

**\*ITEM 1** Ginny Smith requests annexation of approximately 9.1 acres located at approximately 5500 N Canyon Rd. The subject property lies adjacent to the North Timpview Neighborhood. Brandon Larsen (801) 852-6408 PLANEX20230020

## **OVERVIEW**

This item is an annexation request for property located at 5500 N Canyon Road. The subject area is located just south of the Indian Road Trailhead and east of University Avenue. The total property proposed for annexation equals approximately 9.1 acres. There are two areas of this annexation, which are separated by approximately 200 feet. Canyon Road runs through the westerly portion of the annexation area. A portion of Canyon Road is owned by Utah County. They have prepared a deed to transfer this land to Provo City upon recordation of the proposed annexation plat. The applicant owns property in both of the small areas shown on the annexation plat. The westerly area includes the applicant's home, a portion of Canyon Road, and a city utility facility. The easterly area includes agricultural land owned by the applicant, a city utility facility, and a small parcel owned by Provo Canyon Estates LLC. A portion of an access road runs through the Provo Canyon Estates parcel.

The subject area is located within “Area Five” on the city’s Annexation Policy Map. A portion of Appendix C: Annexation Map and Policies sets forth the following regarding “Area Five”:

*“Area Five is bounded on the west and south by existing Provo City limits, and on the east by the Uinta National Forest boundary. Existing water pressure zones can serve this area to an elevation of approximately 4,876 feet. Area Five can be served by gravity wastewater systems, but main lines would have to be extended into the area from existing lines several thousand feet away. Development in sizeable portions of this area would be subject to the city’s Hillside Development Standards, as well as the Critical Hillside Overlay (CH) Zone. The General Plan Map calls for residential development in a portion of this area; however, any property identified as Agriculture on the map should be included in the OSPR zone upon being annexed. Any future development project requiring a rezone from the OSPR Zone would be required to demonstrate a substantial benefit to the city and would be subject to the requirements of the Critical Hillside Overlay Zone.”*

§14.02.080 provides the following regarding the zoning of annexed property: *“any property in the process of annexation, or annexed to or consolidated to Provo City subsequent to the effective date of this Section, shall be deemed to be classified in accordance with the lowest density zone allowed by the land use designation set forth for the subject property in the Provo City General Plan.”*

The westerly area, as well as Parcel 200140082 and the western most portion of Parcel 200140081, has a Residential land use designation on the General Plan Map. Provo City Parcel 200140054, as well as the majority of Parcel 200140081, has an Agricultural land use designation.

The applicant desires to have agricultural zoning for her property. Staff recommends A1.1 (Agricultural, 1-ac) zoning for the land owned by Smith. Such zoning is less intense than the least intense residential zone (One-Family Residential – R1.2 Zone, 20,000 SF). Staff recommends A1.5 (Agricultural, 5-ac) zoning for the more easterly Parcels 200140054 and 200140081—to match the adjacent agricultural zoning. All agricultural zoning in the broader vicinity is A1.5. There is no proposed development plan in connection with this annexation.

### **FINDINGS OF FACT**

- The subject property is within “Area Five” of the Provo City Annexation Policy Map.
- The majority of the subject land is designated as “Residential” in the Provo City General Plan.
- The Provo City parcel, as well as a majority of the Provo Canyon Estates parcel, has an “Agricultural” land use designation.

### **CONCLUSIONS**

In its review and evaluation of this request, Development Services Staff believes the proposed annexation is consistent with the adopted Annexation Plan and will be a benefit to the City.

### **RECOMMENDATION**

*Recommend Approval* to the Municipal Council of the proposed Smith-Provo Annexation of approximately 9.1 acres, located at approximately 5500 N Canyon Rd.

