

**MAPLETON CITY**  
**PLANNING COMMISSION MINUTES**  
June 25, 2009

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**PRESIDING AND CONDUCTING:** Vice-Chairman Skip Tandy

**Commissioners in Attendance:** Jared Bringham  
Pam Elkington  
Barbara Pratt  
Alternate Jeff Hawkins  
Alternate Mike Tippetts

**Staff in Attendance:** Matthew Brady, Planner I

**Minutes Recorded by:** April Houser, Executive Secretary

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Vice-Chairman Tandy called the meeting to order at 6:30pm. Jeff Hawkins led the Pledge and Barbara Pratt gave the invocation.

*Items below are not necessarily in the order they were heard.*

Alternates Mike Tippetts and Jeff Hawkins were seated as voting members this evening.

**Item 1. Trails Sub-Committee Meeting Minutes – May 11, 2009.**

**Motion:** Commissioner Tippetts moved to approve the Trails Sub-Committee Meeting Minutes for May 11, 2009.  
**Second:** Commissioner Elkington  
**Vote:** Unanimous

**Item 2. Transportation Advisory Commission Meeting Minutes – May 26, 2009.**

**Motion:** Commissioner Tippetts moved to approve the Transportation Advisory Commission Meeting Minutes for May 26, 2009.  
**Second:** Commissioner Elkington  
**Vote:** Unanimous

**Item 3. Planning Commission Meeting Minutes – May 28, 2009.**

**Motion:** Commissioner Elkington moved to approve the Planning Commission Meeting Minutes for May 28, 2009 as corrected.  
**Second:** Commissioner Pratt  
**Vote:** Unanimous

**Item 4. Chris Orndorff requests approval of a Home Occupation Permit for The Firing Line Gunsmith, located at 1955 North 500 West, in the RA-2 Zone.**

**Vice-Chairman Tandy** stated that he has known the applicant for many years, as Mr. Orndorff was a former employee of Provo City where Vice-Chairman Tandy works, however he did not feel he needed to recues himself for this item.

**Matthew (Matt) Brady**, Planner I, went over the Staff Report for those in attendance. Home Occupations that have clients visiting the home require Planning Commission approval. The applicant does not plan to store any gun powder, ammunition, reloading components, or any other hazardous materials on site. 252 square feet of the applicant's garage will be used for this Home Occupation Permit. There is a requirement for the entrance of the business to be through the front door, which Chris Orndorff has agreed to do. It was stated that 500 West will be a 56' wide road when it's completed. **Commissioner Hawkins** felt that a number of the applicants conditions of approval were a result of Mr. Mellor's Delay Agreement he did with the City in regards to the installation of the remainder of 500 West.

**Chris Orndorff**, applicant, stated his concern with 500 West, and his desire for it not to be completed at this time. 500 West does not currently support any other homes besides his own. The street has not caused any problems to date that Mr. Orndorff is aware. This permit is to stay in compliance with both Mapleton City and Federal Laws in regards to firearms. Mr. Orndorff has an interview and inspection with the Federal Firearms Department on Tuesday, June 30, 2009. He has a safe in his home where the firearms will be kept when he is not working on them. Chris Orndorff does not feel the demand will be too large regarding clients visiting his Home Occupation. Mr. Orndorff does not agree with the staff requirement pertaining to the parking of his trailer. Mrs. Orndorff stated that Mr. Brooks does not want to develop his property in his lifetime, and neither he nor the Orndorff's want 500 West to go through.

**Vice Chairman Tandy** opened the Public Hearing. No comments were given and the Public Hearing was closed.

**Motion:** Commissioner Pratt moved to approve Chris Orndorff requests for a Home Occupation Permit for The Firing Line Gunsmith, located at 1955 North 500 West, with the conditions listed below:

1. Police Chief Condition:
  - a. No ammunition or black powder for the business shall be stored at the subject property.
2. Fire Department Inspector Condition:
  - a. Applicant must pass an inspection from the Fire Inspector.
3. Community Development Department Conditions:
  - a. The applicant must abide by the conditions he has represented in his letter received by Mapleton City on May 14, 2009. Any modifications in business practices shall be approved by the Planning Commission, subject to an application and applicable fee to re-appear before the Planning Commission.
  - b. Clients are required to enter the home through the front door, unless otherwise required by the Fire Inspector.
  - c. Obtain a Federal Firearms License.

**Second:** Commissioner Tippetts

**Vote:** Unanimous

**Item 5. Mapleton City requests a discussion to review: Meeting Rules of Order, The General Plan (Land Use, Transportation, Trails, etc.), The Zoning Ordinance, Non-Conformities, Property Rights, Takings, The Subdivision Ordinance, Impact Fees, Exactions, How to Read Site Plans.**

**Matthew (Matt) Brady**, Planner I, gave a presentation in regards to all of the topics listed in Item 5. The training material discussed was made part of the Planning Commission packet for this evening and an attachment to these minutes.

**Item 6.           Adjourn**

**Motion:**           Commissioner Elkington moved to adjourn the meeting at 7:50pm.

**Second:**           Commissioner Bringhurst

**Vote:**               Unanimous

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April Houser, Executive Secretary

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Dated:

\_\_\_\_\_  
Skip Tandy, Planning Commission Vice-Chairman

\_\_\_\_\_  
Dated:

\_\_\_\_\_  
Matthew Brady, Planner I

\_\_\_\_\_  
Dated:

# **Meeting Rules of Order (Mapleton Planning Commission)**

- Planning Commission Chair elected annually
- Minimum Quorum: 4
- Minimum Vote to Pass: Majority, but min. 3
- Conduct public hearings as required
- The commission shall adopt rules for its own organization and for the transaction of its business not in conflict with this section or other ordinances, and shall keep an accurate record of disposition of all matters coming before it.

