

Staff Report
Kamas City Council
December 14, 2021

Applicant: Devin Meier/Horse Creek Ranching LLC

Request: Public hearing for possible annexation into Kamas City

Location: West of Grassy Creek Subdivision and North of South Summit School District – Parcels CD-541, CD 541-A, CD-541-B, CD-541-C and CD-541-D

DESCRIPTION

Devin Meier with Horse Creek Ranching had petitioned to annex properties CD-541, CD-541-A, CD-541-B, CD-541-C, CD-541-D which totals 140.94 acres.

In accordance with Utah State Code 10-2-402, the proposed annexation must:

- (i) Be a contiguous area
- (ii) Be contiguous to Kamas City
- (iii) Not leave or create an unincorporated island or unincorporated peninsula
- (iv) Be an area located within the proposed annexation expansion area of Kamas City

At this point in the process, the property owners have completed the following steps;

- Approached City Council previously (April 27, 2021) to discuss annexation. Councilors were interested in Mr. Meier continuing the process
- Property was surveyed
- Filed a notice of intent which was mailed by county to all affected entities and property owners within in 300 ft. of the area proposed to be annexed
- Annexation petition has been submitted with a survey of the property
- Petition accepted at September 28 City Council meeting
- Petition was certified and public notice was posted
- During the protest period Summit County did find that the annexation would create a peninsula of unincorporated land between the annexed land and City boundaries. A meeting was held on October 27th to discuss impacts. They did not determine that a formal protest was warranted and allowed the City to move forward with annexation
- Because no protest was filed, the City can proceed with Annexation
- There is a nearby pending annexation regarding the South Summit School District properties. The Council can proceed, if it chose, to proceed with the Horse Creek annexation regardless of the School District annexation

Next steps are as follows:

Under the new annexation process, there is no requirement for the annexation to go before the Planning Commission. Therefore, this public hearing is the final step prior to filing with the Lieutenant Governor's office for review. The last step will be for the legislative body to assign a land use zone.

EVALUATION

<u>Zoning and Density:</u>	This property is currently zoned A-40 in Summit County. According to the Future Land Use map in the General Plan, this property is zoned Agriculture.
<u>Concept and Layout:</u>	Devin Meier has expressed that he would feel comfortable being zoned A5 and any future development would need come before the Commission and Council for a rezone. For now, he would just like to be part of the City.
<u>Traffic:</u>	Unknown, will need to be considered with UDOT and the Kamas City Transportation Plan and connectivity requirements.
<u>Public Amenities:</u>	Unknown

At the previous Council meetings there were several items brought up that Council felt were important relating to this annexation. Although not a formal wish list, these items are outlined below.

1. Increased traffic and access to these properties – an alternate ingress and egress to the development. A current traffic study may be necessary to ascertain the potential impact a development would have on public roads (specifically 100 West). This item can be addressed after annexation in a development proposal
2. Expansion of sewer pond – possible dedication of space on properties bordering our sewer ponds
3. Sewer and water connections – a plan to see how these would meet all specifications for Kamas City construction standards. This item can be addressed after annexation in a development proposal
4. Dedication of open space – potential clustering of any future development with the remaining property to become a conservation easement or platted as open space to ensure that further development does not occur
5. Wetlands – consideration of the wetland areas
6. Transportation Corridor protection – possible dedication or transfer of property in order to preserve a future right of way

RECOMMENDATION

Staff has not seen any further information provided that would address the above concerns of the Council. Although the Meier's are not currently planning on development and any future development would need to come before Council as a rezone request, it may be that an Annexation Agreement should be in place prior to annexation of these properties.

Further, Staff would recommend annexing the properties at Summit County's current zoning of A-40. We do have that density in our code, specifically to maintain the continuity of Summit County's AG-40 zoning and regulations. This would address Council's concerns about limited and spread out development on these parcels.

It is the Staff's recommendation to consider public comment and the above items. If the Meier's are not prepared with addressing these concerns, staff would recommend tabling this annexation until an agreement is in place.