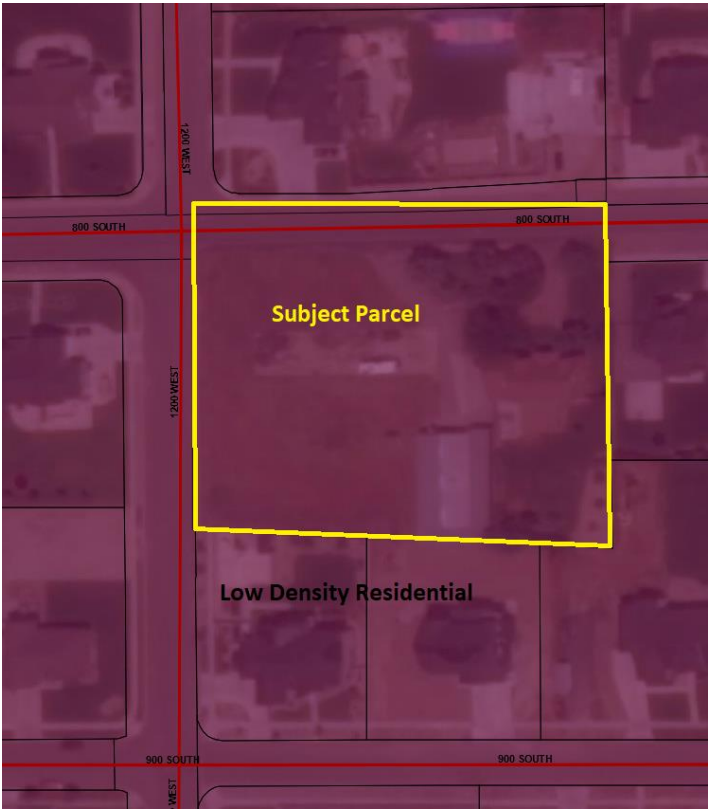
Dallas Hakes
Mayor

ATTEST:

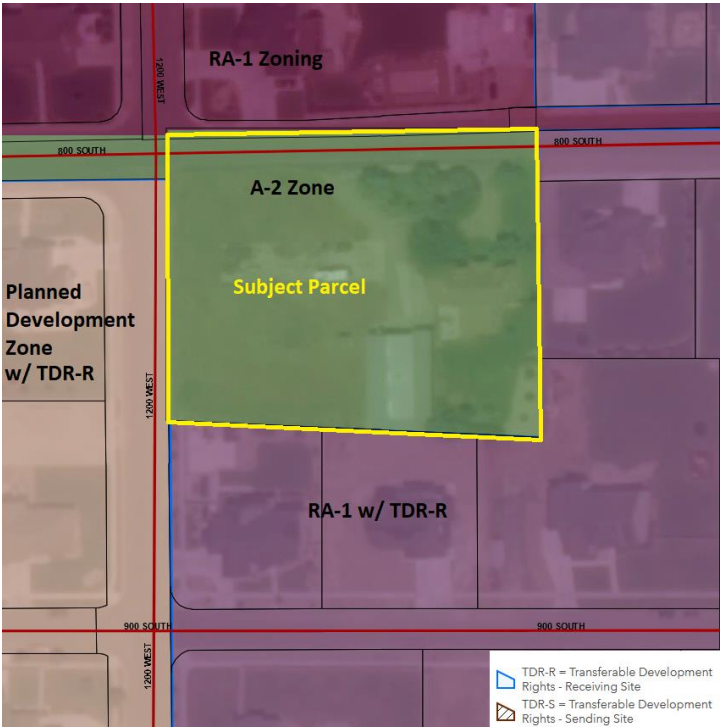
Camille Brown
City Recorder
Publication Date:
Effective Date:

