

ZMA-21-001

ZONE MAP AMENDMENT:
R-1-8 (RESIDENTIAL SINGLE-FAMILY) TO RO (RESIDENTIAL OFFICE)

June Update: Permitted & Conditional Uses (RO Zone, with zoning conditions)

19.35.20 Permitted uses.

Permitted uses in the RO zone are as follows:

A. Single family dwelling.

19.35.30 Conditional uses.

Conditional uses in the RO zone are as follows:

~~A. Medical, optical, dental offices and clinics for health professionals, with the exception of after hours care, overnight care or traditional medical retail stores, with a maximum gross floor area of 5,000 square feet on any one floor and 10,000 gross occupiable square feet;~~

B. Administrative, general or professional offices containing no more than 5,000 square feet on any one floor and 10,000 gross occupiable square feet;

C. Home occupations;

D. Mixed residential housing as defined in this chapter, provided that the mix of uses is consistent with permitted and conditional uses in this chapter;

E. Planned unit development;

F. Church;

G. School;

H. Retail sales secondary to office uses with no exterior or storefront displays;

I. Studios for an artist, designer, writer, photographer, sculptor or musician;

J. Child or adult day care facilities, with no overnight or after-hours care;

K. Residential facilities for elderly persons;

~~L. Medical clinics, provided that no after-hour or overnight care shall be permitted;~~

M. Reception center;

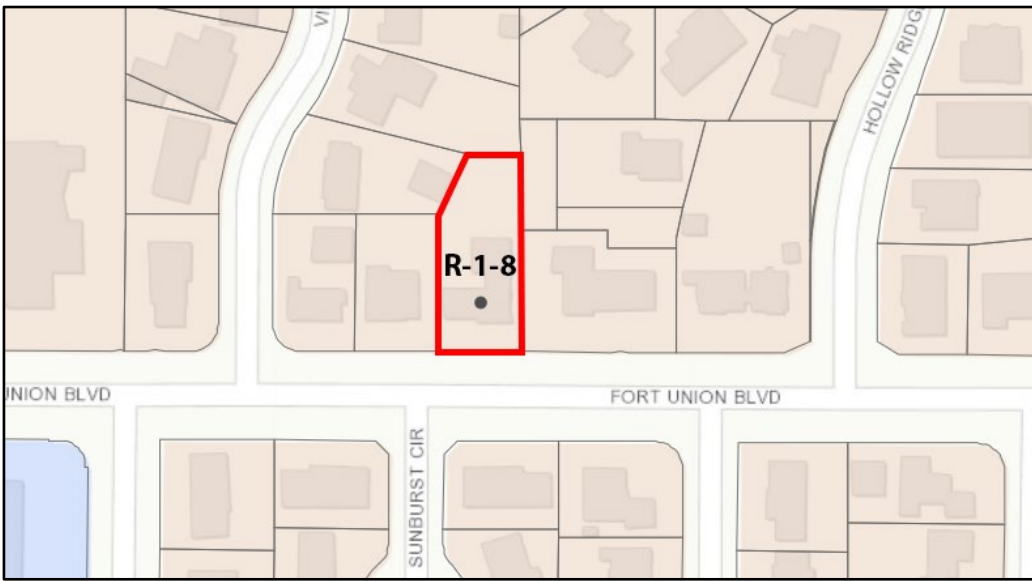
N. Planned unit development;

