



**Memorandum**

**To:** Planning Commission  
**From:** Thomas Dansie, Director of Community Development  
**Date:** October 16, 2020  
**Re:** **October 21, 2020 Planning Commission Meeting**  
**Zone Change Proposal: PU Zone Change on Multiple Properties**

---

---

**Executive Summary**

Town staff recommends zoning the Town-owned lots in the Balanced Rock Hills subdivision and the Springdale Elementary School property as Public Use. These properties have uses that are a better fit with the Public Use zone than their current zoning designations. Placing them in the Public Use zone will make the zoning designation more consistent with the properties' uses.

The Commission may wish to use the following language when making a motion on this item:

*The Commission recommends approval/denial of the following zone changes:*

- 1- *Central Commercial (CC) to Public Use (PU) on the Springdale Elementary School property at 898 Zion Park Boulevard (parcel S-60).*
- 2- *Foothill Residential (FR) to Public Use (PU) on the following lots in the Balanced Rock Hills Subdivision: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 25, 27, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52.*
- 3- *Foothill Residential (FR) to Public Use (PU) on parcels S-135-C and S-135-E.*

*This motion is based on the following findings:*

[List findings]

**Applicable Ordinances**

The Commission may wish to review the following ordinances prior to the meeting:

- 1- Section 10-3-2: Amendments
- 2- Chapter 10-12: Public Use Zone
- 3- General Plan

**Background**

Last year the Town changed the zone on a number of properties that have a public use, and will likely never have any other use other than a public use, that were not in the Public Use Zone. Many of these lots were non-conforming with various land use requirements. All had uses that are either non-conforming for the zone in which they were located, or a better fit for the Public Use zone. The Town changed the zone on these lots to make the use of the property conform to the correct land use designation.

The Town has identified a number of additional properties that fit the criteria described above—they are a better fit for the Public Use zone than the current zoning designation. Staff recommends these properties be rezoned Public Use as well. These properties are:

- The Springdale Elementary School property.
- The Town-owned lots in the Balanced Rock Hills subdivision.
- Town-owned parcels adjacent to the Balanced Rock Hills subdivision.

The following staff analysis discusses the different properties in two groups: 1) the elementary school property, and 2) the Town-owned properties in and around the Balanced Rock Hills subdivision. These properties are being presented together for efficiency sake. However, they need to be analyzed independently for zone change approval.

