

Planning Commission Staff Report

October 22, 2015

Item 4

Applicant: Ryan Larsen

Location: Between 800 and 1200 West at approximately 1100 South

Prepared by: Brian Tucker

Public Hearing Item: Yes

Zone: A-2

ATTACHMENTS

1. Findings for Decision.
2. Proposed Project Layout.

REQUEST

Consideration of a request to rezone approximately twenty (20) acres of property located between 800 and 1200 West at approximately 1100 South from Agricultural Residential (A-2) to Residential-Agricultural (RA-1) with the TDR Overlay.

BACKGROUND AND PROJECT DESCRIPTION

Located between 800 and 1200 West and between approximately 1000 and 1200 South is a 19.082 parcel owned by CWL Properties LLC. Ryan Larsen has made an application on behalf of CWL Properties to change the zone from the current A-2, requiring a minimum lot size of 2 acres to the RA-1 with the TDR-R Overlay, allowing ½ acre lots when a TDR Certificate is dedicated for every 2 lots. The property is General Planned for “Low Density Residential”, a designation generally synonymous with the RA-1 Zone.

The applicant intends to create a 34 lot subdivision with ½ acre lots with the dedication of 16 TDR Certificates. At completion the project would result in the widening of 800 West adjacent to the project, the extension of 1200 West to intersect with 1200 South and the extension of 1200 South to intersect with 800 West. The project would serve to connect the recently approved Emerald Estates project to the north with the Breckenridge Subdivision to the South.

EVALUATION

General Plan: 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. A higher density than one dwelling per acre may be allowed pursuant to a development agreement or with the use of “Transferable Development Rights” (TDR’s) and zone overlay of TDR-R. In order to allow animals and residential agricultural uses on all lots, lots smaller than 21,780 square feet should not be allowed, even with TDR’s or development agreements.”

The proposed rezone and subsequent development of a ½ acre lot subdivision are very much in line with this indication.

Rezoning: The LDR Land Use Designation is indicative of the RA-1 zone rather than the current A-2 designation. As mentioned previously, the General Plan indicates that Low Density is the appropriate level of development for this area and the LDR is indicative of the RA-1 zone.

The General Plan envisions this area as a transition between the Medium Density Residential to be located near 1600 West and the Rural Residential that will be located to the east all the way to the foothills. The RA-1 is the ideal zone for this transition.

Mapleton City Code (MCC) Chapter 18.12.010 states the following regarding zoning amendments:

“For the purpose of establishing and maintaining sound, stable, and desirable development within the city, it is declared to be the public policy that amendments shall not be made to the planning and zoning title and map except to promote more fully the intent of this title and the Mapleton City general plan or to correct manifest errors.”

MCC Chapter 18.12.010.B outlines the guidelines that shall be used to determine whether or not a rezone request is in the interest of the public and is consistent with the general plan. The guidelines are as follows:

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 plans 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.*

It is staff’s position that the requested Rezone is in the public interest and should be supported for at least the following reasons:

- General Plan Goal #3 indicates that *“all developments and zone changes to be consistent with the General Plan.”* The proposed zone change and development is consistent with the General Plan.
- General Plan Goal #5 *“Encourages the transfer of TDR’s off the mountainsides.”* The proposed TDR-R Overlay Zone creates an opportunity to utilize TDR Certificates.
- The proposed rezone will lead to an infill of development in this developing area, facilitating neighborhoods rather than isolated projects. The road extensions and connections will facilitate the movement of pedestrians and local traffic, both essential elements of a sense of community.
- The proposed rezone and development have no more adverse effect on neighboring land owners than any of the developments in this area that have come before. The additional

connectivity provided as a result of the proposed street connections will help to disperse traffic impacts to any one area.

Mapleton City Code: Section 18.76.030.C of the Mapleton City Code authorizes the use of TDR in conjunction with a rezone request to a number of the lower density zoning districts, including rezones to the RA-1 designation.

**Note: The concept plan included in this staff report packed indicates the manner in which the property could and likely will develop. This concept is included for informational purposes only and this item does not include concept or plat approval.*

STAFF RECOMMENDATION

Recommend approval of the Rezone amendment request, including the TDR-R Overlay, to the City Council.