O. Twin homes; and,

P. Bed and breakfast.

Comment from Applicant

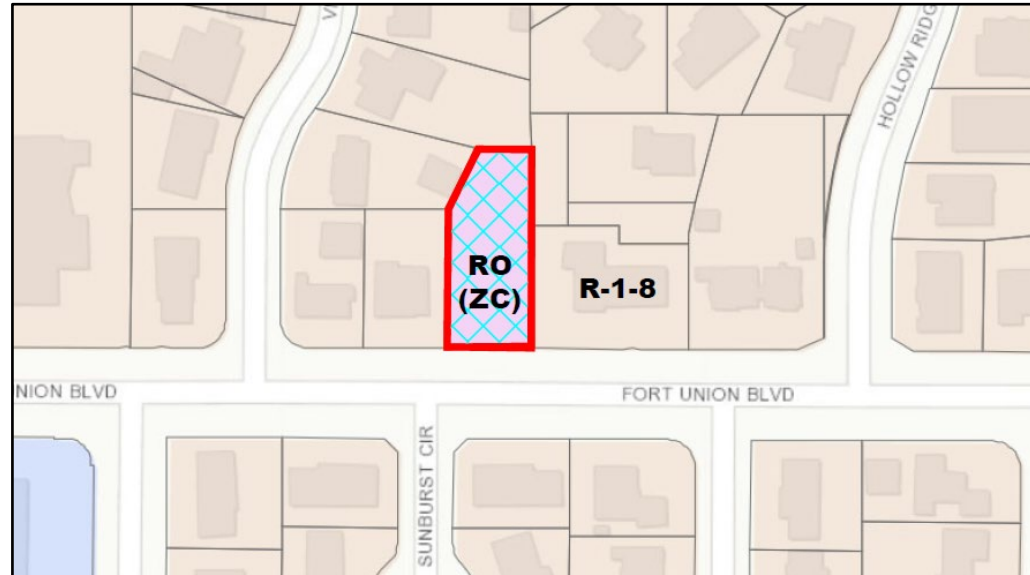
“An approved rezone application is necessary if I wish to grow my business and add more staff. As a business owner, growth is absolutely a goal. By growing, we retain & create jobs for CH residents. Generate revenue for the city. Finally maintain a good appearance along one of the city’s busiest roads while preventing the property from becoming a run-down rental home.”



Existing Zoning



Existing Land Use



Proposed Zoning

Summary

Action Requested:

Rezone from R-1-8 (Residential Single-Family) to RO (Residential Office)

Recommendation:

APPROVE

Applicant:

Lance Paulson

Project #:

ZMA-21-001



Context

Subject Property:

2751 E. Fort Union Blvd.

Property Owner:

2751 EAST A SERIES OF MOMENTUM
REAL ESTATE, LLC (Lance Paulson,
Manager)

Acres:

