



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on ZMA 2019-02, a request to amend the Zoning Map from Manufacturing (M-1) to Agricultural (A-2) on 32 acres at the intersection of 900 South and 7900 West.

Agenda Date: Tuesday, May 14, 2019

Applicant: Weber County

File Number: ZMA #2019-02

Property Information

Approximate Address: 900 South 7900 West

Project Area: NA

Zoning: M-1

Existing Land Use: Residential

Proposed Land Use: NA

Staff Information

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Report Reviewer: RG

Applicable Ordinances

§102-2-4 – Powers and Duties of the Planning Commission

Summary

This item is a proposal to amend the Weber County Zoning Map on approximately 32 acres at the intersection of 900 South and 7900 West. The proposal is to change zoning designation from M-1 to A-2. This proposal is being driven by the county, as one of the applicants of the rezone petition that occurred on October 2, 2018 (2018-02, Ordinance number 2018-17) did not fully understand or consent to that rezone.

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require compatibility with the general plan and existing ordinances.

Policy Analysis

Prior to considering this application, the Western Weber Planning Commission had the opportunity to consider and take action on a county initiated general plan amendment (GPA 2019-01) in a public hearing held on May 14, 2019. The purpose of the general plan amendment was to ensure that the rezone petition is in compliance with the future land use map of the general plan. Below are images of both the existing zoning and the proposed rezone. The black dashed lines are only shown to emphasize the location of the proposal.

Existing zoning



Proposed zoning



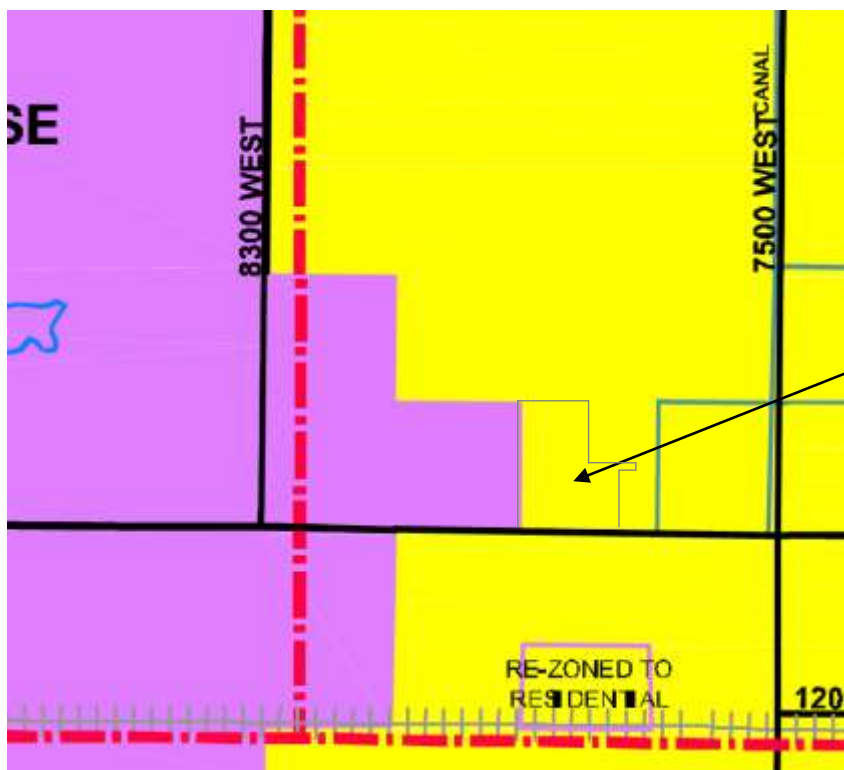
Policy Analysis Continued

Although not yet approved by the County Commission, the general plan amendment (GPA 2019-01) indicates that the zoning in this area should be agricultural. If the County Commission does not approve of the general plan amendment (GPA 2019-01) then the proposed rezone would not comply with the general plan, and should not be approved.

In considering the surrounding uses, this proposal will move the boundary of the manufacturing zone further away from the agricultural zones, and toward the manufacturing zones. This change will reduce potential conflicts between residential and agricultural uses.

The rezone, if approved and adopted by the county commission, will result in an island of M-1 zoning. The island will consist of 2 parcels and contain approximately 5.5 acres. The parcels within the island will not be allowed to expand use to surrounding properties as they will be entirely surrounded by agricultural zoning. While spot zoning is generally discouraged, the island of M-1 zoning will have minimal impact on the surrounding agricultural zoning, as such, the proposal is still recommended for approval.

Additional Information to Consider



If approved by the County Commission, the general plan will show this area as 'agriculture/residential', and the rezone proposal will comply with the general plan.

Planning Commission Consideration

Under Section 102-5-3 of the Land Use Code, The Planning Commission and the County Commission have the following approval criteria for rezone petitions:

- (a) *To promote compatibility and stability in zoning and appropriate development of property within the county, no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of the county and the purposes of this chapter.*
- (b) *The planning commission and the county commission will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan, surrounding land uses, and impacts on the surrounding area. The commissions will consider whether the proposed development, and in turn the application-for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. The county commission may require changes in the concept plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.*

Staff Recommendation

Staff recommends approval of File #ZMA 2019-02, a request to amend the Zoning Map from Manufacturing (M-1) to Agricultural (A-2) on 32 acres at the intersection of 900 South and 7900 West.

This recommendation comes with the following findings:

1. The proposal complies with the general plan.
2. The proposal meets the approval criteria as outlined in Sec. 102-5-3.