**Development Services Department**

|  |
| --- |
| **Nebo Peaks Zone Change Request:** Tyler Horan on behalf of White Horse Land LLC is requesting an amendment to Payson City Zone Map. The amendment seeks to add density to several parcels of land in the Spring Creek Area Specific Plan. See the applicant request below for all the requested changes. |

|  |  |
| --- | --- |
| **Applicant:**  Tyler Horan  White Horse Land LLC  **Staff Coordinator:**  Michael Bryant  **Citywide Application:**  Zone Change Requests for  RMF-10  R-1-10  R-1-9  R-1-7.5  **Commission/Council Action Required:**  Yes  **Alternative Actions:**   1. Approval of the requests as presented by the applicant 2. Denial of the requests 3. Table the requests with guidance to the applicant and staff regarding what additional information the city council would like to see. | **Relevant History:** Spring Creek is located in the West Mountain area of Payson. The study area includes incorporated and unincorporated properties that are generally located between 1700 West (4500 West, Utah County coordinate) and 2900 West (5600 West, Utah County coordinate), and between 400 North (10000 South, Utah County coordinate) and 1130 South (11200 South Utah County Coordinate). Figure 1-1 in the plan illustrates the context of the site in relation to the rest of Payson and the surrounding area, including West Mountain. The original planning area is demarcated by the dashed red lines, which is approximately 930 acres in extent. As the planning process unfolded, a slightly larger area was addressed, encompassing an area to the north of the original planning area as indicated which covers a larger planning area total of 1,160 acres.  This planning effort strives to strike a balance between the preservation of traditional land uses, open space and the agricultural history in the Spring Creek Area with development and growth pressure. It is also an attempt to address those needs while facilitating a different type of development than found in other parts of the city.  Some of the key issues and ideas that emerged and were addressed as part of the planning process include: Assessment of the existing rail corridor that currently presents significant transportation access challenges and rail routes that require complex utility crossings, Assessment of road connections to the east that should provide improved linkages with I-15 and the rest of Payson, The role of industrial areas, sensitive lands, open space and recreational areas, Expansion of existing industrial uses and introduction of commercial uses, The desire for special housing types that are compatible with the overall vision for the area, Agricultural support/preservation and environmental conservation, Phased development and land use transition strategies In order to ensure the future Spring Creek Area develops as envisioned, a different kind of planning vision and strategy was developed that is financially sustainable and complements community needs and visions for the area.  The Spring Creek Area Specific Plan represents an opportunity to introduce a variety of housing types, maintain large lot uses with animal rights and equestrian uses, support appropriate-scaled commercial and community services, expand established business park and industrial uses, and introduce public parks, open space and multi-use trails to the area.  The purpose of this study is to create an effective planning document that will help provide a clear vision for the Spring Creek Area in the future. The plan clarifies the vision, opportunities and needs of the area, including utility and infrastructure needs. The plan integrates existing and future land uses with transportation, economic development, utility and infrastructure needs, ensuring that the area changes in realistic manner that is aligned with the technical analyses and the Payson General Plan.  On December 10th, 2025, the Planning Commission held a public hearing on the zone change requests identified in this staff report. The Planning Commission voted with a positive recommendation for approval of all the zone change requests except for the request for R-1-7.5. Instead planning commission voted with a positive recommendation for approval of Utah County Parcels #29:011:0005, 29:011:0019, and a portion of parcel #29:011:0011 to be zoned R-1-9, Residential Zone. These motions were approved with a 5 to 1 vote in favor of the positive recommendation. |
| **Applicant Request:** Refer to Attachment #1 Zone Change Request for more detail   * RMF-10 Multi-Family Residential Zone: for portions of Utah County Parcels #29:012:0026, 29:012:0003, 29:012:0007, 29:011:0013, 29:011:0018, 29:011:0020 and a portion of parcel #29:011:0011. With a willful reduction to 8 unit/acre. * R-1-7.5 Residential Zone: for the following Utah County Parcels #29:011:0005, 29:011:0019, and a portion of parcel #29:011:0011 * R-1-9 Residential Zone: for the following Utah County Parcels a portion of parcel #29:011:0005. * R-1-10 Residential Zone: for the following Utah County Parcels #29:012:0030. |
| **Development Review Committee Concerns:** In discussion with the applicant and various departments of the city three major concerns were regularly raised.   1. ***Traffic.*** Traffic along the 800 S. corridor is already at an F during peak traffic times. Limited access to the proposed sites currently exists (primarily along Utah Avenue/ 200 South and 2400 West). Some of this limited access will be alleviated upon development of the applicant’s properties. 2. ***Public Open Space.*** The west side of Payson until recently had very little development. As a result, very little useable public open space exists. With development occurring in this area parks and open space will be needed. 3. ***Utilities.*** There is a need for additional utilities and increased utility capacity within the area. |