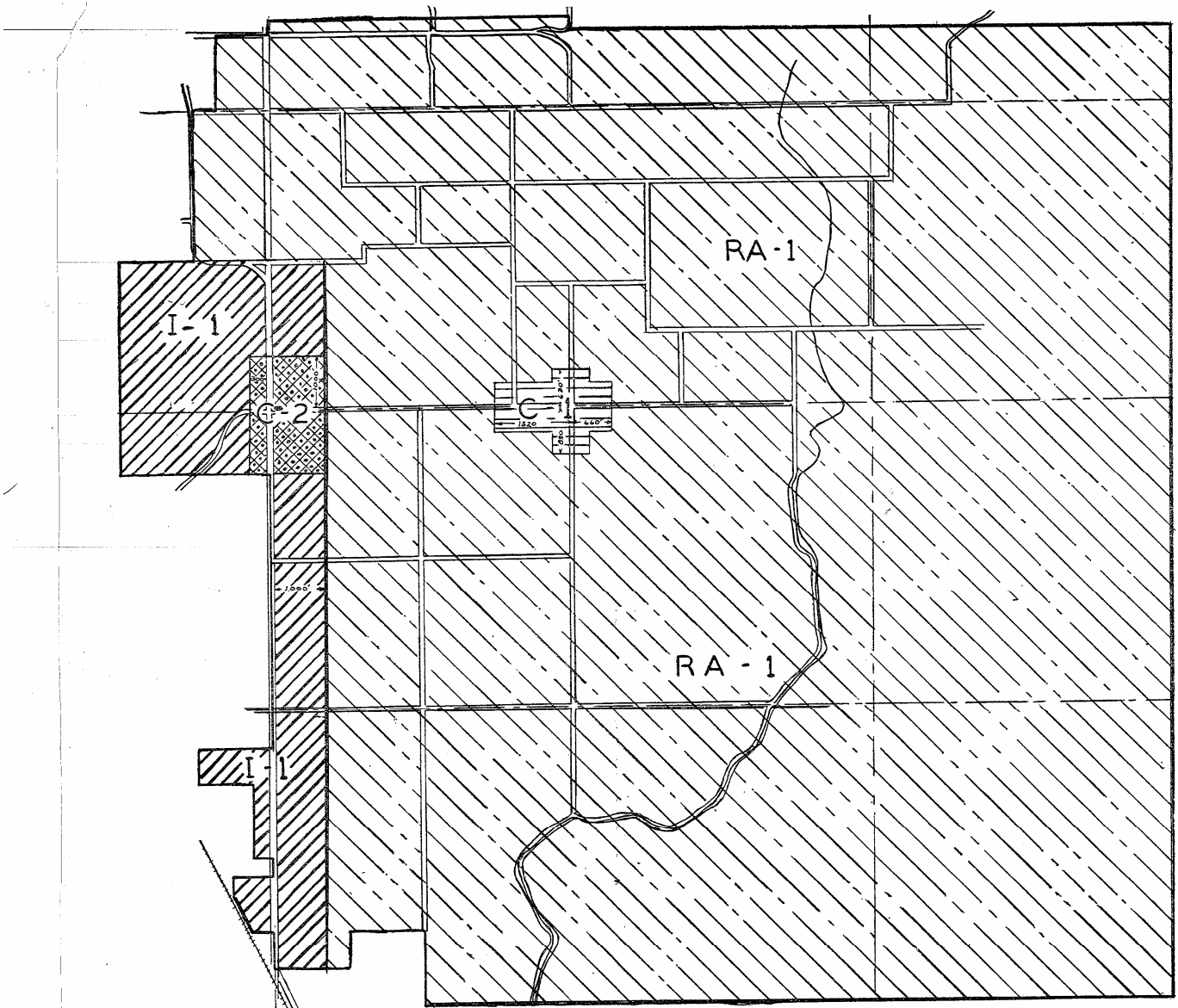
(Mapleton City Code 16.03.030)

# **The General Plan (Land Use, Transportation, Trails, etc.)**

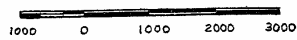
- The General Plan is where planning starts
- Covers all major aspects of development: Land Use, Road Locations & Widths, Trails, Affordable Housing, Parks & Recreation, etc.
- Can also cover utilities (Sewer Master Plan, Culinary & Secondary Water Master Plans, Electric, etc.) – Depends what utilities the City controls
- The General Plan is the basis for creating a Zoning Ordinance
- Following the General Plan is a sound basis for for deciding rezones – but is not mandatory in Mapleton

# The Zoning Ordinance

- Controls Land Uses, Lot Sizes, and Structures in Specific Areas (Zones)
- Origins – New York City garment districts near 5<sup>th</sup> Avenue
- No two cities have to be alike (zoning is based on community preferences)
- Farms vs. Skyscrapers
- Regulations need to be specific and understandable
- Vibrant Communities usually have Zoning Ordinances should provide for a variety of uses: commercial to industrial, affordable housing units to large-lot single family neighborhoods
- The Evolution of Zoning: Mapleton's First Zoning Ordinance (1950) vs. Today (2009)