0.30

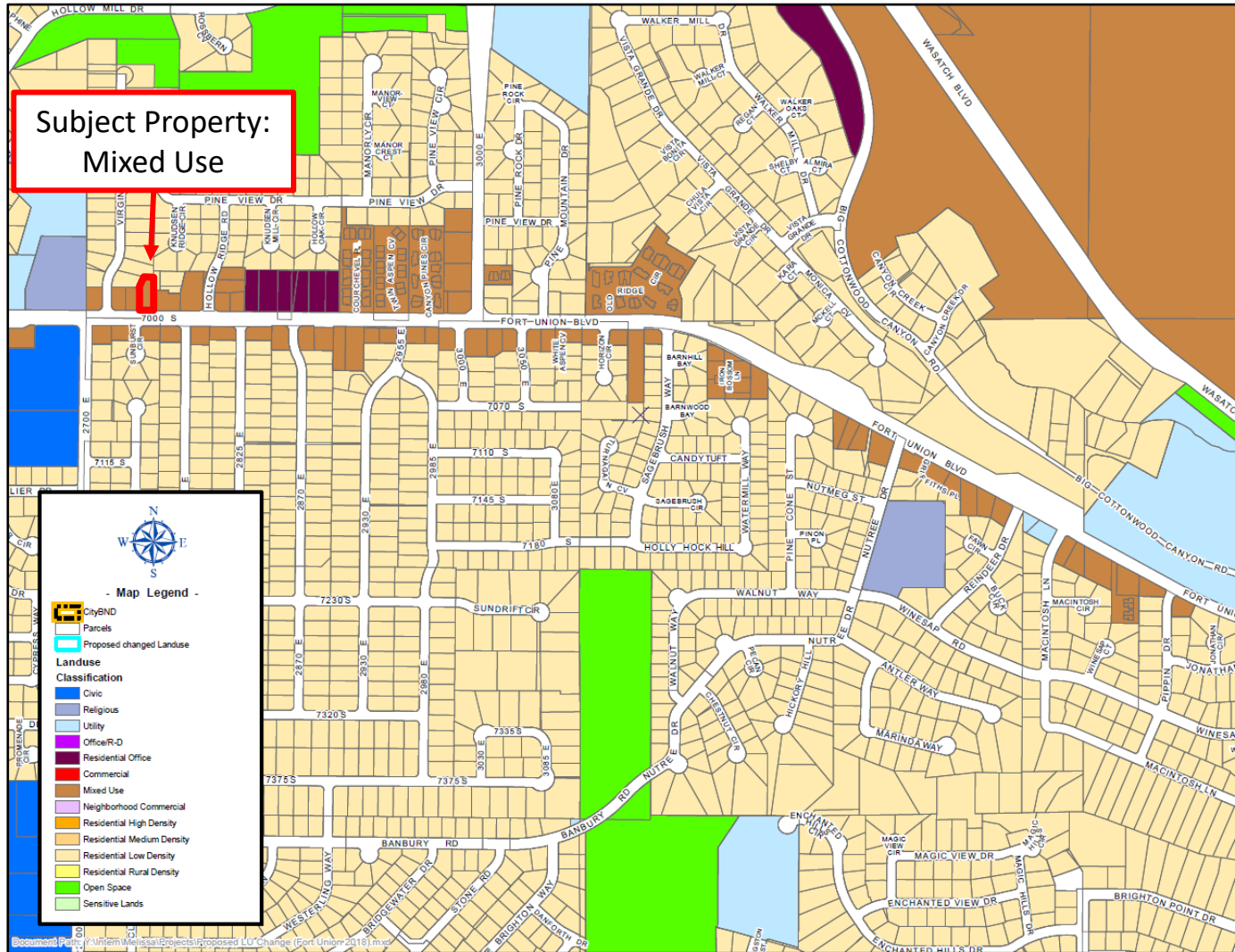
Parcel #:

