Planning Commission Staff Report
November 11, 2020

Project Name:
Geneva Rock Zone Change

Applicant:
Jonathan Biesinger, representing owner

Owner:
Geneva Rock Products, Inc.

Location:
Immediately west and south of the existing Geneva Rock facility at 1325 North Main

Existing Zone:
I-1, Light Industrial

Proposed Zone:
I-2, Heavy Industrial

REQUEST

Request to change the zoning of 20.47 acres of land (Parcels 30:013:0037, 30:014:0076, and 40:379:0001) from I-1, Light Industrial to I-2, Heavy Industrial. The ultimate goal is for the applicant to construct an additional concrete batch plant on these properties as a conditional use in the I-2 Zone.

BACKGROUND AND PROJECT DESCRIPTION

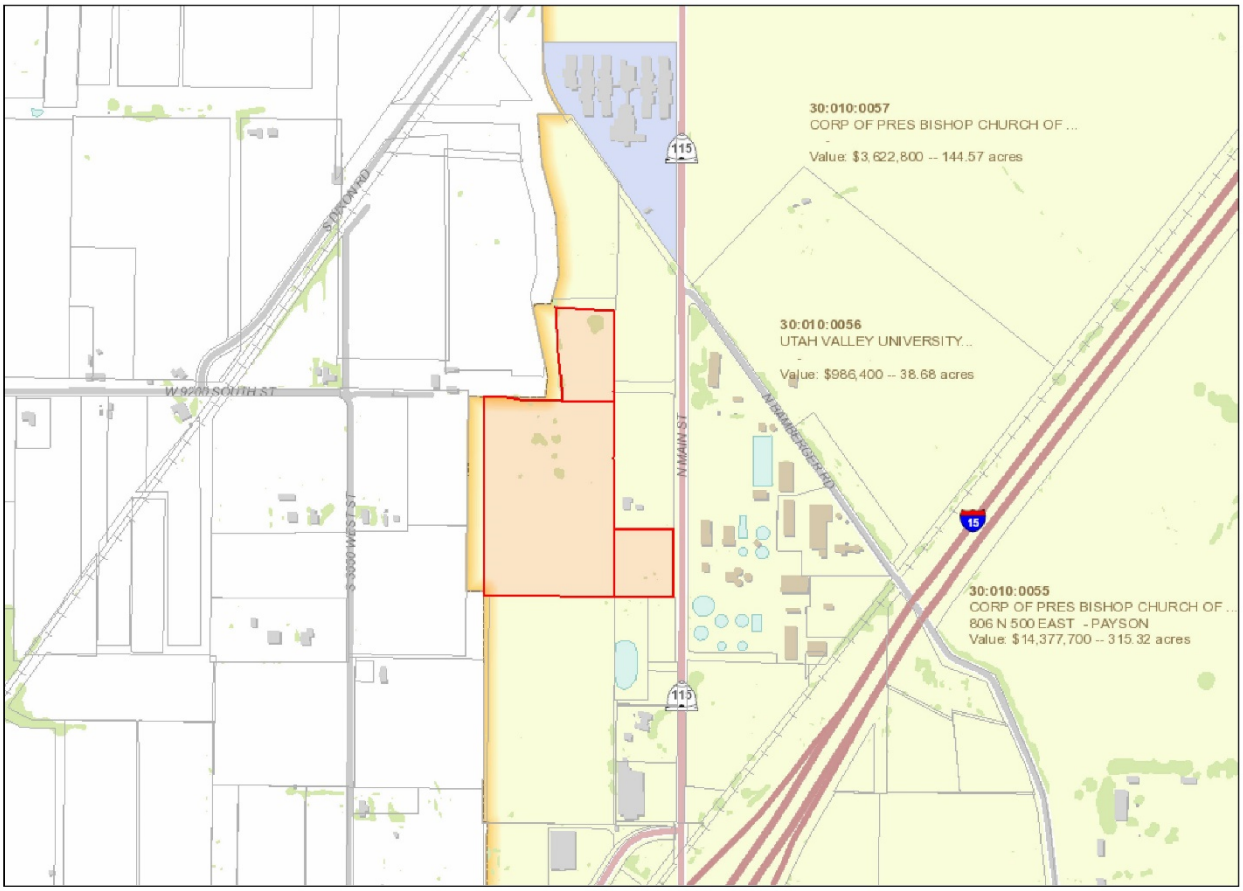
In accordance with Section 19.2.8 of the Zoning Ordinance the applicant, Geneva Rock Products, Inc., is requesting a recommendation of approval from the Planning Commission for a zone change of three parcels located adjacent to the existing Geneva Rock facility. The parcels are currently zoned I-1, Light Industrial, and they abut parcels that are currently zoned I-2, Heavy Industrial. The total acreage of the three parcels addressed in the zone change request is 20.47 acres.