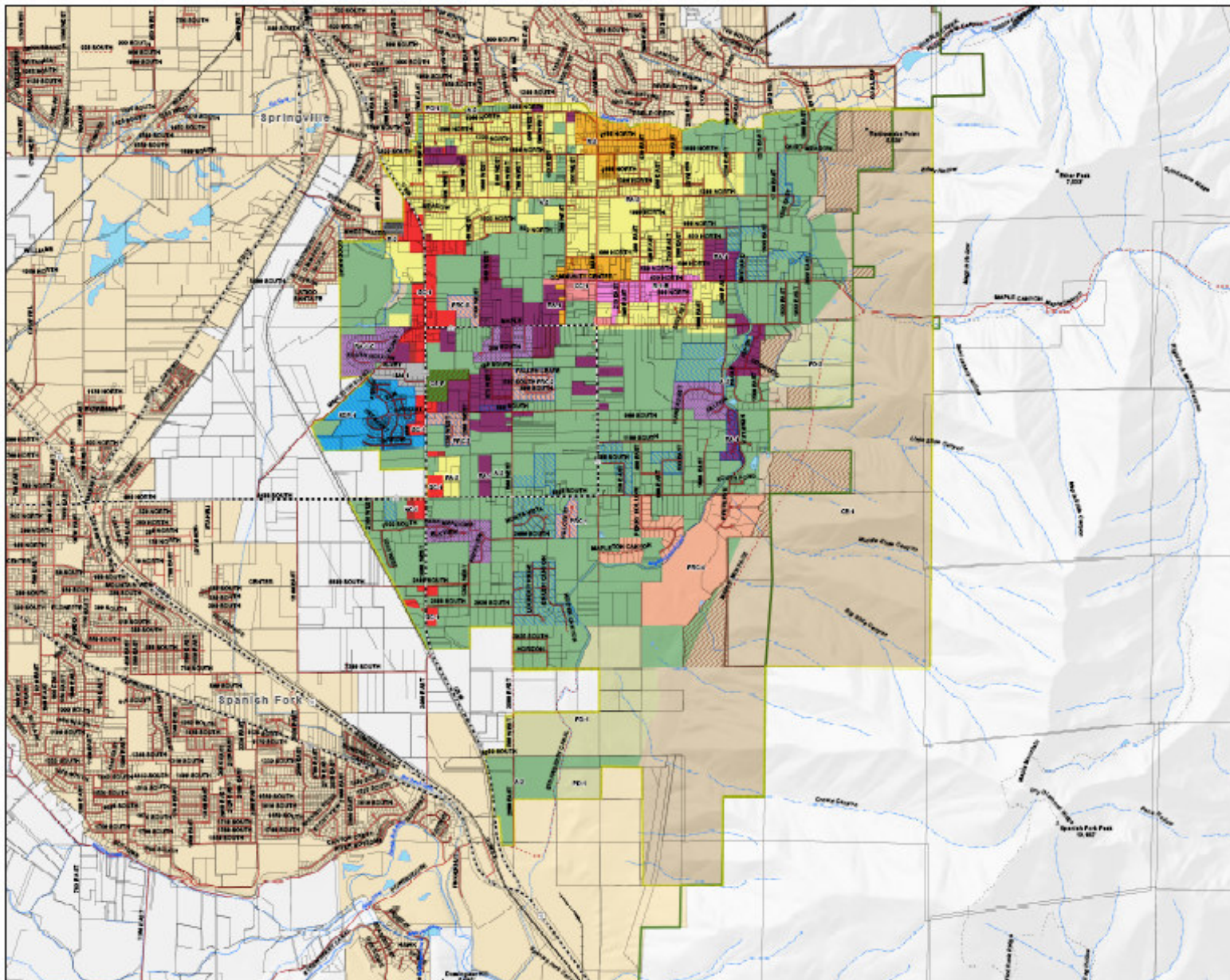
ZONING MAP OF  
MAPLETON CITY UTAH



RECORDER'S CERTIFICATE  
I HEREBY CERTIFY THAT THIS ZONING  
MAP OF MAPLETON CITY UTAH WAS  
ADOPTED BY THE CITY COUNCIL OF  
MAPLETON CITY UTAH ON THIS 22 DAY  
SEPTEMBER 1949

*Walter E. Harmon*  
CITY RECORDER

1950 Mapleton Zoning Map



# Mapleton City Zoning Map



1 inch equals 0.25 miles (24 x 36 Paper Size)  
0.0125

### Legend

- - - US or State Hwy
- Local Road
- Local Road - Unimproved
- Trail
- Railroads
- Mapleton Boundaries
- Utah Health Care National Forest
- NWDA Creek RMA
- Parcels as of 8/23/08
- Water
- Canal or Ditch
- Identified Stream
- Stream or River
- Other Cities

### Overlay Zones

- TDR-R = Transferable Development Rights - Remaining Site
- TDR-S = Transferable Development Rights - Sensitive Site

### Zoning Designation

- A-1 = Agricultural/Residential
- CC-1 = Central Commercial
- CS-1 = Central Business
- CC-2 = General Commercial
- IM-1 = Industrial and Manufacturing
- NC-1 = Neighborhood Commercial
- OSP = Open Space and Parks
- PD = Planned Development
- PO-1 = Professional Office
- PRC = Planned Residential Community
- R-1B = Residential
- R-2 = Residential
- RA-1 = Residential Agricultural
- RA-1C = Residential Agricultural Cluster
- RA-2 = Residential/Mixed Agricultural
- SDP = Specific Development Plan



MAPLETON CITY CORPORATION

Mapleton City makes no warranty with respect to the accuracy, completeness, or usefulness of this map. Mapleton City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or access of this code. For official zoning information, contact the Community Development Department.

Last Updated: 8/23/08

**Current Mapleton Zoning Map**

# Non-Conformities

- AKA “Grandfathered in”
- Something that was once allowed under past laws, but not allowed by current laws
- If something is illegal to begin with, it cannot be “grandfathered in.”
- 4 Types of Non-Conformities:
  - Lots (Size / Frontage)
  - Structures (Height, Setback, Lot Coverage)
  - Uses
  - Other (Landscaping, Driveways, etc.)

# Property Rights

- The right to own and control access to property are Constitutionally guaranteed rights
- Various laws balance private property rights and interests with public interests (Protecting Health, Safety, Welfare, and Morals)
- Local, State, and Federal Governments can regulate the extent and manner of property rights through zoning and subdivision ordinances, noise ordinances, environmental laws, etc. – BUT, subject to the U.S. Constitution, Federal & State Laws, and Court Rulings (Case Law)

# Takings

- The Fifth Amendment: *“No person shall . . . be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”*
- Public Use – from freeway expansion to coastal protection zone setbacks. Can be literal property acquisition (condemnation) or a regulatory taking (loss of all reasonable use of property)
- Regulatory Takings – Scouts Pitching Tents Example – Rare Situation & Hard to Prove
- All takings require compensation to the property owner – at appraised fair market value
- Utah Office of the Property Rights Ombudsman

# The Subdivision Ordinance

- One of the best tools for cities to guide development
- Once Subdivision is proposed, many triggers are pulled: Street Improvements, Utilities, ROW dedication, easements, impact fees, landscaping, etc.
- A subdivision should be the culmination of what the General Plan and Zoning Ordinance envision
- A goal of subdivision ordinances is to require developers to bear the entire cost of the development so that the taxpayers do not have to subsidize it.
- Evolution of Mapleton's Subdivision Ordinance 1971 to now – Street Standards, Sidewalks, Utilities, Bonding Methods

# Impact Fees

- **DEFINITION:** One-time charge against growth to pay the average cost of those capital facilities required to support new development, without compromising the level of service afforded by existing public facilities
- Limited to statutorily defined capital facilities (varies state to state)
- **Mapleton's Impact Fees:**
  - Water
  - Sewer
  - Parks & Open Space
  - Public Safety
- **Other Types of Impact Fees in Utah:**
  - Storm Drainage
  - Transportation
  - Municipal Power

