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## Development Review Committee

1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6539

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### STAFF REPORT

February 11, 2020

**To:** Draper City Planning Commission  
Business Date: February 27, 2020

**From:** Development Review Committee

**Prepared By:** Travis Van Ekelenburg, Planner II  
Planning Division - Community Development Department  
801-576-6522, travis.vanekelenburg@draper.ut.us

**Re: BL Smith Zoning Map Amendment Request**

Application No.: TEXTMAP-934-2020  
Applicant: Byron L. & Sue Ann Smith  
Project Location: 999 E 13200 S  
Current Zoning: RA1 Residential Zone  
Acreage: 1.13 Acres (Approximately 49,222 ft<sup>2</sup>)  
Request: Request for approval of a zoning map amendment to change the zoning map from RA1 (Residential Agricultural, 40,000 sq. ft. minimum) to RA2 (Residential Agricultural, 20,000 sq. ft. minimum) on the subject property.

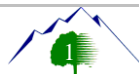
### SUMMARY & BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 1.13 acres located on the North side of 1000 East at 13200 South. The property is currently zoned RA1 (Residential Agricultural, 40,000 sq. ft. minimum). The applicants are seeking a change in zoning designation from RA1 (Single-family Residential, 40,000 sq. ft. minimum) to RA2 (Single-family Residential, 20,000 sq. ft. minimum). The subject properties are accessed to the south by an asphalt driveway that leads to a single family home with a detached garage, constructed in approximately 1980.

### ANALYSIS

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Residential Low/Medium Density land use designation for the subject property. Characteristics of this category includes the following:

- Very large lot single-family neighborhoods or ranchettes allows for enhancement of Draper's rural character.
- Environmentally designed clustered housing with the Suncrest and South Mountain projects being the exceptions.
- Some natural features and cultivated vegetation is apparent and special care is required in order to preserve those features and areas.
- Equestrian uses and privileges may exist in certain areas.



The property is currently assigned the RA1 zoning classification, supporting approximately one dwelling unit per acre (40,000 sq. ft. min lot size). The Residential Low/Medium Density category anticipates the RA1 or RA2 zoning categories in this area. RA2 is the dominant zoning designation in proximity but directly contiguous to the subject properties are the following zoning designations:

West: RA2  
East: RA1  
South: RA2  
North: RA1

Considering that the current RA1 zoning is 40,000 sq. ft. minimum lot size and that the lot is just over an acre at 1.13 acres (1 Acre = 43560 sq. ft.) this would only allow for one lot. Reducing the minimum lot size to 20,000 sq. ft. with the RA2 zoning designation would possibly give the opportunity to add an additional lot with a subdivision. If the change in zoning is granted, any future development or use on the property will have to comply with code regulations and any development standards in effect at the time.

Criteria for Approval. The criteria for review and potential approval of a zoning map amendment request is found in Sections 9-5-060 (E) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

1. Map Amendments:

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;
- b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- c. Whether the proposed amendment is consistent with the standards of any applicable overlay zone;
- d. The extent to which the proposed amendment may adversely affect adjacent property; and
- e. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

**REVIEWS**

Planning Division Review. The Draper City Planning Division has completed their review of the zoning map amendment submission. Comments from this division, if any, can be found in Exhibit A.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the zoning map amendment submission. Comments from this division can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the zoning map amendment submission. Comments from this division, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the zoning map amendment submission. The Fire Marshall has no issues in regard to this rezone request. Any further comments will be found in Exhibit A.

Noticing. Notices have been sent in the manner outlined in the city and state codes.

**STAFF RECOMMENDATION**

Staff recommends the Planning Commission review the request, receive public comment, and make a recommendation to the City Council based on the findings listed below and the criteria for approval, or denial, listed within the staff report.

