



**Planning Commission
Staff Report Hearing Date:
July 28, 2021**

ITEM 2* Community and Neighborhood Services requests a Zone Change from R1-10 Single Family Residential to Open Space Preservation and Recreation (OSPR) for approximately 26.11 acres located near the access area to Slate Canyon. Provost Neighborhood. Melissa McNalley (801) 852-6164 mmcnalley@provo.org
PLRZ20210237

Applicant: Community and Neighborhood Services Department

Staff Coordinator: Melissa McNalley

Property Owner: Provo City Corporation;
United States of America

Parcel ID#: 22:039:0019

Current Zone: R1.10 Single Family Residential

General Plan Designation: (A) Agricultural

Acreage: 26.11 acres

Number of Lots: 1

Council Action Required: Yes

Alternative Actions:

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is **August 11, 2021, 6:00 p.m.***
2. **Deny** of the proposed rezoning. This would be a change from the Staff recommendation; the Planning commission should state new findings.

Current Legal Use: The property is currently zoned Single Family Residential and falls within the critical hillside overlay zone.

Relevant History: None

Neighborhood Issues: No neighborhood concerns have been identified as of the time of staff drafting this report.

Staff Recommendation:
Staff recommends the Planning Commission recommend approval of the proposed zone change to OSPR to the Municipal Council.

OVERVIEW

The Community and Neighborhood Services Department is requesting to rezone one parcel consisting of 26.11 acres in the critical hillside overlay zone to the proposed Open Space, Preservation & Recreation (OSPR) zone (14.33).

There is no proposed development requesting to utilize this zone.

The rezoning of this property helps to ensure protection of the critical hillside from future development and adds to the recreating opportunities in Slate Canyon.

GENERAL PLAN POLICIES

The General Plan encourages the preservation of canyons and foothill, and associated wildlife corridor (Goal 4.4.3).

The General Plan seeks to enact regulations that will limit development in areas subject to rock fall, landslides, and strata expansion (Goal 4.4.30).

Parks and open space, whether designed for passive or active recreation, are important elements in creating a balanced living environment. Having recreational opportunities close at hand is important not only for convenience, but for maintaining the physical and social strength of the community through active recreational and social interaction with family and neighbors (Introduction 8.1).

FINDING OF FACTS

1. The subject property is zoned R1.10
2. The subject property is at the mouth of Slate Canyon and is in the critical hillside overlay zone.

STAFF ANALYSIS

Provo City has goals within the General Plan and Parks & Recreation Master Plan that discuss the need to preserve open space, parks, wildlife habitats, wetlands, trails and other similar land uses. Rezoning this parcel helps preserve open space at the mouth of Slate Canyon.

1. 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:

(a) *Public purpose for the amendment in question.*

The rezone allows for public hearings to occur if a parcel is to be utilized as something that is not found within the permitted land uses of the OSPR zone. This rezone allows for this parcel to be protected within the neighborhood and community as a place for physical health and recreation.

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

The public purpose stated above can be served by amending the zoning map.

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

The proposed rezone will not hinder or obstruct policies of the General Plan, but will aid in the implementation of policies, as stated above.

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

If the subject property is rezoned by the Municipal Council, then the next step would be to analyze additional government owned parcels on the mountainside in the critical hillside overlay that could be rezoned to the OSPR zone.

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

None

(f) *Adverse impacts on adjacent landowners.*

No adverse impacts are anticipated on adjacent landowners. The use of the subject properties is not changing.

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

The current General Plan designation for the area is agricultural.

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

No conflict exists.

