



Planning Commission Staff Report Hearing Date: September 23, 2020

***ITEM # 3** Jeffrey Rands requests a Zone Change from Residential Conservation (RC) to Very Low Density Residential (VLDR) to subdivide the lot to create one 5,000 sf, single-family lot, located at 189 S 500 W. Franklin Neighborhood. Brandon Larsen (801) 852-6408
jblarsen@provo.org PLRZ20200124

Applicant: Jeffrey R. Rands
Staff Coordinator: Brandon Larsen
Property Owner: Rands, Jeffrey and Lynnett
Parcel ID#: 04:046:0006
General Plan Designation: Residential
Current Zoning: RC (Residential Conservation Zone)
Proposed Zoning: VLDR (Very Low-Density Residential Zone)
Acreage: 0.25
Number of Properties: 1
Related Application: PLCP20200184 (concept plan)

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is October 14, 2020, 5:00 P.M.*
2. **Recommend Denial** of the proposed zone map amendment. *This action would not be consistent with the recommendations in the Staff Report. The Planning Commission should state new findings, if they act to recommend denial.*

Current Legal Use:
The site of a one-family dwelling.

Relevant History:
The dwelling on the subject property was built in 1907. The property has been in the same configuration for many decades. This item was continued from the August 12, 2020 Planning Commission meeting.

Neighborhood Issues:
A neighborhood meeting was held several months ago. It appears the Franklin Neighborhood is generally supportive of the proposal.

Summary of Key Issues:

- This request, if approved, would pave the way for an additional one-family dwelling site.
- The neighborhood appears to be supportive.
- A text amendment is proposed to reduce the required minimum lot area for one-family dwellings in the VLDR Zone to 4000 SF.

Staff Recommendation:
Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the RC Zone to VLDR Zone with the following condition:

1. That this zone map amendment only be adopted if the proposed text amendment (PLOTA20200274) to reduce the minimum lot area for one-family dwellings in the VLDR Zone is adopted, and the concept plan associated with this proposed zone map amendment complies with the adopted minimum lot area requirements.

BACKGROUND

The applicant would like to divide the 0.25-acre one-family dwelling site and establish an additional dwelling site. However, the subject property lies in the Residential Conservation (RC) Zone, which does not allow for the creation of new lots. As such, the applicant is proposing a rezone of the subject property to the Very Low Density Residential (VLDR) Zone, which does not have a prohibition on the creation of new lots and is proposed to allow one-family dwelling sites with a minimum lot area of 4000 SF.

This item was continued from the August 12, 2020 Planning Commission meeting to allow time for (1) the applicant to revise his associated concept plan and (2) staff to prepare a text amendment application to propose a reduction in the minimum lot area for the VLDR and LDR zones. Staff has prepared a text amendment as noted. Also, the concept plan has been revised to propose two (2) lots that generally have a rectangular configuration and comply with the proposed lot area minimums for the VLDR Zone (see attached concept plan).

The subject property is surrounded by the RC Zone. A 0.34-acre parcel lying approximately 125 feet to the northeast of, and on the same block as, the subject property was recently rezoned to the LDR Zone. The applicant is requesting the VLDR Zone, which has a lower density allowance per acre than the LDR Zone (7 units per acre vs. 15 units per acre).

Staff notes that the applicant originally applied for a rezone to the LDR Zone, but revised his proposal for a rezone to the VLDR Zone. The VLDR Zone is a newly created zone that has a lower density allowance, as opposed to LDR Zone.

STAFF ANALYSIS

General Plan Policies. The Franklin Neighborhood section of Article 1.2.9 of the General Plan notes the establishment of the Franklin Neighborhood Plan. The first goal of the *Future Land Use* section of the Franklin Neighborhood Plan states: "Replace existing RC (Residential Conservation) zoning with new zones to allow positive change in the Franklin Neighborhood." Figure 3.3 of said plan calls for a R1.6A zoning designation for the subject property (as well as the property that was recently rezoned to the LDR Zone). With R1.6A zoning, the subject property would not be able to be divided as proposed (the subject property has an area of approximately 10,890 SF), but an accessory living space would be allowed on the subject property.

Staff also notes the fifth goal of the of the *Future Land Use* section of the Franklin Neighborhood plan, which states: "Pursue strategies for relieving the Franklin Neighborhood of additional low income housing." Approval of the applicant's request would appear to facilitate the establishment of a new one-family dwelling in the Franklin Neighborhood, rather than an accessory living space. The establishment of a new one-family dwelling helps to bring stability to the neighborhood.

Findings of Fact. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (responses in bold)

(a) Public purpose for the amendment in question.