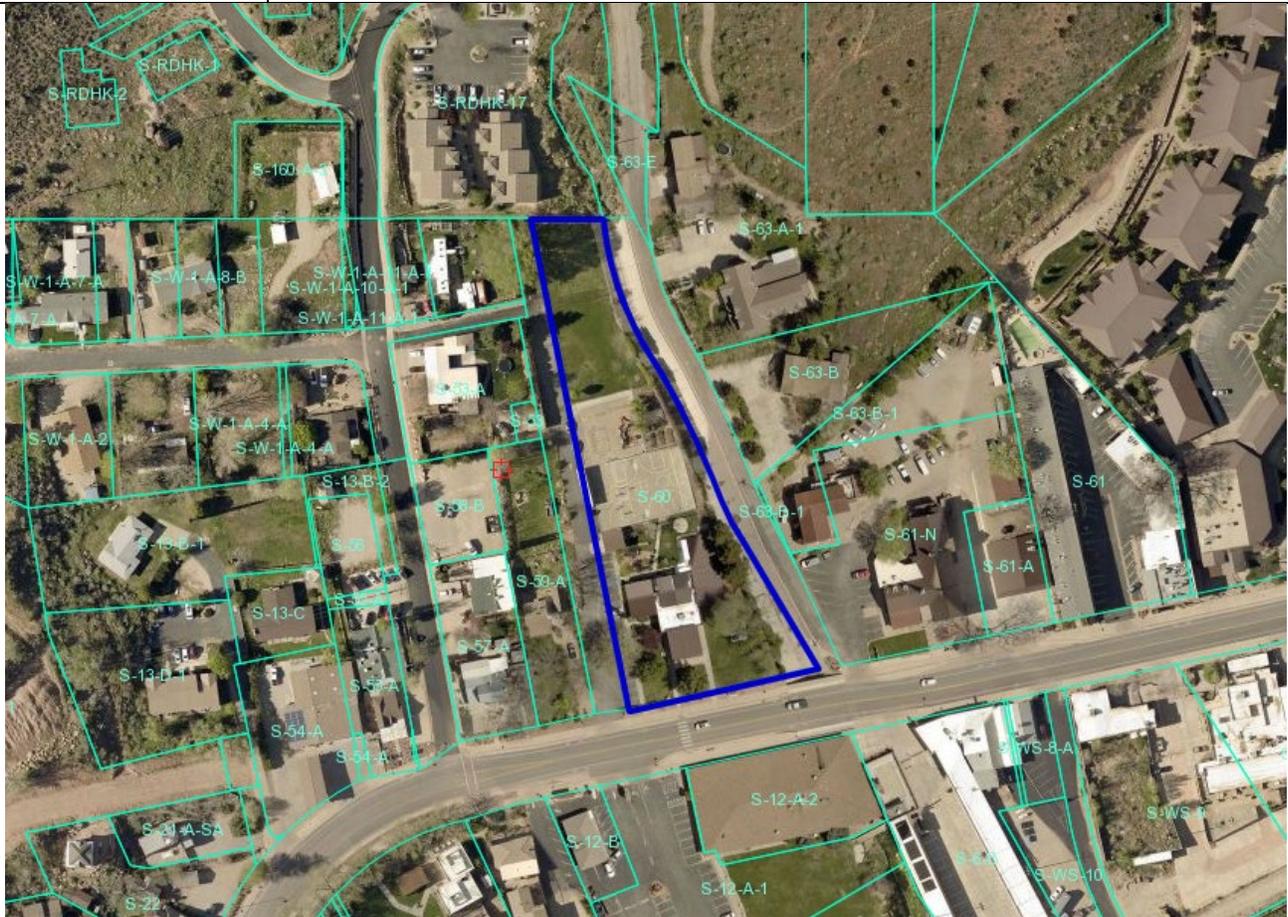
The Commission can hold one public hearing to accept public comment on all properties together. This would be the most efficient. Alternatively, the Commission is welcome to hold a separate public hearing on any individual parcel that may have unique concern.

***Staff Analysis***

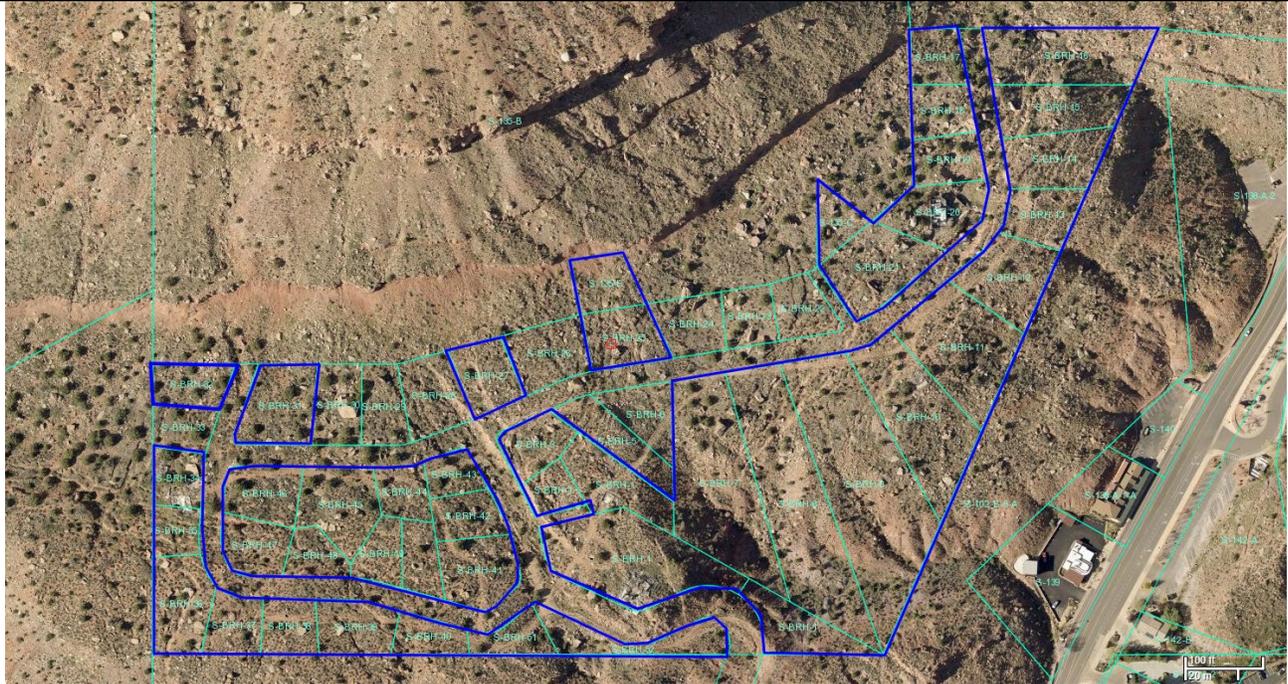
According to section 10-3-2 of the Town Code, it is the policy of the Town not to make zone changes, except in three specific instances: 1) to promote more fully the objectives and purposes of the land use ordinance and general plan, 2) to correct manifest errors, or 3) to accommodate substantial changes in conditions. Thus, at least one of these three criteria must be met for the Commission to recommend approval of the zone change.