Attachment “1” Findings for Decision		
No.	Findings	
1.	The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.	✓
2.	The submitted plans, documents and submission materials conform to applicable city standards.	✓
3.	The proposed development conforms to city zoning ordinances and subdivision design standards.	✓
4.	There are not natural or manmade conditions existing on the site or in the vicinity of the site defined in the preliminary plan that, without remediation, would render part or all of the property unsuitable for development.	✓
5.	The project provides for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions.	✓
6.	The project does not impose an undue financial burden on the City.	✓
7.	The location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the project are consistent with the city's general street map and other applicable elements of the general plan.	✓
8.	The project plan recognizes and accommodates the existing natural conditions.	✓
9.	The public facilities, including public utility systems serving the area are adequate to serve the proposed development.	✓
10.	The project conforms to the intent of the Subdivision Ordinance as described MCC Chapter 17.01.	✓

General Plan



Current Zoning



VICINITY MAP

NOT TO SCALE
MAPLETON

HIGHWAY 89
(1600 WEST)

800 SOUTH

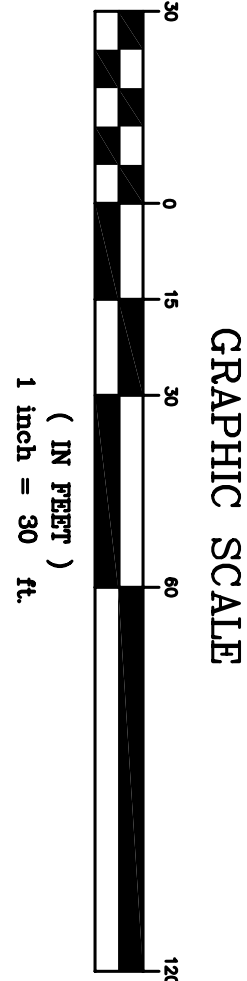
900 SOUTH
1200 WEST

SITE

WEST QUARTER CORNER
SECTION 15, T8S, R3E, S16&M
(FOUND BRASS CAP)

SECTION LINE - BASIS OF BEARING
N 00°18'38" W
2649.33' (RECORD)

WEST QUARTER CORNER
SECTION 15, T8S, R3E, S16&M
(FOUND BRASS CAP)
NAD 27
ELEV. = 4707.32'
NGVD 29



NORTH

NOTES:

1. ALL CONSTRUCTION IS TO BE CONSISTENT WITH MAPLETON CITY STANDARDS.
2. ALL HOMES CONSTRUCTED ARE TO HAVE FLOOR SLABS A MINIMUM OF 3 FEET ABOVE THE GROUND WATER ELEVATION.
3. EACH LOT WILL BE REQUIRED TO HAVE A GRADING AND DRAINAGE PLAN BEFORE BUILDING PERMIT IS ISSUED.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED SOUTH 215.081 FEET AND EAST 1338.238 FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 257.92 FEET; THENCE EAST 327.51 FEET; THENCE SOUTH 0°12'32" EAST 273.10 FEET ; THENCE NORTH 87°24'12" WEST 333.62 FEET TO THE POINT OF BEGINNING.