The public purpose is to help provide stability for the Franklin Neighborhood by adding a one-family dwelling site.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff believes that the addition of a one-family dwelling site will do more to bring stability to the Franklin Neighborhood than the potential for an additional accessory living space.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

This proposal appears to be in substantial harmony with the General Plan and Franklin Neighborhood Plan. It appears to particularly support Goals 1 and 5 of the *Future Land Use* section of the Franklin Neighborhood Plan, as noted in the *General Plan Policies* section of this report.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff is aware of one (1) matter:

- 1. According to the associated concept plan, it appears one of the proposed lots would not meet the current lot area minimum for one-family dwellings in the VLDR Zone; however, a text amendment (PLOTA20200274) is proposed to reduce the minimum to 4000 SF. If the text amendment is adopted by the City Council, the concept plan would meet the lot area minimum requirement of the VLDR Zone.**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

This proposal appears to be in substantial harmony with the General Plan and Franklin Neighborhood Plan.

(f) Adverse impacts on adjacent land owners.

Staff is not aware of potential adverse impacts to adjacent landowners.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

The General Plan and zoning have been verified for correctness.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies. Soccer

The General Plan Map and policies appear to substantially support this proposal.

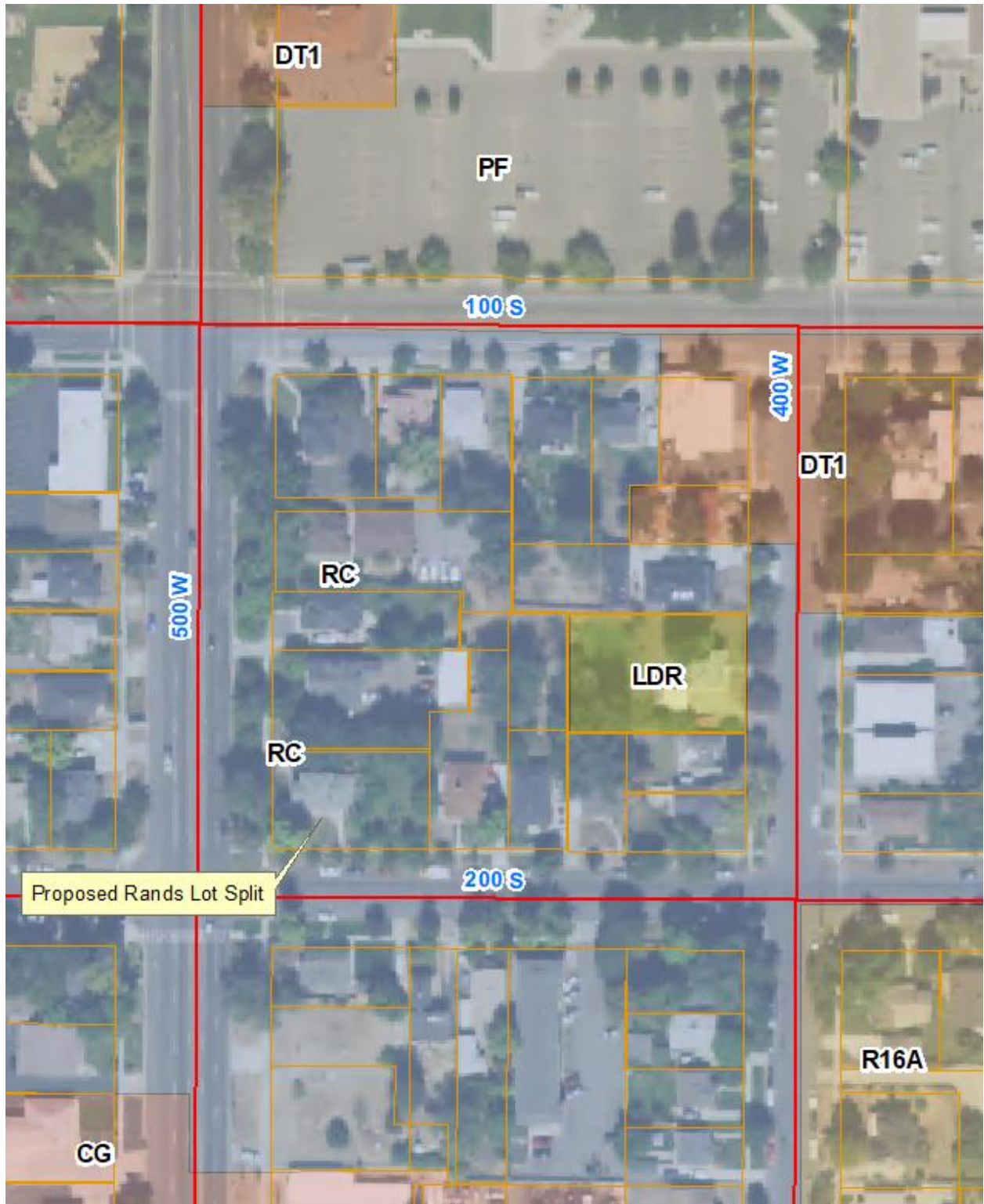
Conclusion. The proposed zone map amendment appears to be appropriate for the area and would facilitate the establishment of a new one-family dwelling (according to the concept plan). The establishment of a new one-family dwelling would help to add stability to the Franklin Neighborhood. The Neighborhood seems to be supportive of this proposed zone map amendment. Staff does note that if the applicant's zone map amendment proposal is adopted, the applicant—with a parcel with over 10,000 SF—would have the necessary zoning and area to not only develop one-family dwelling sites, but also twin homes and townhomes.