# Exactions

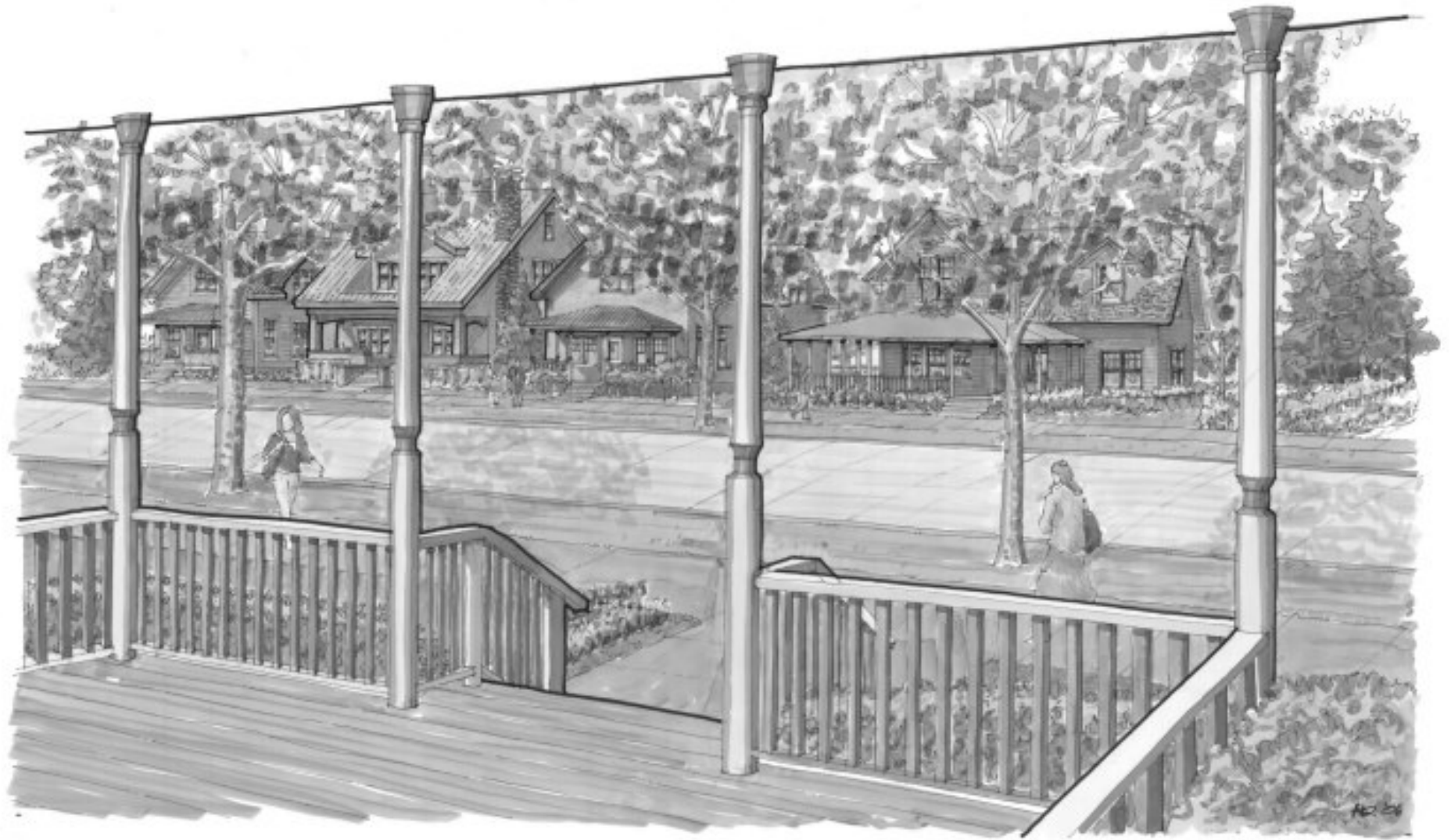
- Additional requirements or conditions of approval imposed on a land use application

## EXAMPLES:

- Property Dedication for a retention basin
- Property Dedication for a trail or open space
- Additional Landscaping/walls to block lighting
- Ordinances must specify permitted exactions
- Exactions must be “roughly proportional” to the impact of the proposed use, & have an “essential nexus” or essential connection to the proposed use
- If not done correctly, could be considered a taking