The findings for a positive recommendation are as follows:

1. That Section 9-5-060 of the Draper City Municipal Code allows for the amendment of the city’s zoning map;
2. That all findings for a zone map change, as contained in DCMC Section 9-5-060 (E), are satisfied;
3. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection;
4. That the proposed zone map change is harmonious with the overall character of existing development in the vicinity of the subject property; and the General Plan.

The findings for a negative recommendation are as follows:

1. The proposed amendment is not consistent with goals, objectives and policies of the Draper City General Plan.
2. That the findings for a zone map change, as contained in DCMC Section 9-5-060 (E), are not satisfied.
3. The RA2 zone is not appropriate for this parcel given the surrounding zoning on two sides.

**MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move that we forward a positive recommendation to the City Council for the BL Smith zoning map amendment, as requested by Byron & Sue Ann Smith, from RA1 to RA2, application TEXTMAP-934-2020, based on the findings listed in the Staff Report dated February 11, 2020.”

Sample Motion for a Modified Positive Recommendation – “I move that we forward a positive recommendation to the City Council for the BL Smith zoning map amendment, as requested by Byron & Sue Ann Smith, from RA1 to RA2, application TEXTMAP-934-2020, based on the findings listed in the Staff Report dated February 11, 2020 and as modified by the following:”

1. List any additional findings...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the BL Smith zoning map amendment, as requested by Byron & Sue Ann Smith, from RA1 to RA2, application TEXTMAP-934-2020, based on the findings listed in the Staff Report dated February 11, 2020.”

**DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT**

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

  
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Draper City Public Works Department

  
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Draper City Building Division

  
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Draper City Fire Department

  
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Draper City Planning Division

  
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Draper City Legal Counsel

## **EXHIBIT A DEPARTMENT REVIEWS**

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

### *Planning Division Review*

Planning has reviewed the following application. The purpose of the RA2 zone is the same as that of the RA1 zone, which is to foster low to medium density development with little impact on its surroundings and municipal services; to generally preserve the character of the city's semi-rural areas; and to promote and preserve conditions favorable to large-lot family life. Changing the zoning designation to RA2 would not be unfavorable to the area.

