

Provo City Planning Commission

Report of Action

August 13, 2025

*ITEM 4	Kendall Seymour requests a Zone Map Amendment from the R1.6 (One-Family Residential) Zone to the VLDR (Very Low Density Residential) Zone in order to create a flag lot subdivision, located at 1050 West 100 North, Dixon Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.gov PLRZ20250332
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The following action was taken by the Planning Commission on the above described item at its regular meeting of August 13, 2025:

RECOMMENDED DENIAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Lisa Jensen

Second By: Melissa Kendall

Votes in Favor of Motion: Daniel Gonzales, Melissa Kendall, Matt Wheelwright, Jonhathan Hill, Lisa Jensen, Barbara DeSoto, Joel Temple

Johathan Hill was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the VLDR Zone is described in the attached Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.
- There are concerns from the Coordinator Review Committee (CRC) that will be resolved with a building permit if the rezone gets approved.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting is scheduled for 9/17/2025.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- The property has been remodeled and was put on the market, and even with lowering the asking price it wasn't getting any offers.
- The financial costs of building either an attached ADU or detached ADU given the current interest rates would not be recovered through renting out an ADU.
- Building a detached single-family home that could be sold could lead to having two owner occupied units in the neighborhood.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Wheelwright asked questions about the impact of the frontage requirement and the lot width and how it impacts the neighborhood. Staff explained that it changes the feel and the allowed density of the neighborhood as the higher the requirement the fewer lots that could be in a given area.
- Commissioner DeSoto highlighted there are small differences in the density between the ADU and allowing a detached single-family dwelling. She pointed out there are some contradictions because this idea is in line with the goals of the General Plan, but staff recommendation is to recommend denial.
- Commissioner Hill stated that density isn't as much of a concern for him on this issue, he is more concerned about the common space of a condominium plat not getting taken care of. He also stated that the point applicants made about the financial burden of construction costs are a limiting factor for creating ADUs.
- Commissioner Gonzales agrees and stated if there was a guarantee that both units would be owner occupied he would be more comfortable approving the item.
- Commissioner Jensen highlighted that this application isn't against the general plan, but since there is already a solution on the ground in the form building an ADU at the property which also helps the city meet the goals of the General Plan. She stated she didn't like that this would just be rezoning one property.
- Commission Kendall also stated concerns about rezoning one property and setting a precedent for other owners to come in and ask for the same situation, changing the feel of the neighborhood. She would be more in favor of a larger area to be rezoned allowing a new subdivision of a few single-family dwellings would feel less like spot zoning and would keep the neighborhood character alive.
- Commissioner Wheelwright pointed out that long lots like this can often create areas that become unmaintained or start to collect junk. He stated that the concern regarding landscaping maintenance of common area with a condominium plat can be resolved through a condominium agreement. His larger concern is that spot zoning one area when there are more surrounding properties that have long lots. He felt that owners working together could allow for more homes without creating a spot zone.
- Commissioner Jensen highlighted the main concerns from the discussion: spot zoning, maintenance with a condominium plat, encouraging owner occupancy, and finding a better method for infill.
- Commissioner Temple stated that based on the lot he felt if owners worked together there was room for an infill that wouldn't require rezoning but could still create more single family dwellings which would revitalize the area.
- Commissioner Hill conducted a straw poll vote on each of the issues, five commissioners considered spot zoning one property to be a major concern. Four commissioners felt the lack of owner occupancy was a major concern, four commissioners felt that maintenance of common area on a condominium plat was a major concern, and six commissioners felt that there was a better approach to infill.
- Commissioner Jensen made a motion to recommend denial based on the fact that Planning Commission did not feel comfortable with spot zoning or the maintenance of common area in a condominium plat, they would like to see a guarantee of owner occupancy for both units, and felt there was a more complete approach to infill in this area if property owners worked together.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

