



## Planning Commission Staff Report Rezone

Hearing Date: October 24, 2018

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**\*ITEM #1** George Bills requests a Zone Change from Public Facilities (PF) to Residential Agricultural (RA) for 5.89 acres located at 1437 E 2300 N. Rock Canyon neighborhood. Aaron Ardmore (801) 852-6404 PLRZ20180239

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**Applicant:** George Bills at Gardner & Associates

**Staff Coordinator:** Aaron Ardmore

**Property Owner:** RANGER STATION LLC

**Parcel ID#:** 20:045:0018

**Acreage:** 5.89

**Number of Properties:** 1

**Number of Lots:** 3

### ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is November 14<sup>th</sup> at 5:00 P.M.*

2. **Deny** the requested Zone Map Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

**Current Legal Use:** The property is currently a mostly vacant parcel that contains a storage building for the US Forest Service.

**Relevant History:** The property was acquired by an LLC, which is represented by the applicant. The applicant submitted a zone change request and a proposed subdivision plan to split the property into three single-family lots. Planning Commission recommended approval to the Council. The Council continued the item so the applicant could find a new solution. The applicant has now requested the RA zone along with a development agreement restricting all agricultural animal rights.

**Neighborhood Issues:** The applicant met with staff and the neighbors to the west to discuss concerns about building placement and view corridors.

### Summary of Key Issues:

- The proposed zone would change from Public Facilities to Residential Agricultural – half-acre minimum lot size.
- The applicant would subdivide the property into three lots.
- The General Plan for this property is Residential.

**Staff Recommendation:** That the Planning Commission forwards a Positive Recommendation to the Municipal Council.

## **OVERVIEW**

Gardner & Associates is requesting a zone change on behalf of the property owner at 1437 East 2300 North, from the Public Facilities (PF) zone to the Residential Agricultural (RA) zone. The proposed zone restricts residential use to one dwelling per half acre.

The property owner purchased the land in 2007 in order to create single-family lots at a later date. The applicant has now applied for the necessary zone change and preliminary subdivision that would enable the property to be subdivided.

Lots zoned R1.10 are adjacent to the west of the subject property. These lots were originally part of the subject property. Also to the west is R1.SPD zoning where the lots are 12,000 to 13,000 sf. To the north and east of the subject property is City-owned parkland that is zoned Public Facilities.

The street 2300 North is a collector road and provides the frontage to the subject property.

At the September Municipal Council hearing there was public input regarding impacts corralling of horses have on near-by residential uses. The applicant has revised his request to a RA zone along with limiting all the agricultural animal rights with that zone, so that the property owners can still move forward and the concerns can be alleviated.

## **FINDINGS OF FACT**

1. The property is in the Public Facilities Zone.
2. The General Plan designates the property as Residential.
3. The proposed zone is Residential Agricultural.
4. The General Plan would not need to be amended with a Residential Agricultural zone.
5. RA zones around the City are commonly found adjacent to R1.8 and R1.10 zones.
6. The plan proposes a three-lot subdivision.

## **ANALYSIS**

The proposed zone change would allow the development of the property into residential lots, aligning it with the intent of General Plan. The proposed zone of RA would fit the characteristics of the area, as the property serves as a gateway to the Rock Canyon trailhead. Due to limitation

related to the geography of the property, the proposed zone would most likely limit the property to three lots; but the potential for five lots may be possible.

The RA zone is frequently viewed as a half-way point between residential zoning and agricultural zoning. This is why RA zones are so common adjacent to R1 zones. A review of the City's zoning map shows at least 23 RA zones that are adjacent to R1.8 or R1.10 zones.

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 proposal allows the property to be developed in an appropriate manner, which will increase the tax base for the City.**

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

**Any higher density residential development or other use for the property would be inappropriate for the site.**

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

**The proposed development meets the General Plan Map designation for the property, and meets the goals in chapter six of the General Plan, specifically in "increasing the amount of owner-occupied housing units."**

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

**There are no relevant timing and sequencing provisions dealing with this proposal.**

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

**The proposed zone change should not hinder or obstruct the General Plan policies, but help to achieve them.**

*(f) Adverse impacts on adjacent land owners.*

***There would be minimal adverse impacts on adjacent owners, but could include increased traffic and loss of view corridors.***

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

***The zoning and General Plan for the area are correct.***

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

**There are none.**

## **CONCLUSIONS**

Staff feels that the proposed zone is a good fit for the property in enabling it to be developed in accordance with the Provo City General Plan.

## **ATTACHMENTS**

1. Proposed Zone Change Area
2. Concept Plan

ATTACHMENT 1 – PROPOSED ZONE CHANGE AREA



ATTACHMENT 2 – CONCEPT PLAN