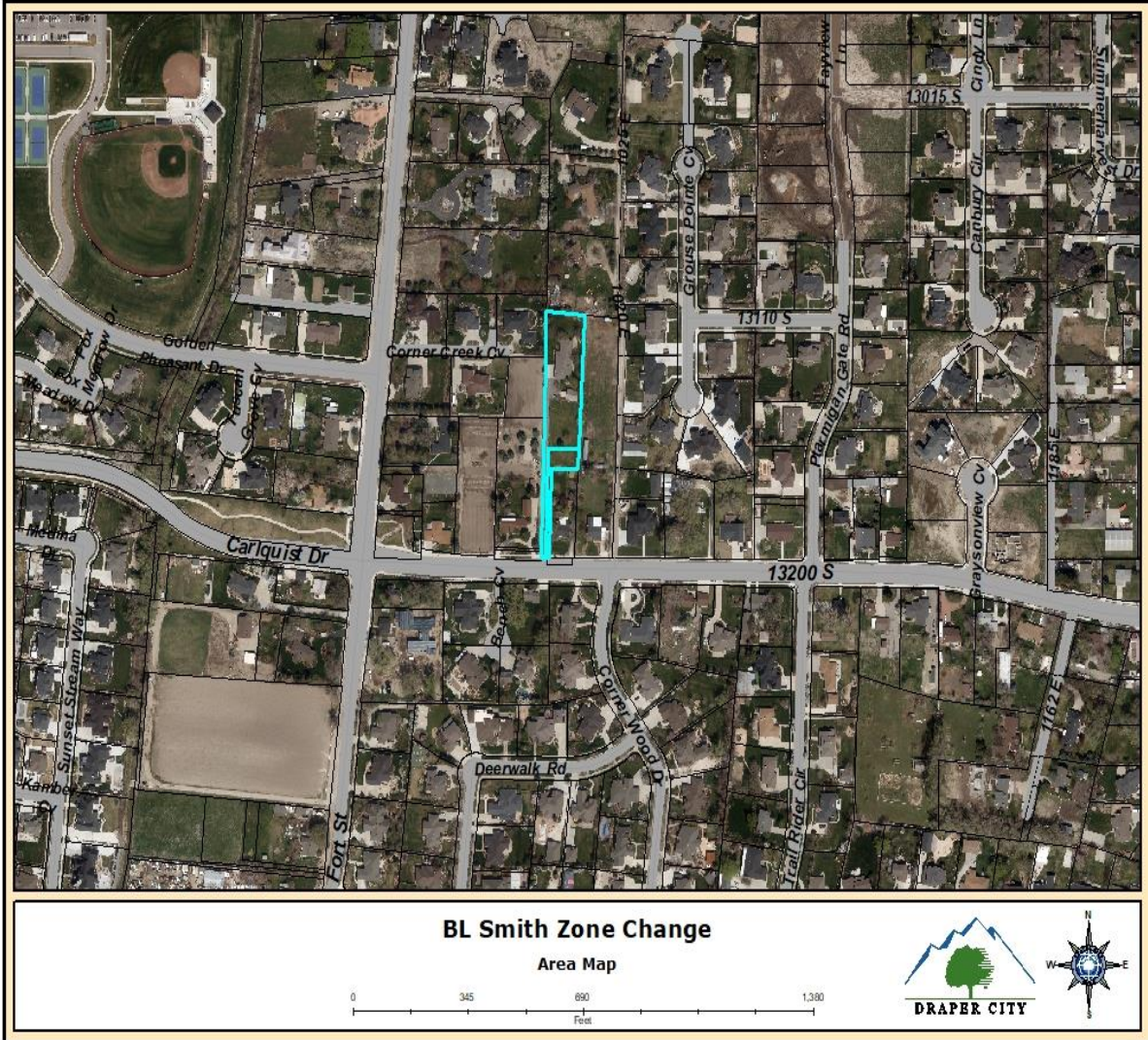
Should the zoning request be approved Draper City makes no representation that the property will be legally permitted to subdivide nor has this representation been made to the applicant. The applicant will be required to comply with DCMC for any further subdivision, redevelopment, development, or otherwise.