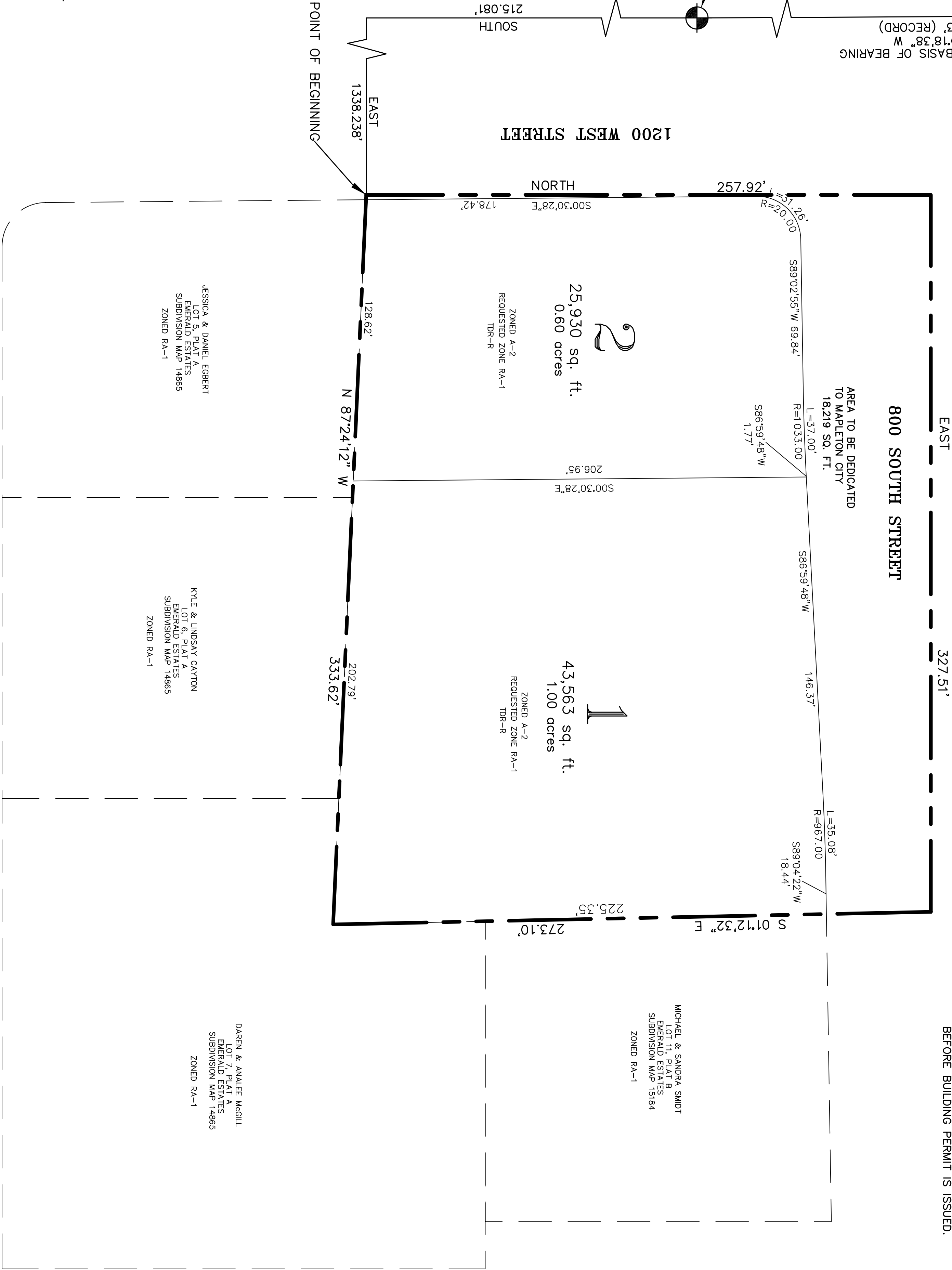
AREA = 87,691 SQ. FT. OR 2.0131 ACRES

OF LOTS = 2

BASIS OF BEARING = UTAH STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE)



POINT OF BEGINNING



TABLATIONS

CURRENT ZONE = A-2 AGRICULTURAL-RESIDENTIAL
REQUESTED ZONE = RA-1 RESIDENTIAL AGRICULTURAL
TDR-R TRANSFERABLE DEVELOPMENT RIGHTS -
RECEIVEING SITE
OF LOTS = 2
TOTAL AREA = 2.0131 ACRES
STREET DEDICATED AREA = 0.4182 ACRES
OPEN SPACE AREA = 0 ACRES
DENSITY = 1.006 LOTS/ACRE
LANE MILES = 0.1109 MILES

OWNER/DEVELOPER:

STEPHEN S. SMITH
1545 WEST 1150 SOUTH
MAPLETON, UT 84664
(801) 360-1968
SURVEYOR/DESIGNER
LEVEL OF FOODS, INC.
DAVID F. HUNT, P.L.S.
1334 EAST 1150 SOUTH
SPANISH FORK, UT 84660
(801) 319-5441

REVISIONS

BY

LEVEL OF FOCUS, INC.

