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Files # REZ2023-000944
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## Conditional Use Summary

**Public Body:** Salt Lake County Council

**Meeting Date:** October 24, 2023

**Parcel ID:** 08-09-276-022-0000

**Current Zone:** A-2

**Property Address:** 3198 N 2200 W

**Request:** Rezone from A-2 to A-1

**Applicant Name:** Adam Von Maack

**MSD Planner:** Justin Smith

**MSD Planning Staff Recommendation:** Planning Commission Recommendation of Approval

**Salt Lake County Planning Commission Recommendation:** Approval

### PROJECT SUMMARY

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The applicant, Adam Von Maack, is applying on behalf of the owner to rezone the property from A-2 to A-1 for the purposes of subdividing the lot into two. The subdivision will be done through a separate application.

### SITE & ZONE DESCRIPTION

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The property is located along the east side of 2200 W in an unincorporated area between Legacy Parkway and the Great Salt Lake. The lot currently has a barn, a home, and a garage. The properties to the north, south and east are zoned A-2. The property to the west is in Salt Lake City and is zoned AG-5 (Agricultural), with the larger vacant properties to the southwest being zoned BP (Business Park). The land uses immediately adjoining this lot are: vacant agricultural land to the north and east, and single family residential to the west and south. The residential lots on the east side of 2200 West generally range in size from 1 - 2 acres, with the majority of the lots on the west side of 2200 West in that vicinity being about ½ acre in size. There are also a number of nonconforming home-based contractor/construction businesses in the area.



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## ISSUES OF CONCERN/PROPOSED MITIGATION

The Greater Salt Lake Municipal Services District and reviewing agencies have reviewed the application and have not spotted any issues with the rezone. No other departments or reviewing agencies have pointed out any issues of concern and have given an “ok” to the conceptual review.

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## PLANNING STAFF ANALYSIS

### General Plan Considerations

This area of Salt Lake County is covered under two separate plans. The two plans are the West General Plan from Salt Lake County and the Northpoint Area Plan from Salt Lake City. The West General Plan designates this area as agricultural in the future land use map. This matches both the existing and proposed zones. Salt Lake City has their own Northpoint Area Plan that was adopted in April of 2000. Salt Lake City has written an updated draft of the Northpoint Area Plan that has been approved by the Salt Lake City Planning Commission, but not the Salt Lake City Council. Both Northpoint Area Plans mention support for annexing properties in this area. The Northpoint Area Plan Draft shows this area as a transitional area that is intended as more of a light industrial

area to serve as a buffer between agricultural and residential properties and more intensive industrial properties. Salt Lake City provides some services in the area such as fire and water.

### **Review Criteria**

As a legislative decision, the ordinance does not have set criteria by which to decide a specific rezone application. However, 19.02.020 - Purpose of provisions, of the County Zoning Ordinance states:

*“This title is designed and enacted for the purpose of promoting the health, safety, morals, conveniences, order, prosperity and welfare of the present and future inhabitants of Salt Lake County, including, among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the county's agricultural and other industries, and the protection of both urban and nonurban development.”*

The proposed rezone would not conflict with the purpose of the zoning ordinance as the proposed A-1 zone allows for agricultural land uses. The subsequent subdivision of land will also be done in compliance with the A-1 zone, which requires a setback of 30 feet and the barn currently sits at just over 30 feet away from the front property line. The A-1 zone allows for an agricultural building to be the main building on a lot, and if approved, the subdivision plat will indicate that the barn is an agricultural rather than a commercial or other type of building.

The property is within the Shoreline Heritage Area of the West General Plan, and is designated as being agricultural. Both the A-1 and A-2 zone allow agricultural land uses compatible with agricultural properties in the area. The Future Land Use Table on page 14 of the plan indicates “Ranching, grazing, farming, and other types of agricultural uses” as the primary future land use in this area, with “Large lots” being the desired residential range. Key Characteristics for the area include “Agricultural uses. Combination of large working farms and 2-5 acre or greater. Area suggested to continue as agriculture.” As can be seen in the aerial photo in this staff report, the overall trend for this area (as with many other agricultural areas and communities throughout Utah) is for single family residential lots in the 1/3 - 1 acre range along the main roads, with the larger farming and ranching parcels being behind those lots, offset from the road. The goals and strategies of the general plan are very much in line with the purposes of the zoning ordinance cited above. With the subject property already being developed with a home and barn, the impacts of the proposed zone change would not present any conflicts with 19.02.020 or the goals of the general plan. Looking to the future, the most likely long-term scenario would be the eventual replacement of the barn with a single family dwelling, which would be in harmony with the development pattern on that section of 2200 West.

In the past, Salt Lake City has made efforts to annex this section of Salt Lake County. In the Northpoint Small Area Plan Draft, Salt Lake City designates the area as a transitional zone for mitigating the impacts of business and industrial development on agricultural and residential properties. We have reached out to Salt Lake City Planning and Zoning for comments. The Salt Lake City Planning Department stated that the only concern regarding the rezone is that Salt Lake City does not have an agricultural zone that allows for 10,000 square foot lots and residential uses. The new zone could create a situation in which the property owner may not have the same development rights if the land is annexed into Salt Lake City.

The Salt Lake County Planning Commission makes recommendations to the Salt Lake County Council for rezones. The Salt Lake County Council is the decision-making body for rezones and will weigh the recommendation of the Planning Commission.

Based on the above analysis, MSD staff has found that the proposal is consistent with the surrounding land uses as well as the general plan. Full compliance with required ordinances and policies will be verified through the subsequent technical review process before the issuance of the Land Use permit, and license inspection process.

**PLANNING STAFF RECOMMENDATION**

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**Based on the findings stated above, the Salt Lake County Planning Commission recommend approval of the rezone to the Salt Lake County Council.**

**ATTACHMENTS:**

- A. Site Plan
- B. Narrative
- C. Legal Description