### *Engineering Division Review*

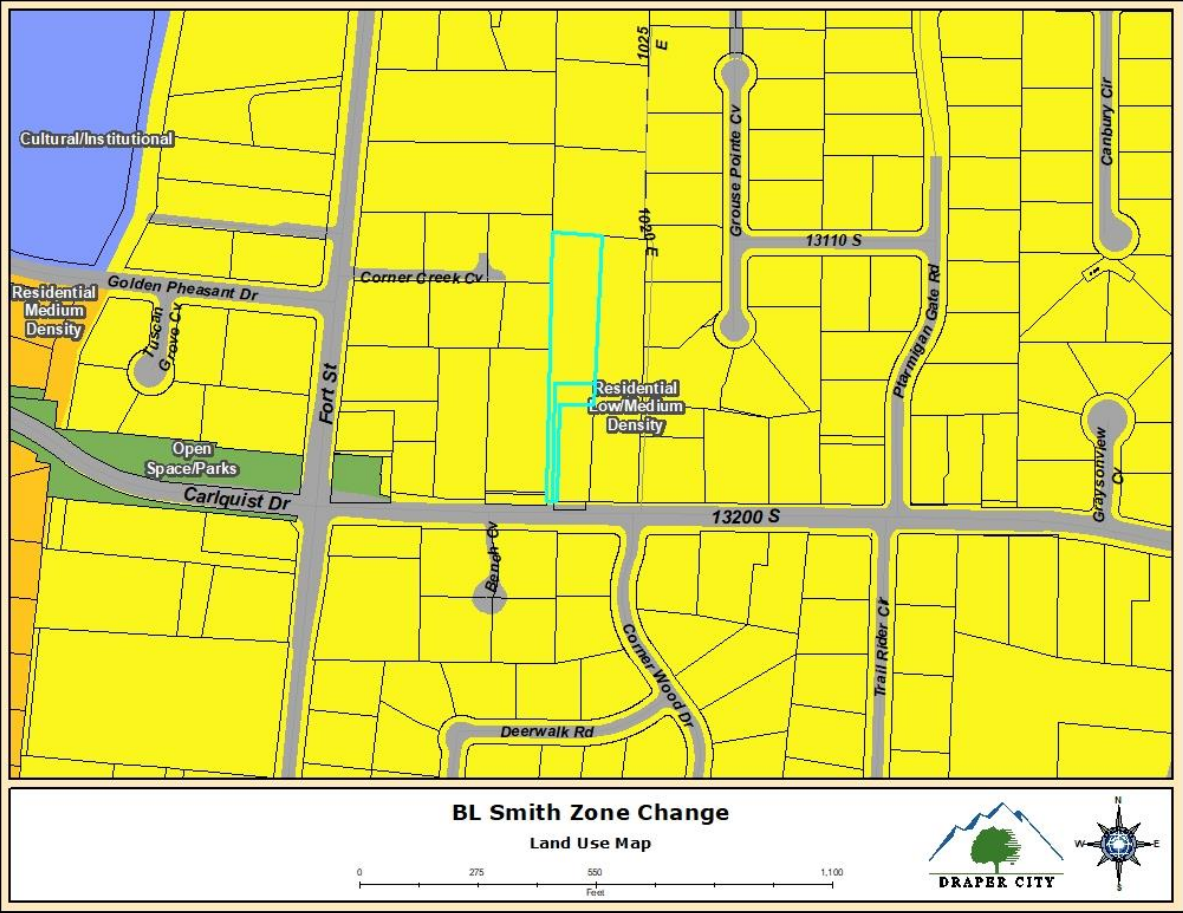
We have reviewed the subject zone map amendment application, proposing 1.13 acres within two parcels to be zoned from RA1 to RA2 in accordance with the provisions of Section 9-5-060(E) of the Draper City Municipal Code (DCMC). We speak primarily to the adequacy of facilities and services intended to serve the subject property. In making an amendment, the City Council should consider the following factors. Accordingly, the following comments are recommended for your consideration:

1. The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection. Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.
  - a. Connectivity with these parcels is required to be through access to 13200 South, a minor collector. Specific access locations will be evaluated with any site plan or subdivision submittal. Access locations will be required to meet Draper City Standards as outlined in our Master Transportation Plan. A Traffic Impact Study may be required.
  - b. Existing storm drainage facilities are available in 13200 south. Provisions for onsite storm drainage will need to be addressed with any subdivision or site plan application, and shall comply with the provisions of the development requirements within the Draper City Municipal Code.
  - c. Sanitary sewer facilities will be provided by South Valley Sewer District. Any subdivision application will require a commitment to serve from the Sewer District that facilities are adequate to provide service for the proposed uses.
  - d. Drinking water facilities will be provided by WaterPro. Any subdivision application will require a commitment to serve from the WaterPro that facilities are adequate to provide service for the proposed uses.

