**Development Services Department**

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| **Agenda Item:** Application sponsor Randy Park is requesting an annexation into the city of approximately 29.79 acres located at approximately 3751 W. 9600 S. The intent on the property would be for future industrial development. |

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| **Applicant:**  Randy Park  **Staff Coordinator:**  Michael Bryant  **Citywide Application:**  Annexation Request  **Commission/Council Action Required:**  Yes  **Alternative Actions:**   1. Recommend approval of the request with changes 2. Recommend denial of the request. 3. Table the request with guidance to the applicant sponsor and staff regarding what additional information the planning commission would like to see. | **Relevant History:** The Payson City General Plan identifies areas for annexation. The Clearwing Annexation request is identified in an area anticipated for annexation within ten years. The area requested for annexation is immediately adjacent to the city and would meet all the Utah State law requirement for annexation. |
| **Applicant Request:** Annexation of the following Utah County parcels with a request for an I-1, Industrial Zone designation.   * 30:024:0131, 30:024:0132, 30:024:0127, 30:024:0126, 30:024:0129, 30:024:0133. |
| **Development Review Committee Concerns:** In discussion with the applicant and various departments of the city two major concerns were regularly raised.   1. ***Utilities.*** There is a need for additional utilities and increased utility capacity within the area that will have to be installed with development. Including a sewer lift station 2. ***Transportation.*** Upon development the appropriate amount of property will need to be dedicated to the city and/or Utah County for road right-of-way that meets the road width requirements of the city and Utah County for roads identified in the area. |
| **Summary of Key Issues:**   * The applicant is requesting the I-1, Industrial Zone designation. If an I-1, Industrial zone designation granted staff would request that building facades and placement be agreeable to standards within the BDP zone designation since this area will be a primary east/west corridor of the city right off a major road and freeway interchange in the future. |
| **Staff Comments:**  *Public Works:* **Favorable recommendation.** Provided the applicant meets the needed infrastructure and road improvement requirements upon development.  *Police Dept:* **Favorable recommendation.**  *Fire Dept:* **Favorable recommendation.**  *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:* **Favorable recommendation.** Provided that the applicant agrees to bind themselves and/or future developers to all the terms within the proposed annexation agreement. |
| **Staff Recommendation:**  Staff have a positive recommendation for approval of the requested annexation area. Provided the applicant and/or future developers meet all the stated requirements identified within the proposed annexation agreement. |

**OVERVIEW**

Annexations must follow a rigorous review process. This process includes meeting State of Utah code requirements and Payson City review criteria. Additionally, annexations that request specific zone designations should meet goals withing the General Plan.

**GENERAL PLAN RELEVANCE**

The proposed annexation and zone requests have relevance to several goals and strategies of the existing General Plan.

* **Goal 2.1** Make land use and infrastructure decisions consistent with the Vision Map to improve fiscal stability and implement the citizen’s Vision
* **Goal 2.5** Neighborhood-based approach to planning where all residents have access to nearby jobs, healthcare, education, services, shopping, parks, and open spaces
* **Goal 2.6** Focus development and redevelopment efforts on creating well designed centers,
* corridors, and connections that link housing, jobs, and services
* **Goal 4.1** Provide Payson’s communities with a high-quality street network
* **Goal 4.4** Work with local, regional, and state partners to coordinate future transit investments
* **Goal 4.5** Align transportation decisions with future land use decisions
* **Goal 6.3** Preserve and develop appropriate real estate options and infrastructure to meet
* the needs of current and prospective businesses
* **Goal 6.5** Maintain a friendly business climate
* **Goal 6.6** Capitalize on private sector investment.

**FINDINGS OF FACTS**

1. The requested annexation is adjacent to the current municipal boundary and meets all state law requirements for annexation.
2. This area is intended to be a primary east/west corridor and development moves west and the I-15 interchange is realigned at Main Street.
3. The requested zoning is adjacent to other areas within the city that are already zoned I-1, Industrial Zone.
4. A sewer lift station and road dedications will be necessary for this area upon development of the property.

**STAFF ANALYSIS**

The proposed annexation would also designate a land use zone for the property to be annexed. The requested zone designation would be for I-1, Industrial Zone. Before recommending an area for annexation staff must review the annexation review criteria and the Payson City weighed review criteria for annexation.

The Planning Commission and City Council should determine whether such annexation and requested zoning is in the interest of the public and is 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.

**The application sponsor has not indicated any immediate public purpose for the annexation request aside from additional area within the city for light industrial development.**

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

**The proposed zoning changes will bring additional economic opportunities to the city with additional areas for industrial development.**

* Compatibility of the proposed annexation and zoning within the General Plan policies, goals and objectives.

**The proposed annexation and I-1, Industrial Zoning advances the General Plan policies in that the area for annexation is immediately adjacent to the city boundaries and it is within the expansion area of “within 10 years”. The future Land Use Map contained within the General Plan indicates that the area will be industrial and is immediately adjacent to areas that intend to be office flex land uses.**

* Consistency of the proposed annexation and zoning 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. The applicant sponsor has not indicated any plans on what will happen upon annexation of the property. The intent of the applicant sponsor is for the property to be developed as industrial at some future time after annexation. Utility infrastructure is nearby but will need to be extended to the property upon development. The primary road 900 North that will access the property shall remain a Utah County Road. It will need to have appropriate amounts of property dedicated upon development to meet the intended road standards for this area.**

* 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. Presently the property is used for agricultural purposes, upon development to industrial this area will impact adjacent landowners differently.**

* 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.

**Not Applicable**

**CITY COUNCIL ACTIONS**

1. **Amended Staff Recommendation:** At the applicant’s request, they and the petitioners of the application would like additional time to review the draft annexation agreement. Therefore, they request the annexation request be tabled until a future date.
2. **Original Staff Recommendation:** Staff have a positive recommendation for approval of the following requested annexation area and the I-1 zoning being assigned to the property upon annexation for the following Utah County Parcels #30:024:0131, 30:024:0132, 30:024:0127, 30:024:0126, 30:024:0129, 30:024:0133. Provided the area meets the building design, setback and storage requirements of the BPD, Business Park Development Zone as identified in the draft annexation agreement.
3. Alternatively, the City Council may amend the annexation request with a motion for approval that provides a different zoning designation upon annexation.

**ATTACHMENTS**

* Attachment #1 Annexation Boundary Map
* Draft Annexation Agreement