

Payson City Council Staff Report, April 20, 2016

Request for Approval of a Zone Change from the I-1, Light Industrial Zone to the BPD, Business Park Development Zone

Approval Process:

Development Review Committee:	Technical and Administrative Review
Planning Commission:	Recommendation to City Council
City Council:	Approval or Denial (Legislative Action)

Background

In accordance with Section 19.2.8 of the Zoning Ordinance (January 6, 2016), Payson City staff has initiated a request to rezone several parcels of land in the Payson Business Park, generally located west of Interstate 15 between Utah Avenue and 800 South. The parcels are currently zoned I-1, Light Industrial and it is proposed the zone be changed to the BPD, Business Park Development Zone.

Currently, the parcels in the Payson Business Park are regulated by the Master Declaration of Covenants, Conditions, Restriction, and Development Standards (“Master Declaration”) which governs the types of uses, landscaping standards, development time frames, building size and materials, etc. within the Park. Many of the requirements in the Master Declaration are different than other development standards of Payson City which has created difficulties in processing applications in a timely manner. Therefore, a new zoning district known as the BPD, Business Park Development Zone was created to reduce inconsistencies in the requirements, streamline the development review process, and encourage development in the Park. It is proposed that this new zoning district be assigned to the parcels in the Payson Business Park.

Approval of a zone change requires approval from the City Council following a recommendation from the Planning Commission. Both the Planning Commission and City Council are required to hold a public hearing and consider public input prior to reaching a recommendation or decision, respectively. On March 23, 2016, the Planning Commission, following a public hearing, recommended approval of the proposed zone change and directed staff to reach out to the adjacent landowners to determine if additional parcels should be included within the zone change boundaries. The second and final public hearing regarding the proposed zone change has been advertised in the newspaper for a minimum of fourteen (14) days and posted in the appropriate locations. As required by ordinance, property owners within five hundred (500) feet of the proposed zone change have been notified of the public hearing.

Analysis

Approval of a zone change is a legislative action of the City Council and the Council is under no obligation to approve the zone change request. The property owners are entitled to use the property consistent with the requirements of the underlying zone (I-1, Light Industrial) and the Master Declaration of the Payson Business Park until the zoning is amended by the Payson City Council.

Staff is requesting approval to rezone several parcels of land in the Payson Business Park. The BPD, Business Park Development Zone is established to “promote business and employment opportunities to strengthen the economic vitality of the community.” Though some of the requirements of the Master Declaration have been incorporated into the new regulations, the new zoning district will provide new opportunities for promoting the Payson Business Park. Prior to initiating the zone change process, staff conducted a meeting with the property owners in the Business Park to discuss the purpose and goals of the BPD Zone and to address any concerns with the proposed zone change. To date, staff has not received any opposition to the proposal.

If the zone change is approved by the City Council, the property owners would be eligible to develop the property in any manner that satisfies the requirements of the designated zoning district (BPD Zone) and the other applicable

development ordinances of the City. Therefore, any of the permitted, conditional, or accessory uses of the BPD, Business Park Development Zone would be allowed.

Recommendation

Staff is seeking a recommendation of approval to change the zoning designation of the parcels located in the Payson Business Park from the I-1, Light Industrial Zone to the BPD, Business Park Development Zone. Following a public hearing to receive public input, the City Council will need to determine if it is appropriate to modify the zoning designation of the subject parcels. If the City Council determines the uses are appropriate in this location and consistent with the land use goals and objectives of the City, the City Council should approve the request. Conversely, if the City Council determines the allowed uses of the BPD Zone are not appropriate in this location or inconsistent with the land use goals and objectives of the City, the City Council should deny the request.

Any motion of the City Council should include findings that indicate reasonable conclusions for the decision. If the City Council chooses to amend the zoning map to accommodate the zone change request, the amendment shall be completed by ordinance.