22-23-353-010

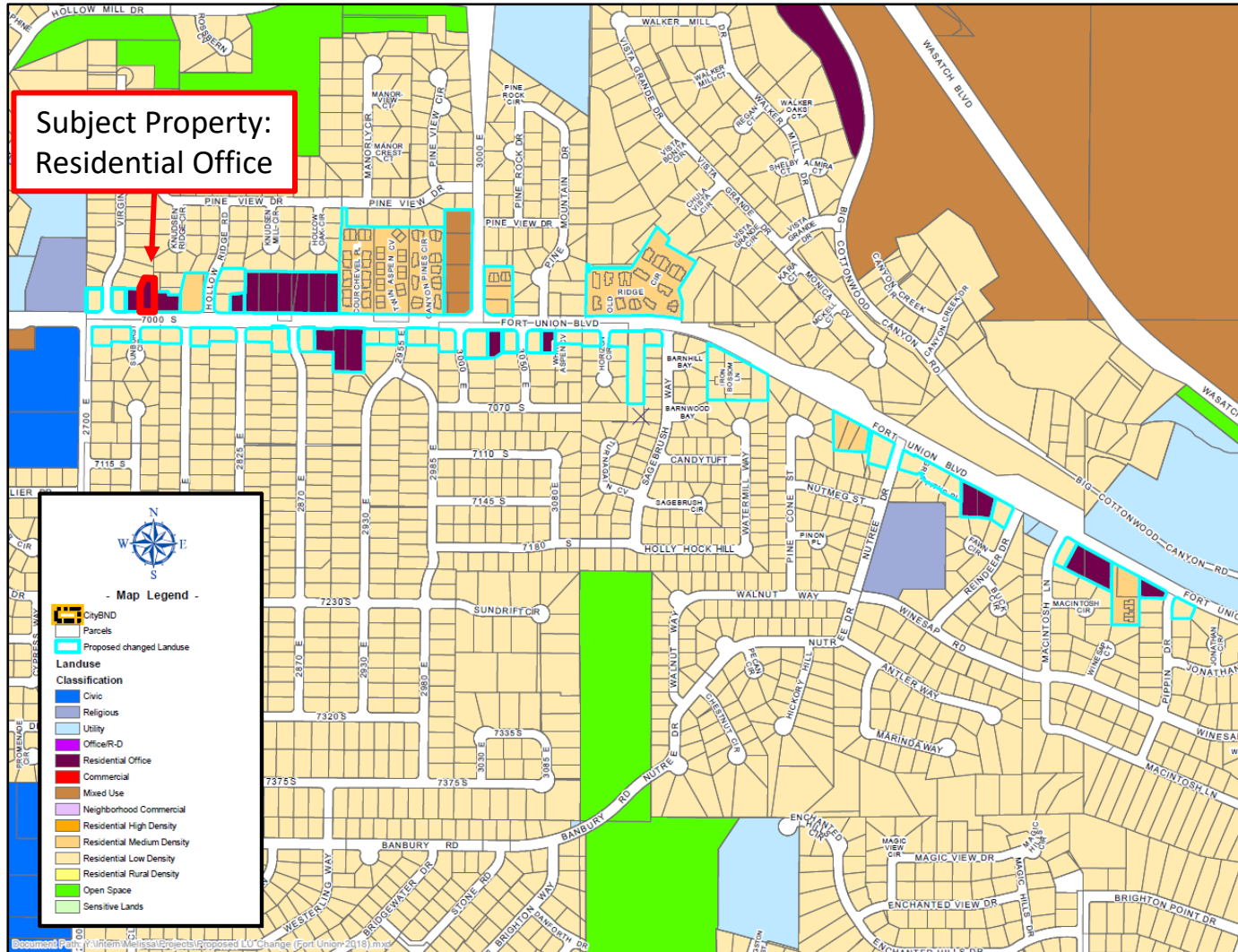
Current Use:

Residential (with home office business
license)





Land Use Map (2005-2019)



Land Use Map Amendment (Jan. 2019)

Background – Business Licenses

- **All Points Travel**

Home Occupation with Clients
(2005 – 2017)

- **Lance Paulson Insurance Agency**

Home Occupation with Clients
(2018 – Current)



Setback Analysis (RO Zone)



- **Front: 25'** (Equal to adjacent residential zone)
- **Side: 25'** when abutting a residential zone (10' for non-residential)
- **Rear: 30'** when abutting a residential zone (20' for non-residential)

All setbacks must be equal to the height of the building for two-story buildings with commercial activity on the 2nd floor, when adjacent to a residential zone

Planning Commission Recommendation

■ Recommendation

- On April 21, 2021, the Commission voted 5-1 to forward a **recommendation of denial** to the City Council.

■ Concerns

- Several commissioners expressed concerns about creating “pocket zoning” with the segments facing Fort Union and that the request felt like an encroachment into a residential area.

■ Public Comment

- No written public comments were received before the meeting and no public comments were made during the public hearing portion of the Planning Commission meeting.

Staff Recommendation

Staff recommends that the City Council **APPROVE** project ZMA-21-001, based on the following findings:

- The proposed zoning is consistent with the goals of the General Plan and the Land Use Map.
- Notices were sent to owners of property within 1000' of the subject property. A public hearing was held in accordance with local and state requirements, and no concerns were expressed from any neighbors.
- Concerns have been raised at previous Council meetings about the potential for low density residential land uses along Fort Union Blvd. leading to absentee landlord rental situations. The proposed zoning could improve the long-term viability of the property.
- This property can only be accessed from Fort Union Blvd. There is no frontage on neighborhood streets.
- Setback requirements in the RO zone provide a buffer between any new commercial development and existing residential zones.
- Property has been previously licensed for business use, with no known issues. See “Property History” in Planning Commission staff report for more information.