Rezone Summary and Recommendation

Public Body: Tooele County Planning Commission
Parcel IDs: 05-043-0-0044, 05-043-0-0045, & 05-043-0-0026
Property Address: 4586 North SR-36
Request: Rezone from RR-5 to RR-1
Planner: Jeff Miller
Applicant Name: Rick Palmer

PROJECT DESCRIPTION

Rick Palmer is requesting a rezone from RR-5 (Rural Residential, 5 Acre Minimum) to RR-1 (Rural Residential, 1 Acre Minimum) for three parcels of land totaling approximately 32.75 acres. Most of the subject property is currently being used for agricultural purposes, with the most prominent use as a sod farm. There are two homes currently located on one of the parcels, which is 7.96 acres in size. The applicant has expressed a desire to have each of the homes on a separate parcel. However, under the current RR-5 zoning, each home would need a minimum of 5 acres, in order to be subdivided onto separate parcels. There are two adjoining neighbors that have requested to be part of the rezone, which would help to prevent one of these parcels from being an island in the RR-5 zone surrounded by RR-1 parcels. Other than going through a subdivision process to separate the two homes onto separate parcels, there are no additional plans by the applicant or adjoining neighbors to further develop the property for the foreseeable future, and the current agricultural uses will remain in place.

SITE & VICINITY DESCRIPTION (see attached map)

There is a large area of parcels within the RR-1 zone west and southwest of the subject property across SR-36. The Reserves Subdivision is located across SR-36 a couple of blocks northwest from the subject property. This subdivision is located in the RR-1 zone, but was established as a Conservation Subdivision with lot sizes that are significantly smaller than the 1 acre lot size typically found in the RR-1 zone. Immediately north of the subject property are parcels located in the RR-1 zone. There is a large area of parcels zoned RR-5 to the east. Immediately south of the subject property is an area of parcels within the RR-5 zone, which are approximately 2.5 acres in size, which is nonconforming to the required 5 acre minimum within the RR-5 zone.
ZONE CONSIDERATIONS

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Existing Zone (RR-5)</th>
<th>Proposed Zone (RR-1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>35 Feet</td>
<td>35 Feet</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>30 Feet</td>
<td>30 Feet</td>
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<tr>
<td>Side Yard Setback</td>
<td>20 Feet (both Main and Accessory Buildings)</td>
<td>Main Building: 15 Feet Accessory Buildings: From the front setback to a distance ten feet behind the main dwelling – 15 Feet From a Distance ten feet behind the dwelling to the rear of the lot – 10 Feet</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>50 Feet (both Main and Accessory Buildings)</td>
<td>Main Building: 30 Feet Accessory Buildings: 10 Feet</td>
</tr>
<tr>
<td>Lot Width</td>
<td>220 Feet</td>
<td>125 Feet</td>
</tr>
<tr>
<td>Lot Area</td>
<td>5 Acre Minimum</td>
<td>1 Acre Minimum</td>
</tr>
<tr>
<td>Required Improvements</td>
<td>Street Grading, Street Base, On-Site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal and Street Monuments</td>
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</tr>
</tbody>
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Compatibility with existing buildings in terms of size, scale and height. | Yes
Compliance with the General Plan. | Yes

GENERAL PLAN CONSIDERATIONS

The subject property is located in an area that is envisioned to be comprised of parcels between 1-20 acres in size according to Map 2-6 (Future Land Use) of the Tooele County General Plan Update 2016. A rezone from RR-5 to RR-1 would be consistent within the anticipated growth in this area.

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern with the proposed rezone request.

NEIGHBORHOOD RESPONSE

Planning Staff has been contacted on the phone by a member of the public that wanted more information regarding the proposed rezone. They were concerned about potential residential development in the area, considering recent rezone and development applications in the area that have been subject to various referendums.
We explained that the applicant has informed Planning Staff that the main reason for the proposed rezone request is to allow the property owner to separate the two existing homes onto separate properties, which currently isn’t possible under the current RR-5 zoning because the property doesn’t have sufficient acreage.

Also, the applicant has informed Planning Staff that there are no immediate plans for additional residential development on these properties within the foreseeable future. It appeared that this response satisfied any concern that they had regarding this proposed rezone.

**PLANNING COMMISSION RESPONSE**

This item will be heard by the Tooele County Planning Commission on February 6, 2019. Their recommendation and any zoning conditions will be presented to the Tooele County Commission.