DAVID F. HUNT, P.L.S.
1334 EAST 1150 SOUTH
SPANISH FORK, UTAH 84660
(801) 319-5441

LEVELOFFOCUS@GMAIL.COM

EMERALD CORNER PLAT A

ZONE CHANGE MAP - CONCEPT PLAN

MAPLETON 2-LOT, SINGLE-FAMILY RESIDENTIAL SUBDIVISION UTAH 1200 WEST 800 SOUTH MAPLETON, UT

DESIGNER

DFH

DRAWN BY

DFH

CHECKED BY

DFH

SHEET

DATE
03-16-21

SCALE
1" = 30'

PROJECT NO.

ADDRESS

1 OF 1



Development Review Committee Minutes

May 20, 2021

On Mar 17, 2021, Stephen Scutt submitted plans for the Emerald Corner Subdivision, Plat A in the A-2 zone and located at 1155 West 800 South. The applicant is requesting subdivision approval and a rezone to RA-1 with the TDR-R Overlay. The items below include 1) requested changes to the submitted plans, 2) other items required as part of the application and/or 3) informational items regarding city standards. **All items that include an * and are bolded are required prior to any public hearings.**

Community Development Division

Sean Conroy, Community Development Director
Phone: (801) 806-9101 Email: sconroy@mapleton.org
Brian Tucker, Planner, Phone: (801) 806-9101
E-Mail: btucker@mapleton.org

Please submit revised drawings and the following corrections:

Application Deficiencies:

1. Please submit construction plans for review.
2. As directed by the Mapleton City Engineer, the applicant must submit preliminary storm water drainage plans and calculations designed for a 100 year storm event.
3. As directed by the Mapleton City Engineer, the applicant must submit a Geotech Report addressing soil conditions and ground water.
4. The applicant must submit plans to RB&G Engineering (801-374-5771) to be inputted into the City's water model. The applicant shall be responsible for the cost of this review.
5. The applicant must submit a statement indicating the type of performance guarantee proposed to be offered as security for the construction of the required public improvements. The statement should include an indication of your intent to either install the required improvements prior to recording the subdivision plat (thereby necessitating only a 10% durability bond) or submit a performance guarantee and durability bond prior to recording the plat (thereby allowing for the plat to be recorded prior to the installation of improvements).

Comments for plans submitted Mar 17, 2021:

1. A final plat must be submitted in accordance with state, county and Mapleton City standards. The final plat must include, among other requirements, the following:
 - a. A final plat stamped and signed by the Surveyor of Record.
 - b. A dedication block and signature lines for all property owners. The owners will need to sign the plat exactly as they signed the deed to the property and must print their names underneath their signatures to match the signatures.



In addition, properties in trusts must include the title of the signer, the full name of the trust and the date of the trust.

- c. The owners dedication must be accompanied by a line for the notary sign the plat, a line for the notary to print their full name, their commission number and the words "A notary public commissioned in Utah" in the signature block.
- d. A signature block for the Mayor to approve and the City Recorder to Attest.
- e. A signature block for the Planning Commission Chair to approve the plat.
- f. A signature block for the Community Development Director to approve the plat.
- g. A signature block for the City Engineer to approve the plat.
- h. Addresses must be shown on the final plat. **The assigned addresses are: Lot 1 – 1155 West 800 South; and Lot 2 – 1177 West 800 North or 927 South 1200 West for a west facing home.**
- i. In accordance with the standards of the Utah County Recorder, a space must be reserved near the bottom right hand corner for the recording certificate to be printed on the plat. The current plat doesn't make space for this certificate. Please communicate with the Utah County Recorder's Office for the specifics for this requirement.
- j. In accordance with the standards of the Utah County Recorder, the names of the Owners must be printed in the Acknowledgement as the persons who appeared before the notary. It is useful for the plat to contain a space within the acknowledgment text for the names to be written. Other standards may apply for trusts and corporations. Please communicate with the Utah County Recorder's Office for the specifics for this requirement.