# How to Read Site Plans

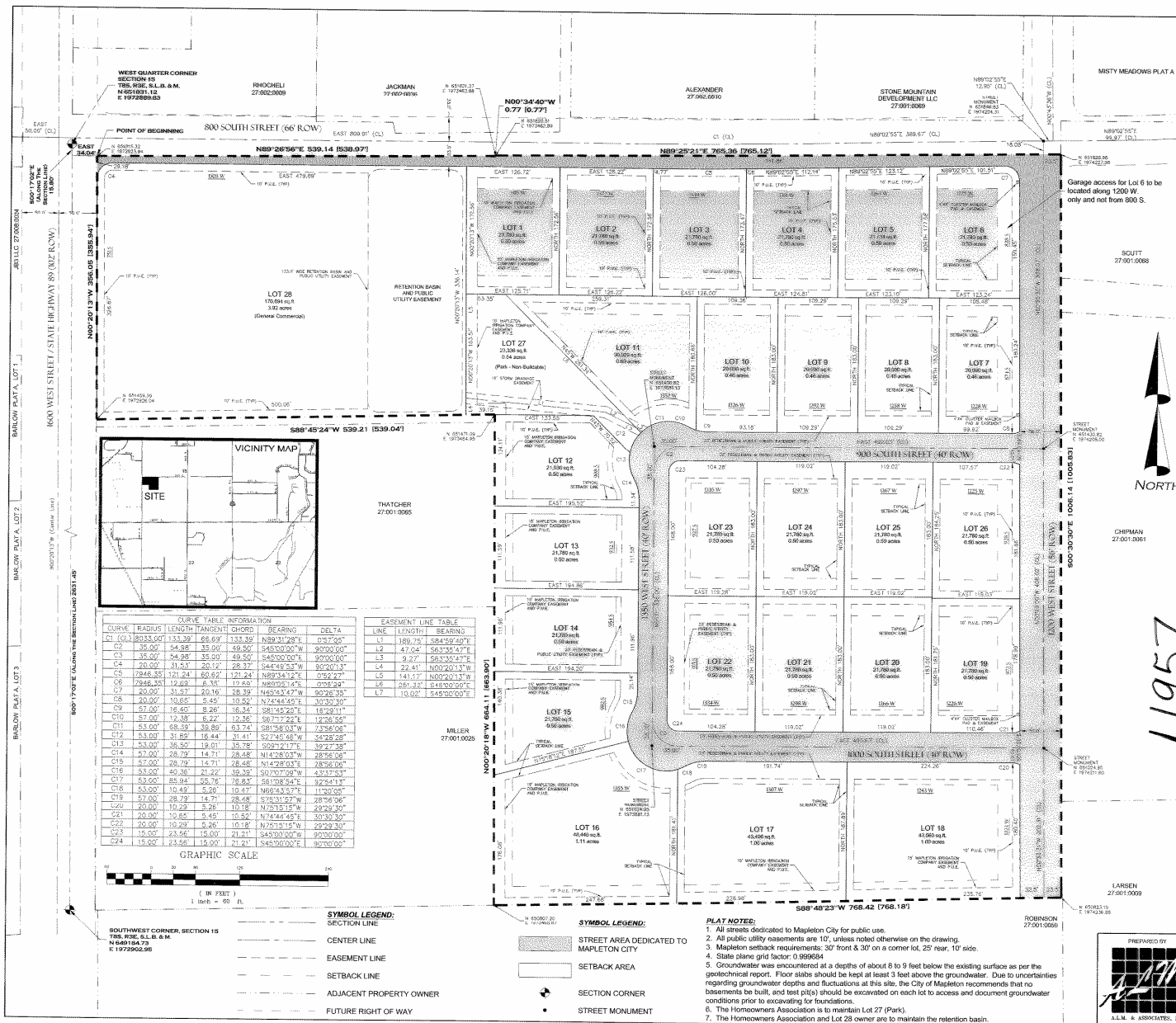
- Types of Plans:
  - Renderings (Variety of Types, Conceptual, Usually Color, Meant to Market a Product)
  - Subdivision Plats – Property Boundaries, Dedications, and notes
  - Plans Sheets (Bird's Eye View Technical Drawings)
  - Profiles (Linear sectional view – often combined plan/profile)
  - Grading Plans
  - Standard Cross Sections and Detail Sheets
  - Elevations (Side views of structures)
  - Concept vs. Engineering / Architectural Plans
- Common Scales – Engineers' and Architects'
- Look for a legend – most plans use similar symbols
- Don't have to be an engineer or planner to interpret – just takes practice



**Example of a Rendering**



**Example of a Concept Plan**



**CURVE TABLE INFORMATION**

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	100.00	157.08	28.65	133.30	N89°12'28" E	0°37'26"
C2	35.00	54.28	35.00	49.50	S45°00'00" W	90°00'00"
C3	20.00	31.42	20.72	28.37	S44°28'32" W	90°00'13"
C4	1246.33	101.24	60.62	121.24	N89°51'37" E	0°52'27"
C5	7246.33	12.80	6.33	12.63	N89°52'14" E	0°52'24"
C6	20.00	31.57	20.16	28.39	N65°34'47" W	90°02'35"
C7	20.00	10.85	8.45	10.82	N24°54'47" E	90°03'29"
C8	57.00	16.40	8.28	16.34	S81°45'22" E	18°59'11"
C9	57.00	17.38	8.27	17.36	S81°17'22" E	17°26'55"
C10	57.00	29.29	14.71	28.45	N14°28'03" E	73°58'08"
C11	53.00	31.89	16.44	31.41	S27°45'58" W	34°28'28"
C12	53.00	28.79	14.71	28.45	S79°21'17" E	32°27'38"
C13	57.00	28.79	14.71	28.45	N14°28'03" E	73°58'08"
C14	57.00	40.36	21.27	39.35	S07°07'09" W	43°47'53"
C15	53.00	35.96	18.67	35.43	S13°58'54" E	32°41'13"
C16	53.00	10.49	5.50	10.47	N69°43'57" E	11°20'05"
C17	57.00	28.79	14.71	28.45	S74°11'27" W	28°58'06"
C18	20.00	10.85	8.28	10.82	N24°54'47" E	90°03'29"
C19	20.00	10.85	8.28	10.82	N74°44'44" E	90°03'30"
C20	20.00	10.29	5.26	10.18	N75°12'19" W	22°23'30"
C21	15.00	23.66	15.00	21.21	S43°00'00" W	90°00'00"
C22	20.00	10.85	8.28	10.82	S45°00'00" E	90°00'00"
C23	15.00	23.66	15.00	21.21	S45°00'00" E	90°00'00"

**EASEMENT LINE TABLE**

LINE	LENGTH	BEARING
L1	189.74	S84°50'40" E
L2	47.04	S63°53'47" E
L3	9.27	S63°53'47" E
L4	22.41	N00°20'13" W
L5	141.17	N00°20'13" W
L6	255.13	S45°00'00" E
L7	10.02	S45°00'00" E



- SYMBOL LEGEND:**
- SECTION LINE
  - CENTER LINE
  - EASEMENT LINE
  - SETBACK LINE
  - ADJACENT PROPERTY OWNER
  - FUTURE RIGHT OF WAY
  - STREET AREA DEDICATED TO MAPLETON CITY
  - SETBACK AREA
  - SECTION CORNER
  - STREET MONUMENT

- PLAT NOTES:**
- All streets dedicated to Mapleton City for public use.
  - All public utility easements are 10' unless noted otherwise on the drawing.
  - Mapleton setback requirements: 30' front & 30' on a corner lot, 25' rear, 10' side.
  - State plane grid factor: 0.999694.
  - Groundwater was encountered at a depth of about 8 to 9 feet below the existing surface as per the geotechnical report. Floor slabs should be kept at least 3 feet above the groundwater. Due to uncertainties regarding groundwater depths and fluctuations at this site, the City of Mapleton recommends that no basements be built, and test pits should be excavated on each lot to access and document groundwater conditions prior to excavating for foundations.
  - The Homeowners Association is to maintain Lot 27 (Park).
  - The Homeowners Association and Lot 28 owner are to maintain the retention basin.