| **Summary of Key Issues:**   * Staff are agreeable to the zone change request for RMF-10 zoning on parcels #29:012:0026, 29:012:0003, 29:012:0007, 29:011:0013, 29:011:0018, 29:011:0020 and a portion of parcel #29:011:0011. With a willful reduction to 8 unit/acre this request is shown in Attachment 1 Zone Change Request. This request will bring increased population and traffic to the area. However, this change is in line with the Spring Creek Area Specific Plan. * Staff are agreeable to the zone change request for R-1-9 Residential zoning on parcel #29:011:0005 as shown in Attachment 1 Zone Change Request. This will bring increased population and traffic to the area. However, this change is in line with the Spring Creek Area Specific Plan. * Staff are agreeable to the zone change request for R-1-10 Residential zoning on parcel #29:012:0030 as shown in Attachment 1 Zone Change Request. This will bring increased population and traffic to the area. However, this change is in line with the Spring Creek Area Specific Plan. * Staff and Planning Commission are not fully in support of the R-1-7.5 zone change request on Utah County Parcels #29:011:0005, 29:011:0019, and a portion of parcel #29:011:0011 because staff and the Planning Commission felt as if the request does not fully meet the intent of the Spring Creek Area Specific Plan for a density of 4 units/acre. Staff and the Planning Commission feel that this density should be closer to 9,000 to 10,000 square foot lots, which the Spring Creek Area Specific Plan refers to in the text of the plan. However, staff agree that a transition from the RMF-10 zoning to the R-1-9 Residential zoning is appropriate but perhaps that transition should occur within the RMF-10 area. * Transportation and adequate road networks are currently very limited in this area for the anticipated growth. With a zone change and further development some of these concerns will be alleviated but transportation concerns will still exist due to the increased density and inadequate transportation facilities currently in place. Some of the only ways to address this issue, however, is through development. The city will need to secure right-of-way for the future east/west road of approximately 690 South. The Planning Commission and City Council will have to determine if the zone changes are timely to expect this development and added transportation impact. |
| **Staff Comments:**  *Public Works:* **Favorable recommendation.** The applicant has paid for and provided utility infrastructure modeling to increase the capacity for utilities on and off site the proposed properties. Transportation remains a concern that will need to be addressed.  *Police Dept:* **Favorable recommendation.** The police department is concerned with current traffic. However, understanding that through development is often how traffic concerns can be addressed the Police department is in favor of this request.  *Fire Dept:* **Favorable recommendation.** While transportation issues are a concern the fire department generally feels that the requested zone changes will not burden them significantly.  *Power Dept:* **Favorable recommendation.** Provided that the Power Department can obtain easements and property to adequately provide power to the area, the department has no further concerns.  *Development Services:* **Partial negative recommendation.** Planning staff are favorable to increased density in the area as described in this zone change request. Staff recommend the RMF-10 Zone change with the willful reduction to 8 units/acre, the R-1-9 Residential Zone change request, and the R-1-10 Residential zone change since they meet the land use plan of the Spring Creek Area Specific Plan. However, planning staff feel that the requested R-1-7.5 Zone change request does not fully meet the intended density for the area as shown in the Spring Creek Area Specific Plan. Alternatively planning staff would recommend R-1-9, Residential Zone in the areas where the applicant is requesting R-1-7.5, Residential Zone. |
| **Staff Recommendation:**  Staff have a positive recommendation for approval of the following requested zone change amendments   * RMF-10 Multi-Family Residential Zone: for portions of Utah County Parcels #29:012:0026, 29:012:0003, 29:012:0007, 29:011:0013, 29:011:0018, 29:011:0020 and a portion of parcel #29:011:0011. With a willful reduction to 8 unit/acre. * R-1-9 Residential Zone: for the following Utah County Parcels a portion of parcel #29:011:0005. * R-1-10 Residential Zone: for the following Utah County Parcels #29:012:0030.   Staff are not fully in support of the following requested zone change   * R-1-7.5 Residential Zone: for the following Utah County Parcels #29:011:0005, 29:011:0019, and a portion of parcel #29:011:0011. This amendment transitions from the RMF zone to the R-1-9 zone, however the Spring Creek Area Specific Plan shows this area as being 4 unit/acre. Staff would like to hear input from the planning commission on this proposed zone change.   Alternatively, staff will support the following zone change request instead of the applicants request for the R-1-7.5, Residential Zone.   * R-1-9 Residential Zone: for the following Utah County Parcels #29:011:0005, 29:011:0019, and a portion of parcel #29:011:0011. This zone change request better reflects the intent of the Spring Creek Area Specific Plan. |

