



**Planning Commission Hearing
Staff Report
Hearing Date: September 11, 2019**

***ITEM # 4** Cortney Huber requests a Zone Change from Residential Agriculture (RA) to R1.10 for one acre of property, located at 674 E 3230 N. Edgemont neighborhood.
PLRZ20190175

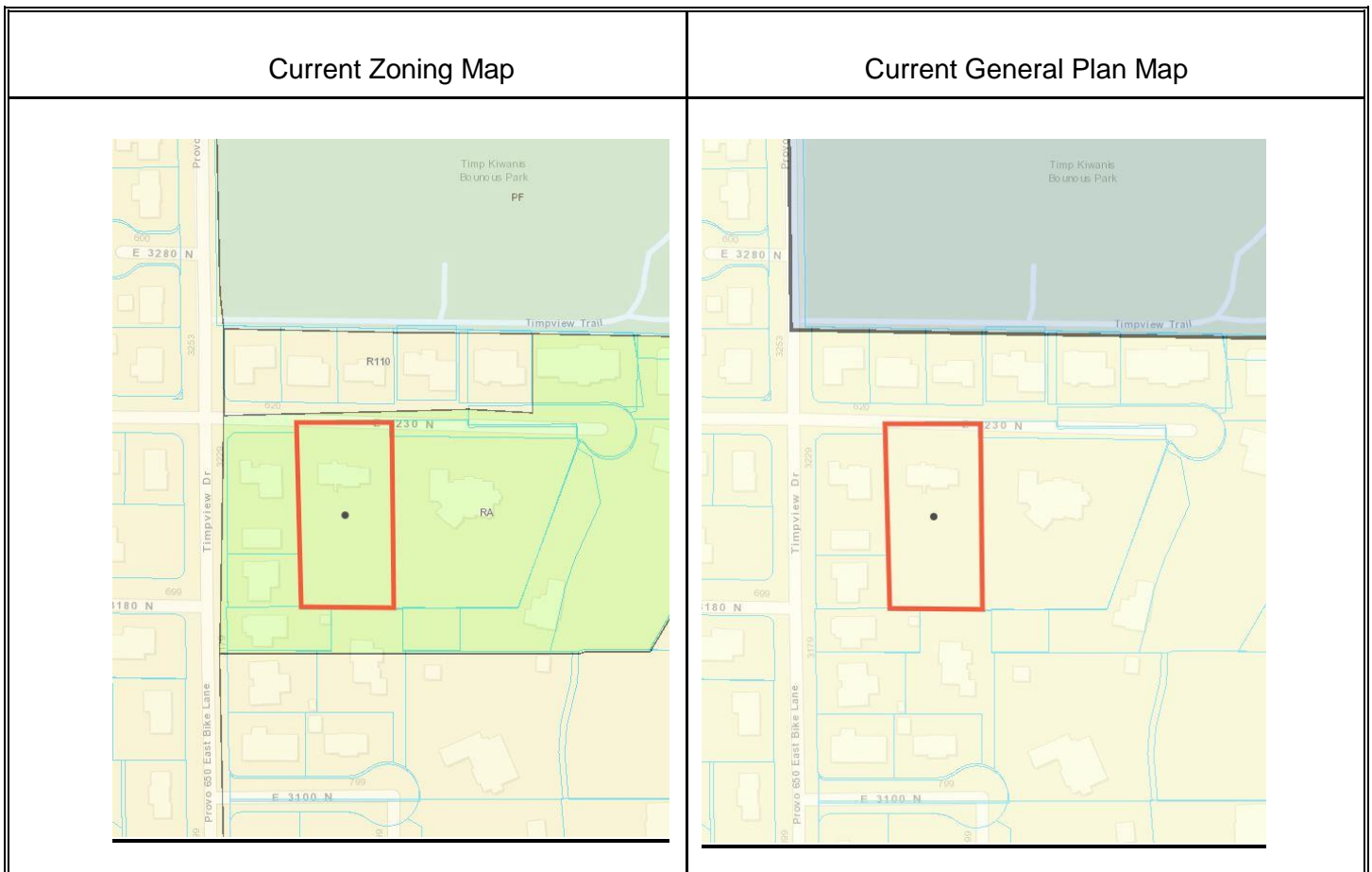
<p>Applicant: Cortney Huber</p> <p>Staff Coordinator: Dustin Wright</p> <p>Property Owner: Huber, Brad & Cortney Parcel ID#:20:034:0010 Acreage:1.00 Number of Properties: 1 Number of Lots: 3 Proposed Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. <u>Continue</u> the item to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is September 25, 2019 6:00 p.m.</i></p> <p>2. Recommend <u>denial</u> of the requested rezone. <i>This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i></p>	<p>Current Legal Use: One single-family residential agriculture parcel.</p> <p>Relevant History: The applicant has submitted a subdivision application PLFSUB20190190 for the three lots subject to approval of the rezone.</p> <p>Neighborhood Issues: A neighborhood meeting was held on July 2, 2019. Some neighbors expressed that they did not want to have the property rezoned.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none"> • The existing RA zone requires ½ acre lots. • The proposed R1.10 zone would allow the property to be divided into three lots. <p>Staff Recommendation: That the Planning Commission recommend <u>approval</u> of the requested rezone from RA to R1.10 to the Municipal Council. <i>This action <u>would be consistent</u> with the recommendations of the Staff Report.</i></p>
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OVERVIEW