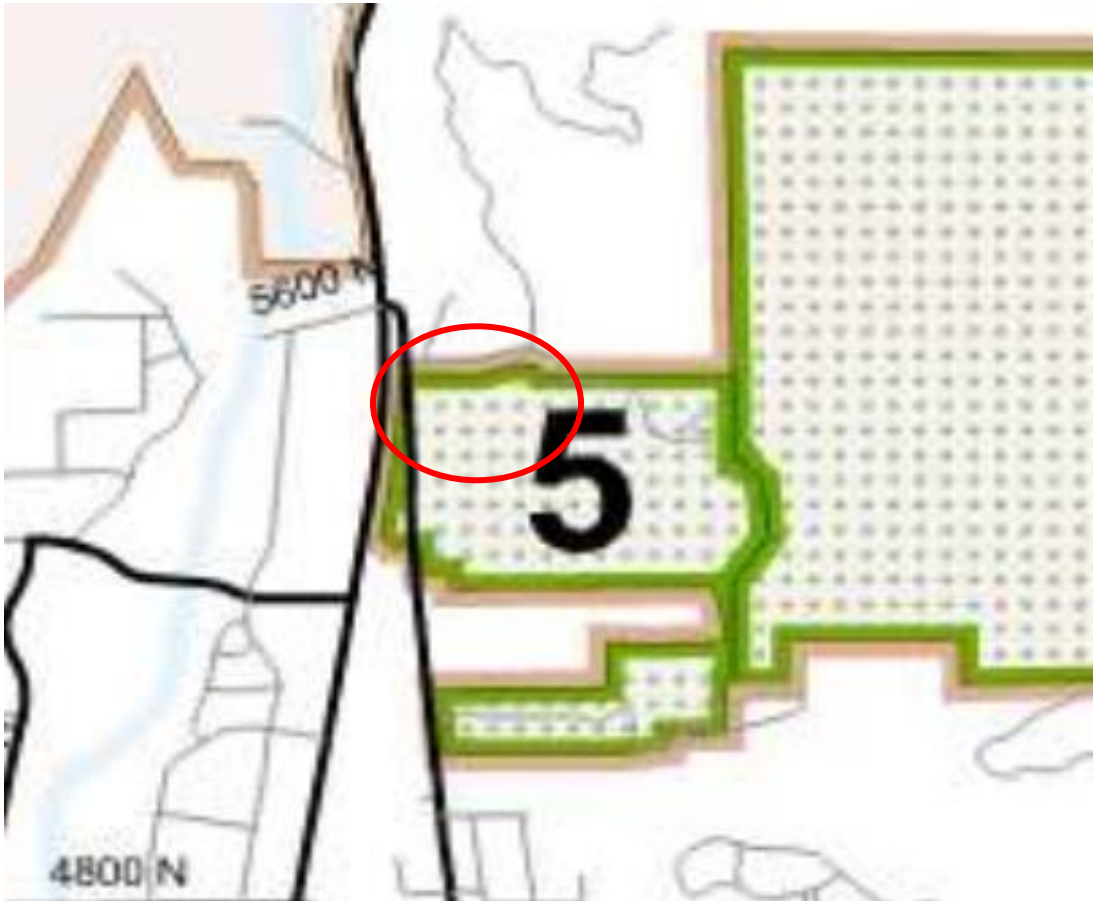
### **ATTACHMENTS**

1. Location Map
2. Annexation Policy Map
3. Annexation Plat Map
4. General Plan Map
5. Public Works Staff Report

**Attachment 1: Location Map**

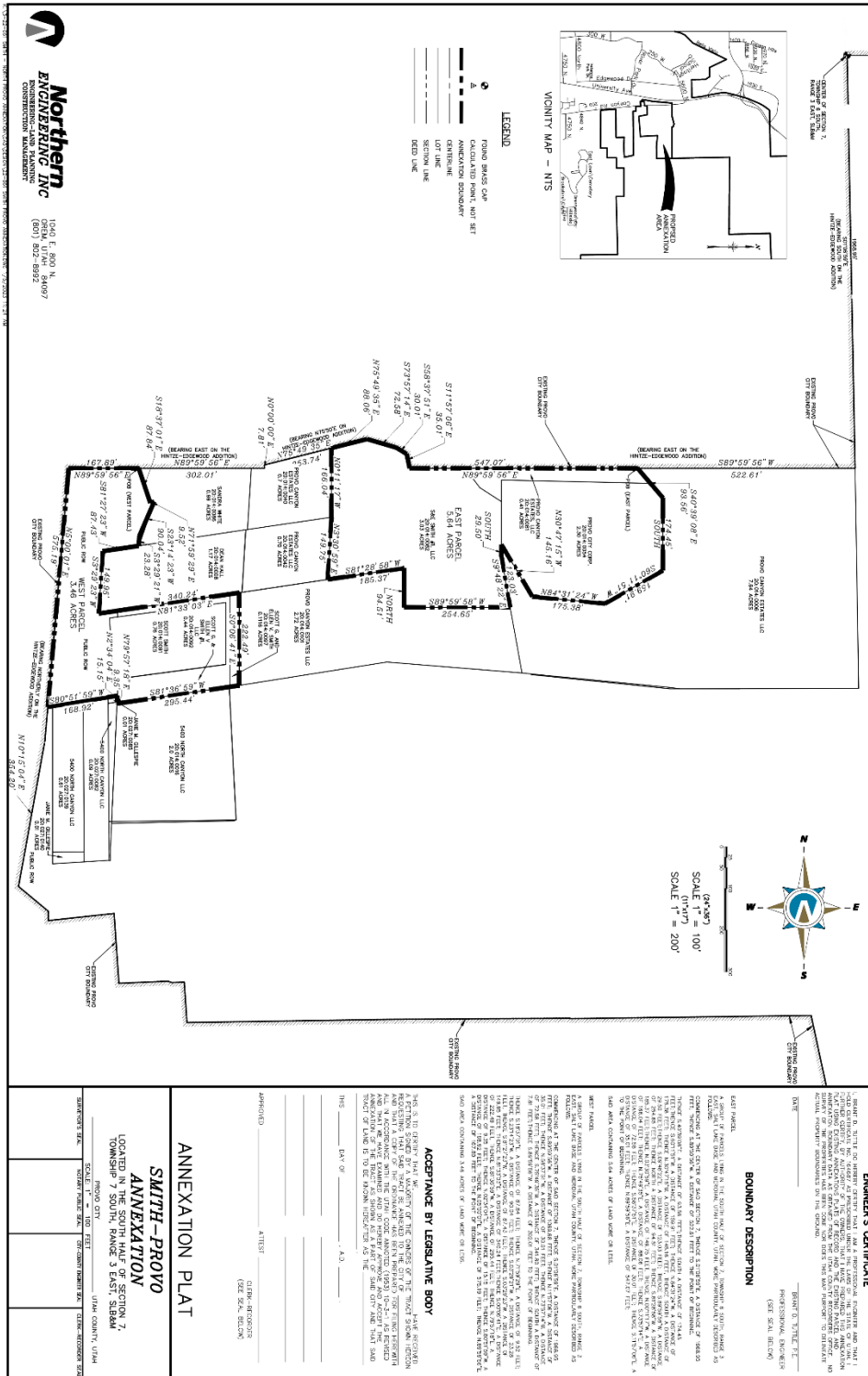


**Attachment 2: Annexation Policy Map**



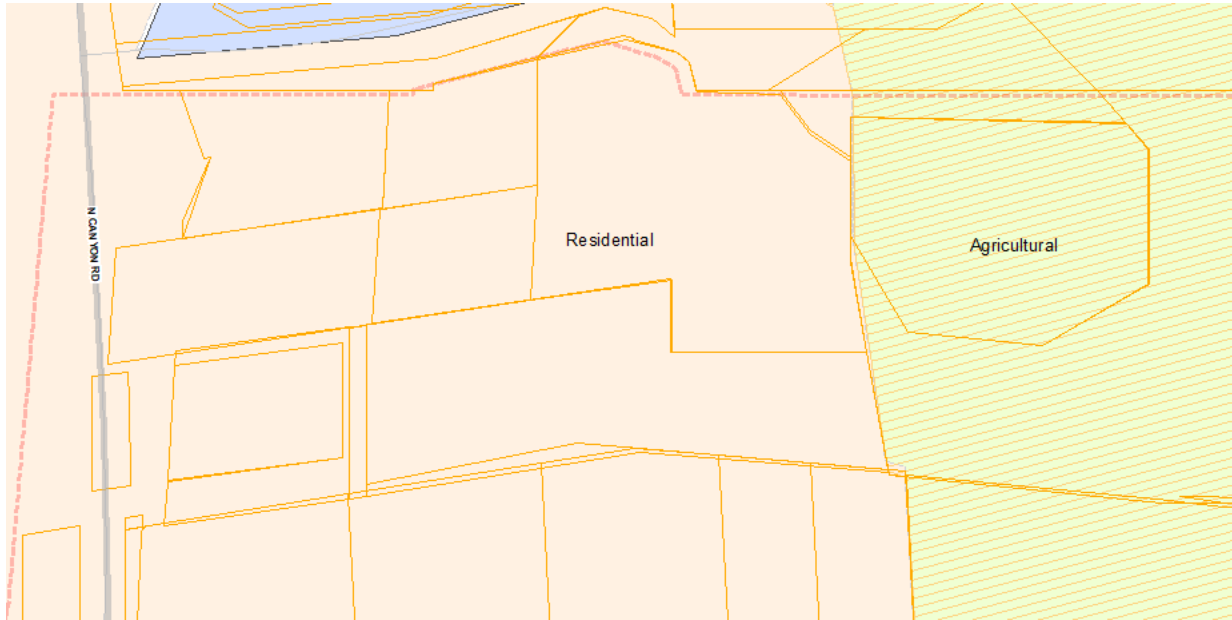


Attachment 3: Annexation Plat Maps



**Northern**  
 ENGINEERING INC.  
 1000 E. 800 N.  
 (801) 207-6622

**Attachment 4: General Plan Map**



**Attachment 5: Public Works Staff Report**



**PUBLIC WORKS**  
TEL 801 852 6780  
1377 S 350 E  
PROVO, UT 84606

**Public Works Staff Report**  
**Hearing Date: 3/8/2023**

Annexation of approximately 9.1 acres located at approximately 5500 N Canyon Rd.

**Item #1 Summary:**

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**Staff Recommendation:**

Public Works staff has major concerns with the requested action. Sewer, water and storm drain service systems are not available throughout this annexation area.

Dave Decker, Public Works Director  
David Day, Development Engineering Coordinator