**PLANNING STAFF ANALYSIS**

Section 15-3-1 of the Tooele County Land Use Ordinance states that the purpose of the RR-1 (Rural Residential, 1 Acre Minimum) zoning district, is as follows:

“*The purposes of rural residential districts are to promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public services. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.*”

Tooele County Land Use Ordinance 3-9 (3c), states that in analyzing the proposed rezone request, Planning Staff should analyze, “*the extent to which the proposed development of the subject property in accordance with the requested zoning will be in harmony with and compatible with surrounding land uses and present development.*”

Staff has reviewed the requested rezone and has found that the subject property is located immediately adjacent to existing properties in the RR-1 zone and would not be a significant change in zoning for the area. Potential residential developments within the RR-1 zone on the subject property could be compatible with surrounding land uses and present development.

Should additional residential developments occur on the subject property at a future date, these potential developments will be required to go through subsequent subdivision reviewing and approval processes to ensure adequate infrastructure will be provided.

It appears that for the foreseeable future, the applicant intends to maintain the current agricultural uses on the property. The applicant would be required to go through the Minor Subdivision approval process in order to place the two existing homes onto separate parcels.

*Please see the attached responses from the applicant regarding the requirements found in Section 3-9 of the Tooele County Land Use Ordinance.*

**PLANNING STAFF RECOMMENDATION**

Planning Staff recommends that the Tooele County Planning Commission analyzes the information provided in this Staff Report to ensure that the proposed rezone request would be compatible with existing residential uses in the surrounding area prior to making a recommendation to the Tooele County Commission.
REZ 2019-02: Rezone from RR-5 (Rural Residential, 5 Acre Min.) to RR-1 (Rural Residential, 1 Acre Min.)

4586 North SR-36 (Parcel IDs: 05-043-0-0044, 05-043-0-0045, & 05-043-0-0026)
REZ 2019-02: Rezone from RR-5 (Rural Residential, 5 Acre Min.) to RR-1 (Rural Residential, 1 Acre Min.)

4586 North SR-36 (Parcel IDs: 05-043-0-0044, 05-043-0-0045, & 05-043-0-0026)
TOOELE COUNTY

Application to Amend the Zoning Map of Tooele County

An application to amend the zoning map shall address:

(a) general existing site characteristics including ownership, topography, soils, drainage, vegetation and other physical characteristics of the area proposed to be changed; Currently 2 homes on the Rick Palmer parcel. The other properties are either being farmed or used as pasture.

(b) a legal description of the area to be zoned; Provided by Ensign engineering.

(c) types of land uses permitted, conditional or prohibited in the current zoning district and the proposed zoning district; Currently zoned RR 5, proposing RR 1

(d) existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, easements and parking; No easements. There is currently a 4" irrigation line running east up the road to service the Weyland property that is being farmed. The Weyland's have access to the property for farming purposes only.

(e) existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities; N/A

(f) existing and proposed utilities and infrastructure; Both homes share a well, both homes are on a septic system. There is a fiber optic line from Hwy 36 to the homes. I am not proposing any new utilities.

(g) relationship of proposed zone change with Tooele County General Plan and how specifically the proposed zone change would conflict, conform, complement or otherwise affect the Tooele County General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area; I believe proposed zoning change falls within the General Plan.

(h) an area map showing adjacent property owners and existing land uses within 500 feet of the area proposed to be rezoned; Area map provided by Ensign engineering.

(i) the location, description and acreage of land uses; See map

(j) approximate location and number of residential units along with
approximate square footage, density and height; See map

(k) approximate location and square footage of non-residential buildings; See map

(l) calculation of approximate amount of open space both before and after buildout construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas; N/A

(m) if the site has unusual or unique natural features, a demonstration of how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns, and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability; N/A

(n) a description of the availability of culinary and irrigation water, community facilities such as schools, fire protection services and other types of facilities that would serve the re-zoned area and how these facilities are affected by this proposal; N/A

(o) approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land; N/A

(p) an indication of the construction schedule of any project proposed; N/A

(q) for multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase; N/A

(r) a detailed traffic study showing the vehicle trips per day on average at buildout and a determination how the project would significantly alter existing traffic patterns or volume; N/A

(s) for applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, setbacks and a description of any requested exceptions to the requirements of the underlying zone; and N/A

(t) any other study or information required by the planning commission or zoning administrator.