**SURVEYOR'S CERTIFICATE**

I, LEWIS PRATT, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I NEED CERTIFICATE NO. 18885 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME ACCURATELY CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

**BOUNDARY DESCRIPTION**

Beginning at a point located South 89°17'02" East along the section line 15.60 feet and East 54.04 feet from the West Quarter Corner of Section 15, Township 5 South, Range 1 East, Salt Lake Meridian; thence North 89°28'58" East 538.14 feet; thence North 02°34'40" West 0.77 feet; thence North 89°25'21" East 785.30 feet; thence North 00°30'34" East along an existing fence line 1,006.14 feet; thence South 88°48'22" West along an existing fence line 768.42 feet; thence North 00°20'10" West along an existing fence line 654.11 feet; thence South 88°48'24" West along an existing fence line 639.21 feet; thence North 00°20'13" West along the westerly right of way of 1600 West 306.66 feet to the point of beginning.

Containing 864,910 24 square feet or 22.15 acres.

Basis of Bearing is South 00°17'02" East of the section line between the West Quarter Corner and the Southeast Quarter Corner of Section 15, T8S, R3E.

*Thomas A. Bushman*  
*Thomas A. Bushman*

SURVEYOR: L. LEWIS PRATT

DATE: 20 September 2006

**OWNER'S CERTIFICATE OF CONSENT TO RECORD**

KNOW BY ALL MEN BY THESE PRESENTS THAT WE, ALL THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE SHOWN AND SHOWN ON THIS MAP, AND SUBJECT TO ANY CONDITIONS AND RESTRICTIONS STATED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND DO HEREBY REDUCATE THE SAME TO THE INSTALLATION, MAINTENANCE, LOCATION AND CONSTRUCTION OF ANY AND ALL UTILITIES.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 20 DAY OF Oct. 2006, D. 2006 D. 2006

FOR: DICK CREEK DEV. LLC

**ACKNOWLEDGMENT**

STATE OF UTAH  
COUNTY OF UTAH  
ON THIS 20 DAY OF October A.D. 2006, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DECLARATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DO EXECUTE THE SAME.

MY COMMISSION EXPIRES 12/31/08 NOTARY PUBLIC: *Christine Thomas*

**ACCEPTANCE BY LEGISLATIVE BODY**

THE CITY OF MAPLETON, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PROPOSED USE OF THE PUBLIC USE.

MAYOR: *Christine Thomas* ATTEST CITY RECORDER: *Christine Thomas*

**MAPLETON ENGINEER APPROVAL**

I, *Christine Thomas* Council of the City of Mapleton has reviewed the foregoing plat and LEGAL DESCRIPTION and FOUND THEM TO BE CORRECT and DO HEREBY GIVE APPROVAL OF SAID PLAT ON THIS 20 DAY OF October A.D. 2006.

MAPLETON ENGINEER: *Christine Thomas*

**PLANNING COMMISSION APPROVAL**

APPROVED THIS 17 DAY OF August A.D. 2006, BY THE CITY OF MAPLETON, PLANNING COMMISSION.

CHAIRPERSON, PLANNING COMMISSION: *Paula K. Pratt*

**PLANNING DIRECTOR APPROVAL**

APPROVED THIS 17 DAY OF August A.D. 2006, BY THE CITY OF MAPLETON, PLANNING DIRECTOR.

PLANNING DIRECTOR: *Drury J. Padgett*

**UTAH POWER & LIGHT**

APPROVED THIS 6 DAY OF October A.D. 2006, BY UTILITY POWER & LIGHT COMPANY.