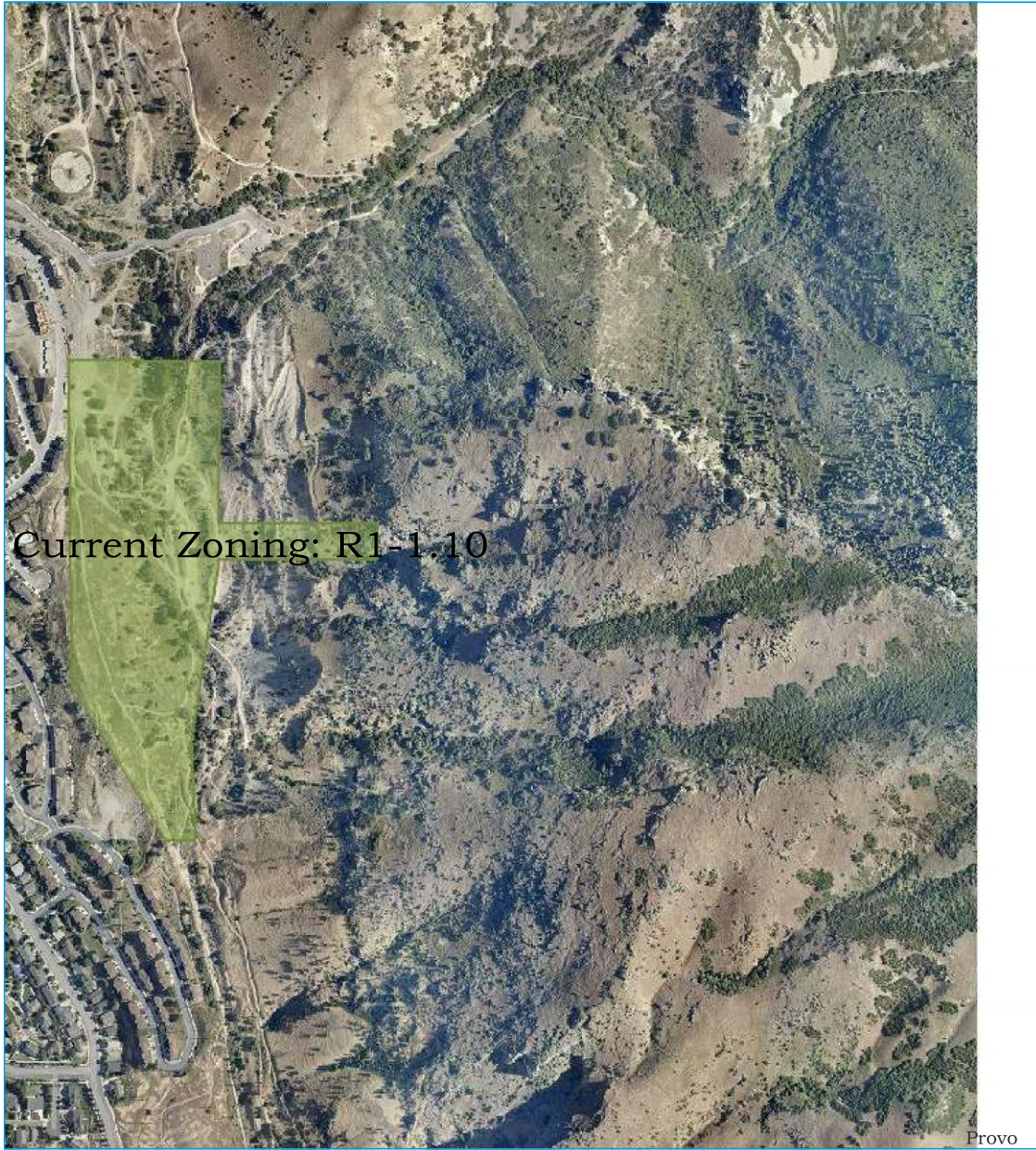
STAFF RECOMMENDATION

1. Staff recommends the Planning Commission recommend approval of the proposed zone changes to the Municipal Council.

ATTACHMENTS

2 – Maps of property subject to being rezoned

Provo Map Current Zone



Areas
■ Override

-
-
-

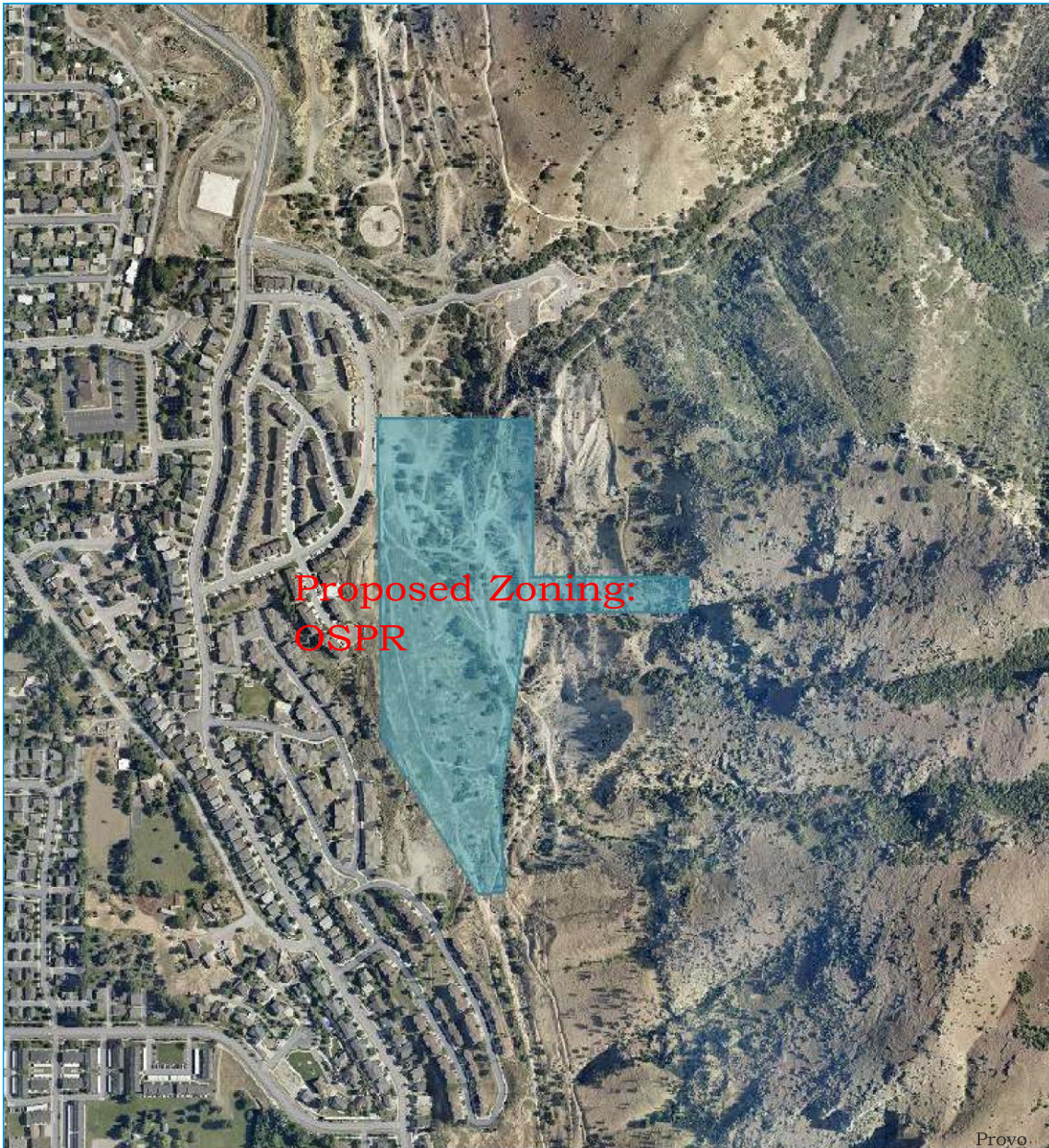


0 0.0 0. 0. m

Author: Provo Date:

This map is for graphical representation only and not for construction or defining

Provo Map Proposed Zone



Areas

■ Override

-
-
-



0 0.0 0. 0. m

Author: Provo Date:

This map is for graphical representation only and not for construction or defining feature