Engineering and Public Works Division

Steven Lord, P.E. Public Works Director/City Engineer
Phone (801) 489-6253 Email: slord@mapleton.org

PLEASE SUBMIT CONTRUCTION PLANS FOR REVIEW

Please submit a CAD file projected in NAD83 State Plane Utah Central FIPS

General

(These items are intended for reference purposes only. Notice to proceed with construction will not be given until these items are either noted on the plans or discussed in a pre-construction meeting). Items *highlighted* must be submitted prior to final approval.

An excavation permit, available online at www.mapleton.org will be required for all work performed in the city right-of-way.

All utility crossings will be marked with etchings in the back of curb.

Please follow APWA standards and specifications unless otherwise identified in the Mapleton City Supplement to APWA Standards and Specifications available online at www.mapleton.org.



A Storm Water Pollution Prevention Plan (SWPPP) permit will be required. Please contact JD Shepherd at Mapleton City Public Works with questions.

Electronic As-Built drawings of any and all utility connections and appurtenances will be required prior to the approval of final inspection.

Any work on Mapleton Irrigation Company ditches will be approved by the Irrigation Company.

Any work on dry utilities including but not limited to power, gas, and communications will be coordinated and approved by the relevant utility company and must be installed within the public utility easement.

Concrete Collars will be required on all valves and manholes in the roadway.

The applicant must submit plans to RB&G Engineering (801-374-5771) to be added into the City's water model. The applicant shall be responsible for the cost of this review.

The applicant must submit a Storm Drain report certifying that the proposed Storm Drain design will accommodate the 100-year storm.

The applicant must submit a geotechnical report per Mapleton City standards.

Any work in UDOT Right-of-Way will require a separate UDOT access and encroachment permit.

Please ensure 10' separation between culinary water and sanitary sewer lines.

A maintenance plan and agreement will be required and recorded for all storm drain retention basins.

A note must be placed on the plans to identify any existing fences and/or improvements on adjacent properties. If construction requires the removal of or results in damage to these items, they must be replaced before the final development inspection can be completed.

A stamped and signed plan set will be delivered electronically to the City Engineer prior to commencement of any construction.

Upon final plat approval from the final decision making body (Planning Commission or City Council), the following items will be required:

- ☐ Revise drawings to address any outstanding issues raised in the DRC comments and/or project conditions.
- ☐ The applicant must submit a preliminary title report or policy of title insurance.
- ☐ The applicant must submit proof that the taxes are current for the subject property.
- ☐ Applicant may choose to either 1) establish a performance bond and durability bond agreement prior to plat recording (amount to be determined by City Engineer) or 2) to install any required improvements (i.e. utilities, roads, curb, gutter, sidewalk, etc.) without a performance bond (durability bond still



required). If option 2 is selected, the plat will not be recorded until the City has accepted the improvements.

- ☐ Payment of impact fees (\$4,528 per lot). An additional impact fee of \$6,968 per lot will be required at the time of building permit issuance.
- ☐ Submit 1.5 water shares or converted water rights in the name of Mapleton City (Calculated as of .45 acre feet per building lot/residence and 2.5 acre feet per irrigable acre for outdoor use). The indoor portion, .45 acre feet, must consist of irrigation shares from the Mapleton or Hobbie Creek Irrigation Company or converted water rights.
- ☐ Submit 1 TDR certificate.
- ☐ Payment of engineering inspection fees (\$200 per lot).
- ☐ Payment of street light fee (\$450 per lot).
- ☐ Payment of slurry seal fee (\$.18 a square foot of asphalt).
- ☐ Submit a SWPPP and Land Disturbance application and fee (\$500). Contact JD Shepherd at Public Works (489-6253) to review this requirement.
- ☐ Submit final mylar with all required signatures.
- ☐ Submit a check made out to Utah County Recorder (\$50 per page and \$2 per lot).
- ☐ Coordinate with the Postal Service regarding location of cluster mailbox (CBU). The purchase and placement of the CBU is the responsibility of the developer (see attached letter).