The two groups of properties listed above are analyzed according to these criteria on the following pages.

Parcel Number	S-60 (Springdale Elementary School)
General Location	In the Town's central business district
Property Size	1.43 acres
Current Zone	Central Commercial
FLUM Designation	Commercial Core (majority), Transition Residential (small portion)
Current Use	Elementary school
Comment	This property is the long-time home of the Springdale Elementary school. While educational uses are allowed in the Central Commercial zone, the current and probable long-term use of this property is non-commercial public use. Placing the property in the PU zone matches the current and probable long-term use.
Zone Change Criteria	1) Promotes the general plan by bringing the zoning of the property into compliance with the property's current use and development as a public school.



Parcel Numbers	S-BRH-1,3,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,25,27,31,32,34,35,36,37,38,39,40,41, 44,45,46,47,48,49,50,51,52 S-135-C S-135-E
General Location	Within and adjacent to the Balanced Rock Hills Subdivision, on the hillside above the Cliffrose Lodge
Property Size	Varying sizes from 7,200sf to 70,000sf. Total of all properties is approximately 20.8 acres.
Current Zone	FR
FLUM Designation	Conservation
Current Use	Vacant lots in and around Balanced Rock Hills Subdivision
Comment	The Town acquired these lots to preserve as open space. Rezoning them to Public Use will be consistent with the Town’s objectives to preserve open space and prevent development on these lots.
Zone Change Criteria	1) Promotes the general plan by ensuring that this property in a geologically hazardous and visually significant area will remain open (with no residential development).



**Public Comment**

There has not been any public comment on this item.

**Planning Commission Findings**

The Commission should make the following findings about the proposed zone change:

- 1- Will changing the zone of the subject parcels to PU meet the criteria for zone changes, as established in section 10-3-2 of the Town Code?
  - a. Will the proposed zoning changes promote the goals and objectives of the general plan?
  - b. Will the proposed zoning changes accommodate substantial changes in conditions?
  - c. Will the proposed zoning changes correct manifest errors?

**Sample Motion**

The Commission may wish to use the following sample ordinance language when making a motion on this item:

*The Planning Commission recommends **APPROVAL / DENIAL** of the following zone changes:*

- 1- *Central Commercial (CC) to Public Use (PU) on the Springdale Elementary School property at 898 Zion Park Boulevard (parcel S-60).*
- 2- *Foothill Residential (FR) to Public Use (PU) on the following lots in the Balanced Rock Hills Subdivision: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 25, 27, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52.*
- 3- *Foothill Residential (FR) to Public Use (PU) on parcels S-135-C and S-135-E.*

*This motion is based on the following findings:*

*[List Findings]*