**Planning Commission Staff Report **

**November 8, 2023**

**REQUEST**

Request to extend the municipal boundaries to include the property included in the proposed R&C #2 Annexation, consisting of nine parcels totaling approximately 40.5 acres.

**BACKGROUND AND PROJECT DESCRIPTION**

The proposed R&C #2 Annexation is located along 900 North at about 400 West. The parcels being considered for annexation are immediately adjacent to city limits and are currently used for residential and agricultural purposes (crop production).

The property is currently zoned RA-5, Residential Agriculture Zone (Utah County designation). Upon annexation, the applicant is requesting a zoning designation of I-1, Light Industrial for all the parcels in the requested annexation.

The annexation sponsor Justin Hill intends to utilize his properties for industrial development. The other property owners within the annexation area will be permitted to retain the use of their property as it currently exists (residential and agricultural crop production) until future development occurs. Upon request for future development existing property must conform to the zoning code as it pertains to the I-1, Light Industrial zone.

**APPROVAL PROCESS**

Annexation is a complex and extremely important issue for any municipality. Extension of the municipal boundaries should only be completed when it can be clearly shown that including the property in the city will be a benefit to the community. The flip side of this is that annexation should NOT be granted if the impact on existing city services, infrastructure, etc. would be detrimental to existing residents of Payson City.

Annexations are regulated by Utah Code and Payson City Code and it is the responsibility of the annexation sponsor to understand and sufficiently address these regulations. The applicant has gone through the process outlined in state and local code and is prepared to bring this petition to the planning commission for a recommendation.

City council is the final legislative authority for annexations and thus holds any public hearings for such land use decision. The application process still requires a review and recommendation by the planning commission. The applicant seeks a positive recommendation from the planning commission for final approval by the city council for the R&C #2 Annexation.

**Annexation Name:**

R&C #2 Annexation

**Annexation Sponsor:**

Justin Hill

**Property Owners:**

Lee Hill

Justin Hill

Moore Family Trust

Max Lerwill

Fernando Carroll

Tanya Thatcher

Mary Ann Clegg

R and C LLC

**Utah County Parcel(s):**

30:024:0090

30:024:0088

30:024:0087

30:025:0025

30:024:0072

30:024:0067

30:024:0070

30:024:0083

30:025:0240

**Location:**

Approx. 400 West 900 North

**Acreage:**

40.5 Acres

Annexations are legislative matters, and the city council is not obligated to approve any petition for annexation, regardless of location, even if the proponent of an annexation is prepared to comply with all provisions required for annexation. At any time during the annexation process, the city council may deny the proposed annexation following written notice to the applicant. If the city council takes action to deny a petition for annexation, there will be no appeal process. If a petition for annexation is denied by the city council, the proponent of the annexation will be required to submit a new application and pay all associated fees to have the petition reviewed again by the planning commission, city council, and staff.

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**EVALUATION**

This annexation petition has been reviewed by staff for completeness and consistency with the General Plan and Payson City Code. The area included in the annexation plat is designated as Industrial according to the Future Land Use Map. As the applicant is requesting I-1 zoning, the parameters of the Future Land Use Map for this area would be met if the current proposal is approved.

City staff are presently working with the application sponsor on the language and exhibits necessary for an annexation agreement. This annexation agreement and its accompanying exhibits will be finalized prior to the city council’s final decision for acceptance of the proposed annexation.

**RECOMMENDATION**

Because annexation is such an important issue, the city council may require additional information to make a well-informed decision. The crux of the issue is whether the proposed annexation will benefit Payson City. As with all annexations, the final approval or denial should be based upon whether the newly annexed parcels will have a positive impact on the community. Although the council’s primary concern should be focused on what takes place inside city limits, the council will also want to carefully consider the potential impacts that an annexation could have on property owners that are still in the county but adjacent to the newly annexed land.

Staff are recommending approval of the proposed annexation as it agrees with all applicable city codes and plans. The Future Land Use Map designates this area as Industrial, and this annexation would allow the land to develop to that end. In seeking a recommendation from the planning commission, staff ask that any recommendation that is given be supported by findings of fact in the motion to approve, deny, or table the item.