MAPLETON UTAH

PLANNING COMMISSION MINUTES

May 27, 2021

PRESIDING AND CONDUCTING: Chairman Jesse McLean

Commissioners in Attendance: Rich Lewis
Christy Nemelka
TJ Uriona

Staff in Attendance: Sean Conroy, Community Development Director
Brian Tucker, Planner

Minutes Transcribed by: April Houser, Executive Secretary

Chairman Jesse McLean called the meeting to order at 6:00pm. Alternate Commissioner TJ Uriona was seated as voting member this evening.

Item 1. Planning Commission Meeting Minutes – May 13, 2021.

Motion: Commissioner Lewis moved to approve the May 13, 2021, Planning Commission Meeting Minutes.

Second: Commissioner Nemelka

Vote: Unanimous

Item 2. Consideration of a request for Preliminary Plat approval for the Hardman Subdivision, Plat A, a 2-lot subdivision located at 1127 North Main Street in the RA-2 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The parcel is a little over 1-acre in size. There is currently one home on the property. The improvements are installed on Main Street.

Motion: Commissioner McLean moved to approve the Preliminary Plat approval for the Hardman Subdivision, Plat A, a 2-lot subdivision located at 1127 North Main Street in the RA-2 Zone with the condition that any outstanding issues raised in the Development Review Committee (DRC) minutes shall be addressed prior to plat recording.

Second: Commissioner Uriona

Vote: Unanimous

Item 3. Consideration of a request to rezone 2.0123 acres located at 1155 West 800 South from A-2 to RA-1 with the TDR-Receiving Overlay and the approval of the 2-lot Emerald Corner Subdivision.

Brian Tucker, Planner, went over the Staff Report for those in attendance. There is currently one home on the property. The applicant will install the improvements along 800 South. The RA-1 Zone surrounds this property, and Transferable Development Rights (TDR)'s is allowed in this area. Staff recommends approval of this item. There are some trees located on the property, so Commissioner Uriona asked if they would need to be removed to install the rest of the street improvements? Brian stated that they would likely have to remove them due to lack of additional space.

Stephen Scutt, the applicant, stated that he felt the City should help pay some of the costs of improvements since he will be dedicating some of his property for the street right-of-way (ROW). Brian stated that it is the developer's responsibility for improvements when they subdivide their property. The Commission stated that the request would be something to discuss with the City Council. **Chairman McLean** mentioned that he felt if the City were requiring the applicant to deed the property over to the City so they could finish the street in this area, they would pay for it. Where the proposal is coming from the applicant to develop currently, without the recommendation coming from the city, it is their responsibility to cover the costs of development. **Commissioner Lewis** mentioned if the applicant had questions about the street right-of-way and installation costs, they could take it to the Utah State Ombudsman for further insight.

Motion: Commissioner Lewis moved to approve the rezone 2.0123 acres located at 1155 West 800 South from A-2 to RA-1 with the TDR-Receiving Overlay and the approval of the 2-lot Emerald Corner Subdivision with the condition that any outstanding issues raised in the Development Review Committee (DRC) minutes shall be address prior to plat recording.

Second: Commissioner Nemelka

Vote: Unanimous

Item 4. Consideration of amendment to Mapleton City Code Title 17 regarding subdivision requirements.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This Title of the Mapleton City Code covers the subdivision requirements. This item is mainly to clean up discrepancies or confusion. There is an addition to the ordinance that would give the Planning Commission and City Council the right to require buffering in areas that are adjacent to developed lots. **Commissioner Uriona** asked why some of the trail portions were being removed, or why it was in the ordinance to begin with. Sean stated that they took it out because developers are already required to meet ADA standards, which covers this topic.

Motion: Commissioner McLean moved to recommend approval to the City Council of an amendment to Mapleton City Code Title 17 regarding subdivision requirements as proposed.

Second: Commissioner Uriona

Vote: Unanimous

Item 5. Consideration of amendments to the City's Transportation Master Plan Map.

Item continued to a future Planning Commission Meeting.

Item 6. Adjourn.

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April Houser, Executive Secretary

Date