

## **Chapter 19.17. General Plan, Ordinance, and Zoning Map Amendments.**

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#### **19.17.01. Power of the Planning Commission and City Council.**

The Planning Commission or City Council may initiate proposals for change or modification of any Section of this Title as necessity may arise.

(Ord. 11-9)

#### **19.17.02. Petition for change.**

Any developer or property owner wishing to develop property may request a change in this Title or the zoning map by submitting a petition to the Planning Director explaining the request and the reasons therefore. A petition is subject to the legislative discretion of the City Council. The petition shall be accompanied by an amendment petition fee in an amount determined by resolution of the City Council. Petitions for changes to the City's Zoning Map for all land use zones may be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code. The rezoning of specific property is not required to happen concurrently with Concept Plan Review and may occur at a later stage as part of a development agreement approval pursuant to the legislative authority of the City Council in Utah Code § 10-9a-102(1) and (2).

(Ord. 17-17, Ord. 13-16, Ord. 12-9, Ord. 11-9)

#### **19.17.03. Planning Commission and City Council Review.**

1. The Planning Commission shall review the petition and make its recommendations to the City Council within thirty days of the receipt of the petition.
2. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and this Title.
3. The Planning Commission shall provide the notice and hold a public hearing as required by the Utah Code. For an application which concerns a specific parcel of property, the City shall provide the notice required by Chapter 19.13 for a public hearing.
4. For an application which does not concern a specific parcel of property, the City shall provide the notice required for a public hearing except that notice is not required to be

sent to property owners directly affected by the application or to property owners within 300 feet of the property included in the application.

(Ord. 17-17, Ord. 15-29, Ord. 13-16, Ord. 11-9)

#### **19.17.04 Gradual Transition of Uses and Density.**

It is the policy of the City Council, through exercising its zoning authority, to: (a) transition high intensity uses to help prevent the impacts of high density uses on low density areas; and (b) to limit inconsistent uses being located on adjacent parcels. The City Council may implement this policy using its zoning powers. Through amendments to the General Plan and the Zoning Map, the City Council intends to apply the following guidelines to implement this policy:

1. Residential lots, parcels, plats, or developments should not increase by more than 20% of density as compared to adjacent lots, zones, parcels, plats, or developments to enable a gradual change of density and uses. To appropriately transition, new lots should be equal to or larger than immediately adjacent existing platted lots.
2. Exceptions
  - a. The City should avoid allowing high intensity uses (e.g., commercial, industrial, multi-family structures, etc.) adjacent to lower intensity uses (e.g., single family, low density residential, etc.), however may allow these uses to be located adjacent to each other if appropriate transitions and buffers are in place. Appropriate buffers and transitions include a combination of roadways, landscaping, building orientation and facades, increased setbacks, open spaces, parks, and trails.
3. Despite these guidelines, the City Council recognizes that it will become necessary to allow high intensity next to low intensity uses in order to allow for the implementation of multiple zones in the City. The City Council should use their best efforts to limit inconsistent uses and zones being located on adjacent parcels and to mitigate inconsistent uses and zones through transitions and buffers.

(Ord. 17-08, Ord. 13-16)

#### **19.17.05. Consideration of General Plan, Ordinance, or Zoning Map Amendment.**

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. the proposed change will conform to the Land Use Element and other provisions of the General Plan;
2. the proposed change will not decrease or otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
3. the proposed change will more fully carry out the general purposes and intent of this Title

- and any other ordinance of the City;
4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change; and
  5. Any other reason that, subject to legislative discretion of the City Council, could advance the general welfare.

(Ord. 17-17, Ord. 13-16)