The applicant eventually intends to build a concrete batch plant on these parcels. In order for that to be allowed, the applicant began this process by applying for a text amendment allowing concrete batch plants as a conditional use in the I-2 Zone, which was approved by the City Council. The second step in this process is the current application for a zone change. If approved, the applicant will need to submit an application for a conditional use permit that allows them to build a second concrete batch plant on the properties in question. Once the conditional use permit is approved, the applicant will submit a site plan as the final step in the process.

This is an area of Payson toward which industrial development has historically been directed. The parcels in question are adjacent to primarily agricultural and industrial uses (I-1 and I-2 Payson City zoning and RA-5 Utah County zoning). As such, the impact on residential areas in Payson would be minimal.

APPROVAL PROCESS

The applicant originally applied for a text amendment to allow concrete batch plants in the I-2 Zone, which was approved in August 2020 as a legislative action. The current step in this process is the application for a zone change on these parcels, which is a legislative action as well. To ultimately construct a concrete batch plant in this location, the applicant will need to apply for a conditional use permit and a site plan approval, both of which are administrative actions. If this zone change is approved by the city council, review of the conditional use permit will be by the planning commission and review of the site plan for another concrete batch plant will be at the staff level.



Utah County Parcel Map
300130037,300140076,403790001

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorect data or variations with an actual survey

Date: 10/21/2020

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ANALYSIS

Approval of a zone change is a legislative action of the City Council. The Planning Commission is under no obligation to recommend approval and the City Council is under no obligation to approve the zone change request. The applicant is currently entitled to use the property consistent with the requirements of the underlying zone, I-1, which allows for a wide array of light industrial uses.

In accordance with Section 19.6.7.1 of the Payson City Zoning Ordinance, the I-2 Heavy Industrial Zone is designated for uses that are not compatible with residential zones. Uses in the I-2 Zone have heavier impacts on the surrounding area than uses permitted in the I-1 Zone, and the scope of those impacts should be considered by the Planning Commission when a decision is made.

Although the General Plan does not differentiate between light and heavy industrial uses, this area is in fact designated Industrial under the recently adopted General Plan (see below). As such, these properties are in the area where future industrial development in Payson will be placed.

In making a recommendation on this application, the Planning Commission should consider all potential uses under I-2 zoning on these properties. Although the applicant has expressed specific intent to build an additional concrete batch plant, the Commission ought to keep in mind that these parcels would be eligible for any use permitted under I-2 zoning if a zone change is granted. If the Commission is comfortable with that potential scope of use on these properties, then a zone change should be recommended.

Staff would suggest that some of the more important factors in reaching a conclusion in this circumstance include, but are not limited to:

- Would Heavy Industrial uses be appropriate on the properties in question?
- If not, where would be a more agreeable location for a proposed concrete batch plant or other similar use?
- Would the uses allowed in the proposed zoning district create undue hardship for, or impact on, other nearby uses in Payson City?
- Would the uses allowed in the proposed zoning district improve the economic stability of the City or aid in the economic development efforts of Payson City?

The applicant is only seeking approval of a zone change at this time. If the zone change is approved, the applicant will need to obtain additional approvals (i.e. conditional use permit; site plan) to improve the property and commence construction. Details regarding street layout, utilities, building architecture and other design considerations will be addressed at that time. The Planning Commission, City Council or staff may require additional information in order to make a well-informed decision.

RECOMMENDATION

The applicant is seeking a recommendation of approval to change the zoning designation of approximately 20.47 acres distributed across three separate parcels from I-1, Light Industrial to I-2, Heavy Industrial. Following a public hearing to receive public input and a review of the allowable uses in the I-2 Zone, the Planning Commission will need to determine if it is appropriate to modify the zoning designation of the subject parcels. If the Planning Commission determines that I-2 uses are appropriate in this location and consistent with the land use goals and objectives of the General Plan, the Planning Commission should recommend approval of the request. Conversely, if the Planning Commission determines that I-2 uses are NOT appropriate in this location or inconsistent with the land use goals and objectives of the General Plan, the Planning Commission should recommend denial of the request.

Any motion of the Planning Commission should include findings that indicate reasonable conclusions for the recommendation that will be forwarded to the City Council.