The applicant currently has a single-family home on an acre of land in the RA zone. The applicant would like to subdivide the lot into three lots. To accomplish this, she is requesting a rezone from RA, that requires half-acre lots, to R1.10, that requires 10,000 square-foot lots.

The existing home on the property would remain and become Lot 1. Two flag lots would be created behind Lot 1 with access from 3230 N. running parallel to the eastern boundary of the property.

The property has RA zone to the east and west and has R1.10 zone to the north and south.



RELEVANT HISTORY

The applicant has submitted a subdivision application for the three lots subject to approval of the rezone.

FINDINGS OF FACT

- RA zone requires half-acre lots (14.09.030).
- R1.10 zone requires 10,000 square foot lots (14.10.030).
- The existing home on the property would meet setback requirements for the R1.10 zone as proposed (14.10.080)
- The two flag lots would comply with 14.34.140 of the Provo City Code.
- A hammerhead on the flag lots will provide fire apparatus turnaround.
- Animals are not permitted in the R1.10 zone.

GENERAL PLAN POLICIES

1.4.8.4 Maintain and encourage good quality, sustainable housing and infill developments.

STAFF ANALYSIS

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: **(Staff responses in bold)***

- (a) *Public purpose for the amendment in question. **The rezone request would allow for infill development that is generally consistent with the surrounding properties.***

- (b) *Confirmation that the public purpose is best served by the amendment in question. **There will be minimal impact created while allowing for infill development of a property that no longer is being used for agricultural use.***
- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives. **The rezone would promote the goal in 1.4.8.4 to maintain and encourage good quality, sustainable housing and infill developments.***
- (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 seen issues with the timing of the request.***
- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies. **There would be no impact to articulated policies.***
- (f) *Adverse impacts on adjacent land owners. **There would be one additional unit allowed than what the existing zone would allow.***
- (g) *Verification of correctness in the original zoning or General Plan for the area in question. **The zoning is 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. **N/A***

APPLICABLE ZONING CODES

14.09 - RA zone

14.10 - R1.10 zone

14.34.140 – Flag Lots

CONCLUSIONS

Staff finds that the proposed rezone request would allow for the applicant's property to be subdivided into 3 lots. The two flag lots would a third of an acre not including the pole portion of the lot. Across the street from this property is R1.10 zoning. Existing RA zoned properties will still be zoned RA and are not being altered by this rezone request.

Under the existing RA zone the property would be able to be divided into two lots, one of which would be a flag lot.

All three lots would comply with the R1.10 zone requirements in 14.10 of the Provo City Code and the requirements for flag lots in 14.34.140 of the Provo City Code.

RECOMMENDATION

That the Planning Commission recommend **approval** of the requested rezone from RA to R1.10 to the Municipal Council. *This action would be consistent with the recommendations of the Staff Report.*

ATTACHMENTS

1. Proposed Lots