UTAH POWER & LIGHT REPRESENTATIVE: *Gregory Johnson*

**PLAT "A"** SHEET 1 OF 1

**PHEASANT VIEW**

SCALE: 1" = 60 FEET

MAPLETON, UTAH COUNTY, UTAH

PREPARED BY: *LLM & ASSOCIATES, INC.*

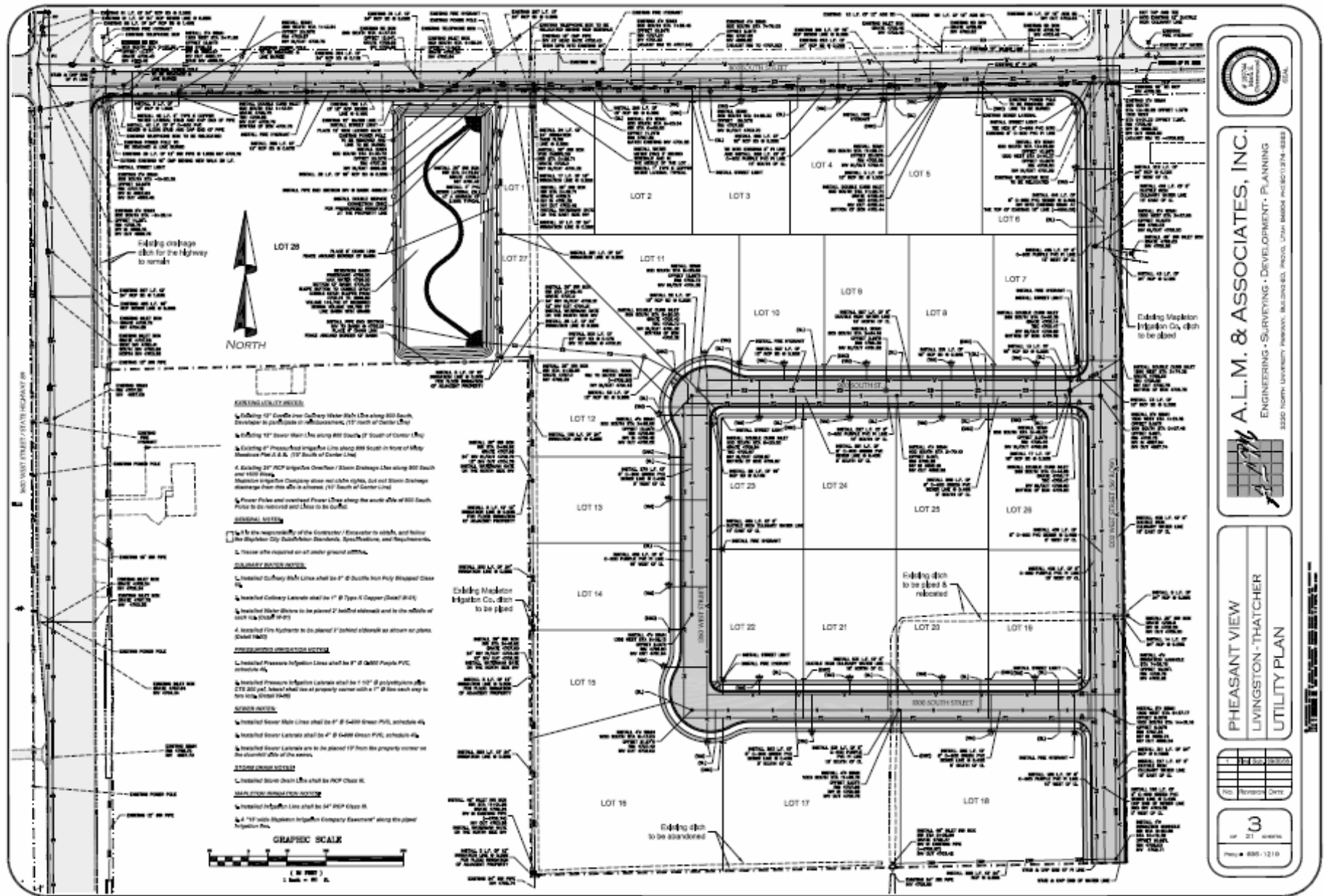
DESIGNED BY: *LLM & ASSOCIATES, INC.*

NOTARY PUBLIC SEAL: *Christine Thomas*

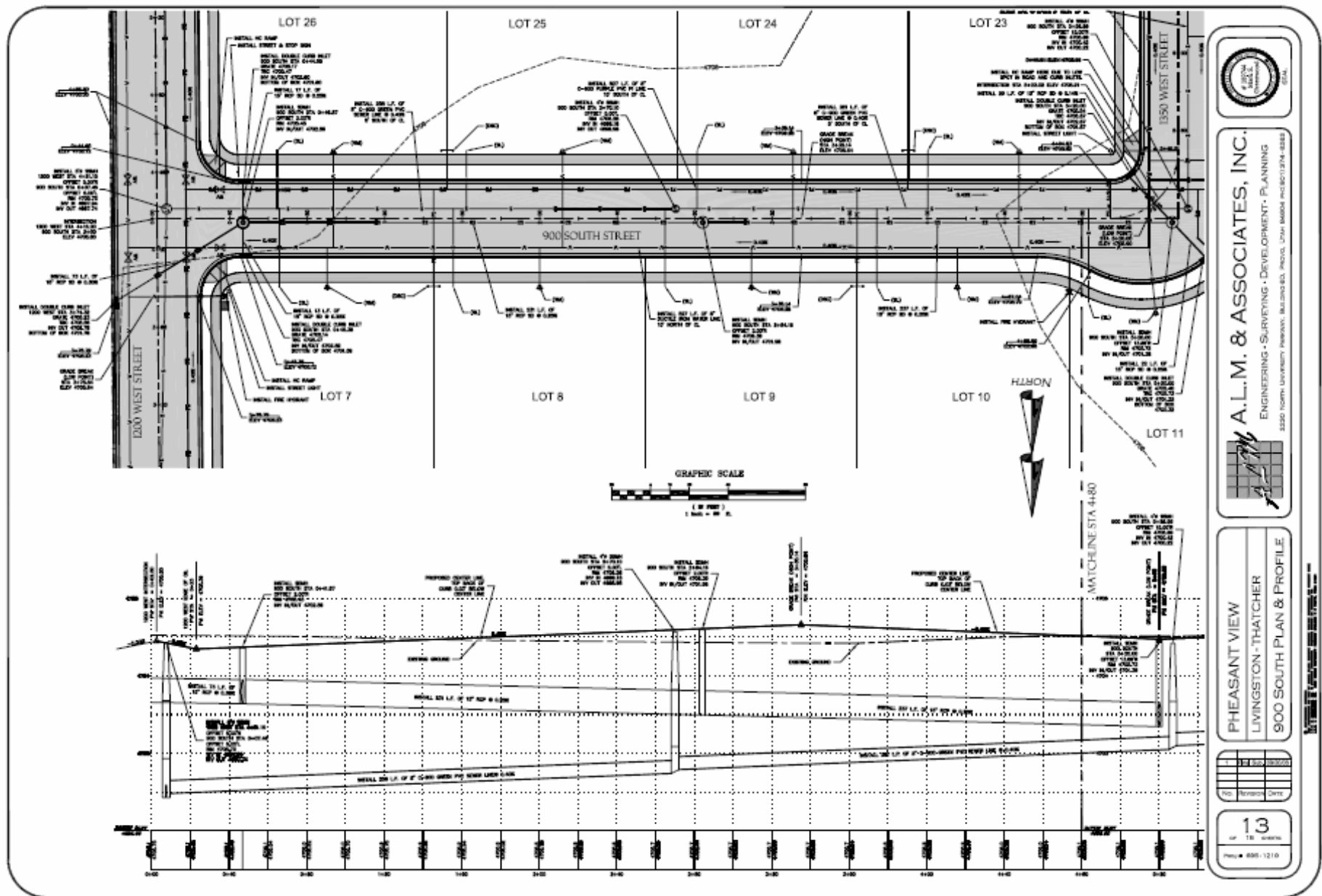
CITY ENGINEER SEAL: *Christine Thomas*

CLERK/RECORDER SEAL: *Christine Thomas*

Example of a Recorded Subdivision Plat

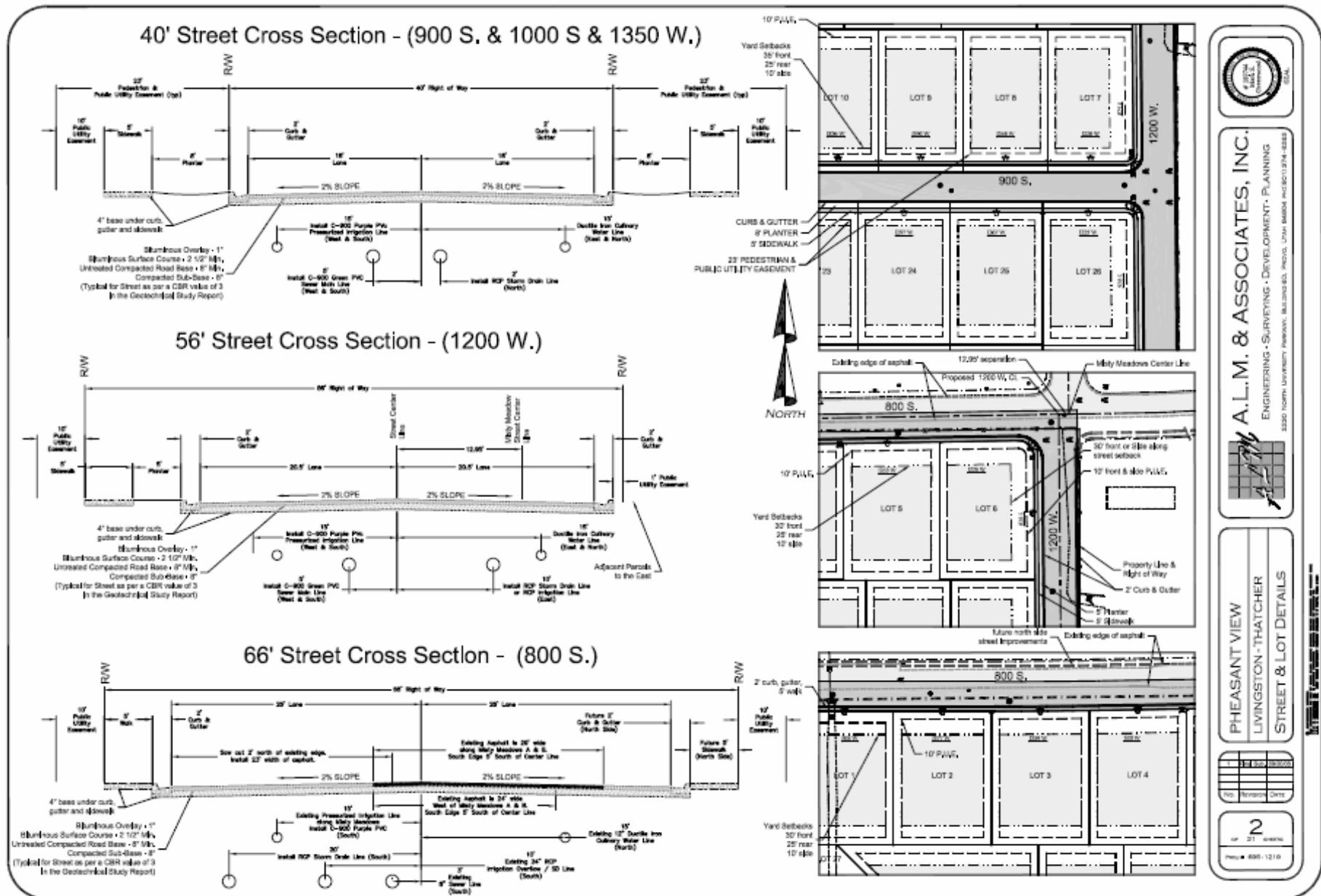


Example of a Utility Plan Sheet



Example of a Plan-Profile Sheet





**Example of Street Cross Sections**



**A.L.M. & ASSOCIATES, INC.**  
 ENGINEERING • SURVEYING • DEVELOPMENT • PLANNING  
 3332 NORTH UNIVERSITY PARKWAY, SUITE 403, PHOENIX, ARIZONA 85018-1774-0005

**PHEASANT VIEW**  
 LIVINGSTON-THATCHER  
 STREET & LOT DETAILS

1	10	10	10	10
1	10	10	10	10
1	10	10	10	10
1	10	10	10	10

2  
 of 21 sheets  
 688-1210

6/23/2006 10:33:44 AM

<p><b>2'-0" CURB AND GUTTER</b> MAPLETON CITY STANDARD</p>	<p><b>2'-0" SIDEWALK</b> MAPLETON CITY STANDARD</p>	<p><b>ADA SIDEWALK CORNER RAMP</b> MAPLETON CITY STANDARD</p>	<p><b>RIGHT ANGLE CORNER BULB</b> MAPLETON CITY STANDARD</p>