ATTACHMENTS

1. Current Zoning
2. Proposed Zoning
3. Concept Plan

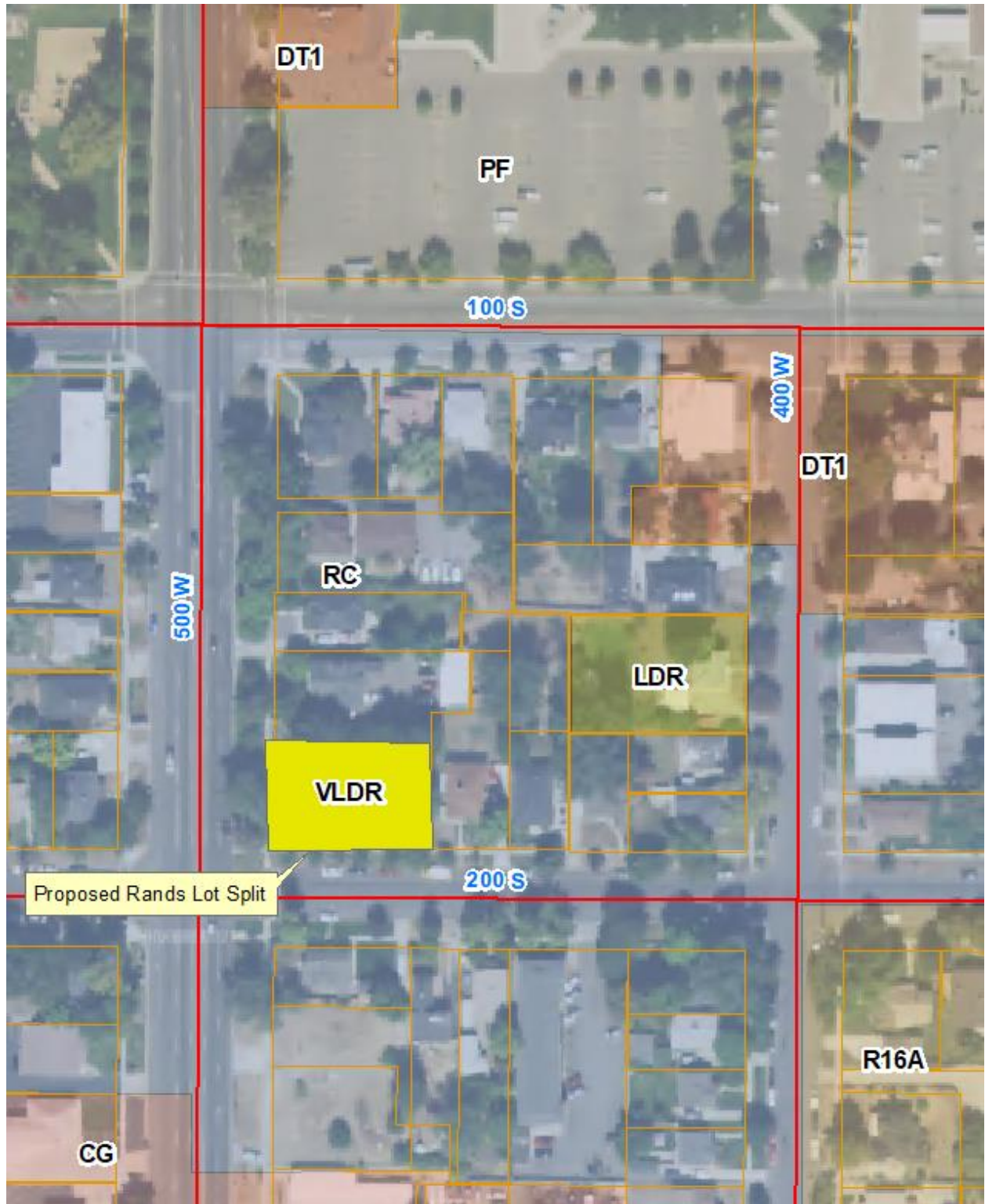
ATTACHMENT – Current Zoning

Current Zoning: RC (Residential Conservation)



ATTACHMENT – Proposed Zoning

Proposed Zoning: VLDR (Very Low Density Residential)



ATTACHMENT – Concept Plan