**OVERVIEW**

The Spring Creek Area Specific Plan was adopted on December 6, 2023. It is a planning effort that strives to strike a balance between the preservation of traditional land uses, open space and the agricultural history in the Spring Creek Area. The Spring Creek Area Specific Plan is an extension of the Payson City General Plan and thus the following has relevance when considering a zone change request.

**GENERAL PLAN RELEVANCE**

The proposed zone change map amendments have relevance to several goals and strategies of the existing General Plan.

* **Goal 2.4** Collaborate with higher educational institutions (UVU and MTEC) to provide workforce housing/student housing and job opportunities (internships)
* **Goal 2.6** Focus development and redevelopment efforts on creating well designed centers, corridors, and connections that link housing, jobs, and services.
* **Goal 7.2** Build vibrant new neighborhoods consistent with the Vision
* **Goal 7.3** Increase housing choice
* **Goal 7.5** Provide a realistic opportunity for the development of moderate-income housing within the next five years to meet the needs of people of various income levels living, working, or desiring to live or work in the community.

**FINDINGS OF FACTS**

1. The RMF-10 Zone change request with a willful reduction to 8 units/acre is consistent with the Spring Creek Area Specific Plan.
2. The R-1-10 Zone change request is consistent with the Spring Creek Area Specific Plan.
3. The R-1-9 Zone change request is reasonably consistent with the Spring Creek Area Specific Plan.
4. The R-1-7.5 would provide a land use transition from the RMF zone to the R-1-9 zones. However, staff feel as if it does not fully reflect the intent of the Spring Creek Area Specific Plan.
5. Infrastructure will be needed to develop the land in this area. A zone change request and subsequent subdivision development will require city utilities to be brought to the area at the developer’s expense.

**STAFF ANALYSIS**

The proposed amendments to the Zoning map will increase current densities and add additional residential homes to the western boundary of Payson. While anticipated in the Spring Creek Area Specific Plan. Development must happen in a manner that is least impactful to current residents, transportation systems and utilities.

Before approval of a zone change, the City Council shall determine whether such changes are in the interest of the public and are consistent with the goals and policies of the Payson City General Plan. The following guidelines shall be used to determine consistency with the General Plan: **(responses in bold)**

* Public purpose for the amendment in question.

**These zoning changes will add to the overall density of the Spring Creek area. They will bring additional residential housing opportunities to Payson City and bring additional residents to support higher education and commercial businesses.**

* Confirmation that the public process is best served by the zone change in question.

**The proposed zoning changes will bring additional housing choices to the area and help to support additional growth and development of higher education and commercial businesses.**

* Compatibility of the proposed zone changes with General Plan policies, goals and objectives.

**The proposed zoning changes advance the goals, policies and strategies of the General Plan, especially related to housing. By increasing density in this area, it helps to achieve the General Plan goals noted above in the General Plan Relevance section of this report. The applicant is requesting R-1-7.5, Residential Zone, staff feels as if this does not fully reflect the intent of the Spring Creek Area Specific Plan.**

* Consistency of the proposed zone changes with the General Plan “timing and sequencing” provisions on changes of use, in so far as they are articulated.

**Timing is a big concern for this area. It primarily revolves around infrastructure improvements, the transportation network and parks and open space which are all identified as areas of concern within the area. While an amendment to the zoning map may be reasonable at this time, timing of approval must be considered prior to any subdivisions and commercial development approvals to ensure that the proper infrastructure and roads are available to meet the development’s needs. Parks and open space remain a big concern for the western portion of Payson.**

* Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

**Not Applicable**

* Adverse impacts on adjacent landowners.

**Further development will always have some impact on current landowners. As the area develops people will have to endure the dust and inconveniences of construction nearby. Some people will not be in favor of denser development because it changes the environment around them. However, the city must always balance the property rights of all landowners and ultimately make decisions based on the entire community.**

* Verification of correctness in the original zoning or General Plan for the area in question.

**Not Applicable**

* In cases where conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**While not interpreted as a conflict, staff are interpreting the Spring Creek Area Specific Plan in the following way. Densities of 4 unit/acre, staff interprets as single family dwellings on lots ranging from 9,000 to 10,000 square feet. However, the applicant is requesting some of this area to be a R-1-7.5 Zoning designation which would allow lots as small as 7,500 square feet.**

**PLANNING COMMISSION ACTIONS**

1. **Staff Recommendation:** Staff and Planning Commission have a positive recommendations for approval of the following requested zone change request.

* RMF-10 Multi-Family Residential Zone: for portions of Utah County Parcels #29:012:0026, 29:012:0003, 29:012:0007, 29:011:0013, 29:011:0018, 29:011:0020 and a portion of parcel #29:011:0011.
* R-1-9 Residential Zone: for the following Utah County Parcels a portion of parcel #29:011:0005.
* R-1-10 Residential Zone: for the following Utah County Parcels #29:012:0030.

As presented by the applicant, staff and the Planning Commission have a negative recommendation for approval of the request for the following zone change request.

* R-1-7.5 Residential Zone: for the following Utah County Parcels #29:011:0005, 29:011:0019, a portion of parcel #29:011:0011.

1. **Staff Recommendation:** Alternatively, staff and the Planning Commission have a positive recommendation for approval of a zone change as noted below for the following parcels instead.

* R-1-9, Residential Zone: for the following Utah County Parcels #29:011:0005, 29:011:0019, a portion of parcel #29:011:0011.

1. Alternatively, the City Council may consider approval as presented by the applicant or some other approval with conditions.
2. Finally, the City Council may deny one or more requests for the zone changes within the South Meadows area.

**ATTACHMENTS**

* Attachment #1 Zone Change Request
* Attachment #2 Staff Proposed Alternative for a Zone Change
* Attachment #3 Spring Creek Plan Land Use Map