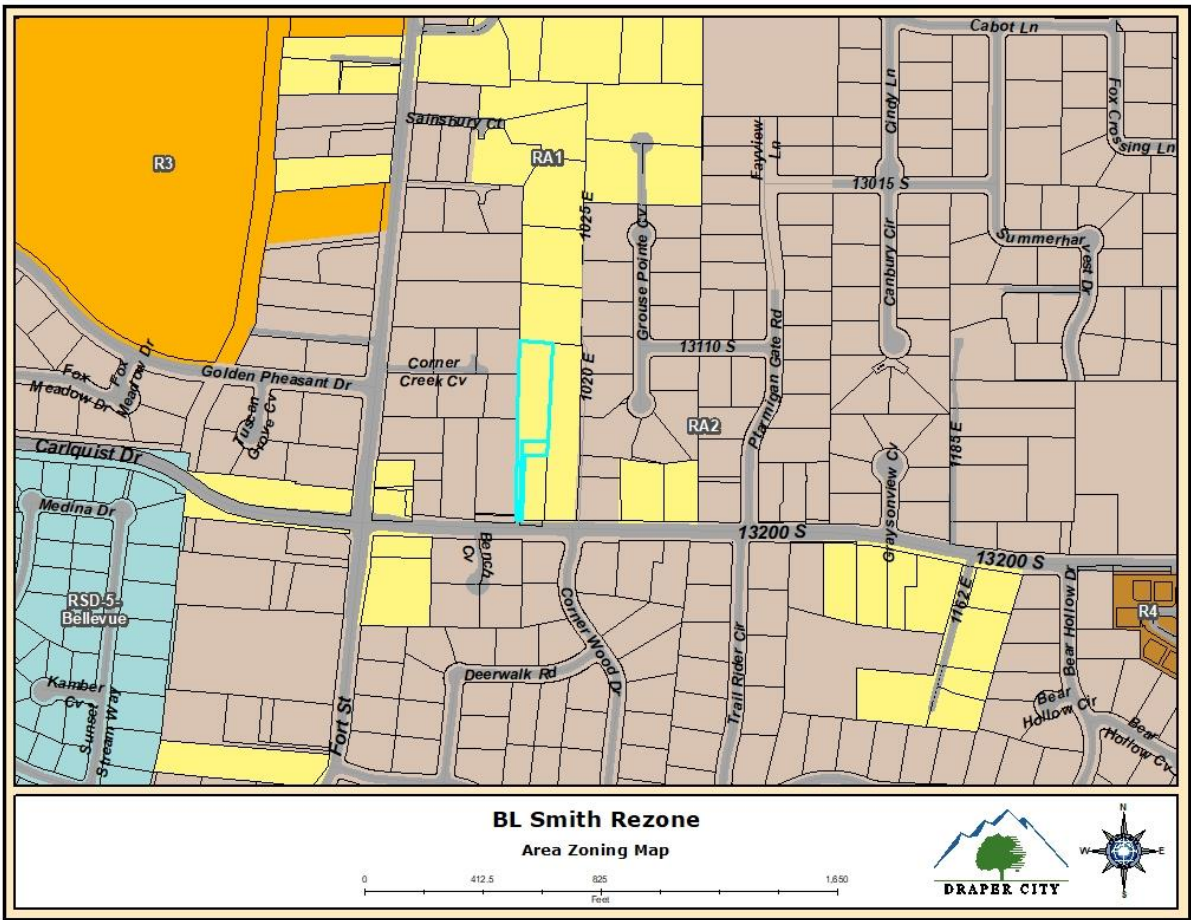
**EXHIBIT B  
AERIAL MAP**



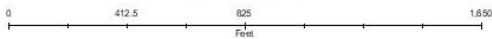
**EXHIBIT C  
LAND USE MAP**



# EXHIBIT D ZONING MAP



**BL Smith Rezone**  
Area Zoning Map



**EXHIBIT E**  
**APPLICANT QUESTIONNAIRE**

**Attachment – Zone Change Byron L. & Sue Ann Smith Family Trust**

Questions:

Q1- What is the present zoning of the property?

A - Parcel 1 & 2 are presently zoned R1.

Q2 - Is the proposed zoning consistent with current land use designation? Please explain.

A - Land use is residential and currently has an existing residence on parcel 1 constructed in 1980.

Q3 - Is the proposed zoning similar or compatible to the current zoning in the same area? Please explain.

A - All surrounding property is zoned R2 except for 2 adjacent properties that are zoned R1.

Q4 - Is the proposed zoning suitable for the proposed site? Please explain.

A - Zoning the property to R2 helps to eliminate smaller zone islands within a large area of R2 zoned properties.