<p>MAPLETON CITY CORPORATION Standard Drawing <b>CG-01</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>EW-01</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>CG-12</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>CG-10</b> REVISED 04/2004</p>
<p><b>DRIVE SECTION CURB TRANSITION</b> MAPLETON CITY STANDARD</p>	<p><b>WHEEL CHAIR RAMP</b> MAPLETON CITY STANDARD</p>	<p><b>RADIUS CURB TO FORD TRANSITION TYPE I</b> MAPLETON CITY STANDARD</p>	<p><b>FIRE HYDRANT W/VALVE CONNECTION IN STREET</b> MAPLETON CITY STANDARD</p>
<p>MAPLETON CITY CORPORATION Standard Drawing <b>CG-01</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>WG-01</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>CG-05</b> REVISED 04/2004</p>	<p>MAPLETON CITY CORPORATION Standard Drawing <b>R-C3</b> REVISED 04/2004</p>



**A.L.M. & ASSOCIATES, INC.**  
ENGINEERING • SURVEYING • DEVELOPMENT • PLANNING  
2332 NORTH UNIVERSITY PARKWAY, BUILDING 601, WINDY LAKE, OHIO 44095-1014-0005



**PHEASANT VALLEY  
LIVINGSTON-THATCHER  
DETAIL SHEET 1**

No.	Revision	Date

**19**  
of 21 SHEETS  
Plan # 888-1210

A.L.M. & ASSOCIATES, INC. 2332 NORTH UNIVERSITY PARKWAY, BUILDING 601, WINDY LAKE, OHIO 44095-1014-0005  
 PHEASANT VALLEY LIVINGSTON-THATCHER 13.03.02 PM 4:07

**Example of a Standard Details Sheet for a Subdivision**

