# Payson City

# Planning Commission Meeting

# Payson City Center, 439 W Utah Avenue, Payson UT 84651

# Wednesday, November 9, 2022, 6:30 p.m.

# Conducting: Ryan Frisby, Planning Commission Chair

# Commissioners: John Cowan, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner

# Absent: John Cowan

# Staff: Robert Mills, Development Services Director

# Jill Spencer, Senior Planner

Michael Bryant, Planner II

# Marty Dargel, Planning Technician

# Others John Woodley, Bill Cover, Brett Callister, Bruce Hansen, Sterling Hill, Jacob Roberts, Jackson Dille, Becca Miranda, Daniel Jarvis, Cory Ward

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# Call to Order

# This meeting of the Planning Commission of Payson, Utah, having been properly noticed, was called to order at 6:33 p.m.

# Invocation/Inspirational Thought – Commissioner Morgan

# Consent Agenda

# Approval of minutes for the regular meeting of October 26, 2022.

# **MOTION: Commissioner Morgan - To approve the Consent Agenda.** Motion seconded by Commissioner Warner. Those voting yes – Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Public Forum

# No public comment.

# Review Items

* 1. PUBLIC HEARING - Orchards Business Park LLC is requesting approval to rezone Utah County parcels 37:171:0001 and 30:024:0115, located at approximately 400 North 700 West. The property is currently zoned R-1-A, Residential Agricultural, and the applicant is requesting a change to the I-1, Light Industrial Zone.

Staff Presentation:

Staff gave an overview of the details of the applicant’s request for a zone change on Utah County parcels 37:171:0001, 30:024:0115, and a flagpole portion of a Payson City unnumbered parcel,

from R-1-A, Residential Agricultural, to I-1, Light Industrial. The parcels are located at approximately 400 North 700 West. The applicant’s property to the north was annexed into the city and zoned I-1, Light Industrial, in September of 2022. This request is in line with the General Plan. Maps were displayed indicating the parcels in question, and the applicant’s concept layout. Staff explained that this is primarily made up of office-style buildings, not heavy industry. The applicant will continue to work with staff through redlines and final approval.

Applicant Comments:

John Woodley stated that they are trying to deliver what the General Plan is asking for and want to be sensitive to the surrounding neighbors, realizing they border the LDS Church, homes, and farmland.

# **MOTION: Commissioner Marzan – To open the public hearing.** Motion seconded by Commissioner Warner. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Public Comment:

* Phil Kober lives just west of the properties in question and is concerned that he will be surrounded by industrial. He is concerned about heavy truck traffic on 400 North and the trucks parking along there. He feels the industrial zones should be to the west of his property.
* Brett Callister also lives along that road. He agrees about the truck traffic and is concerned about safety along with trucks parking in front of his driveway. He does not feel industrial makes sense there.
* Bruce Hansen is against the zone change. He feels investors and developers should purchase property that is already zoned for their needs. Also feels it will isolate residential homes. Wants to see it remain R-1-A.
* Sterling Hill owns property just to the west. He agrees with prior sentiment. He feels it should stay residential. He thinks there are plenty of other areas to put industrial zones.

# **MOTION: Commissioner Morgan – To close the public hearing.** Motion seconded by Commissioner Moore. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Commission Discussion:

Commissioners collectively discussed concerns regarding the strip of residential along 400 North and the residential islands this zone change appears to create. It was discussed that the problem with the truck traffic along 400 North is an enforcement issue and can be referred to the police to resolve with the trucking company. This can be worked on outside of this zone change request. Questions regarding egress and ingress were asked and discussed. Commissioner Warner gave a thorough explanation of the purpose of the General Plan and how it works for Payson City. The developers are acting on what is specified in the General Plan.

# **MOTION: Commissioner Frisby – To recommend to City Council approval of the zone change request for the lots in question for item 5.1 recognizing this is in line with the General Plan.** Motion seconded by Commissioner Warner. Those voting yes: Ryan Frisby, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. Those voting no: Kathy Marzan. The motion carried.

* 1. PUBLIC HEARING – Proposed Amendments to the Payson City Annexation Policy Plan

Staff Presentation:

Staff gave a detailed review of the background of Payson City’s Annexation Policy Plan and the amendment process, with this step being a public hearing to receive additional public input before proceeding to the City Council for final consideration. The public hearing was noticed, and additional notice was sent to the affected entities. No affected entities were in attendance. An overview was given of the amendments proposed to the Payson City Annexation Policy Plan.

# **MOTION: Commissioner Marzan – To open the public hearing.** Motion seconded by Commissioner Moore. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Public Comment:

Staff received two emails to be included in the public comment:

* Tyler Horan questioned why his property, that he has been actively working with the city to annex, is shown in the 10-20-year plan. He requested it be moved to the “within 10 years” category. He stated that they have assured Payson City that they will comply with the annexation criteria and have already applied for annexation. Tyler Horan also participated by Zoom and reiterated that he is eager to develop and annex.
* Stewart Lamb is equally concerned that Taylor Ranch be included in the 10-year window as well.

# **MOTION: Commissioner Marzan – To close the public hearing.** Motion seconded by Commissioner Rowland. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Commission Discussion:

Commissioners discussed the public comment concerning Tyler Horan’s property and Taylor Ranch. They agreed that the properties could be addressed for annexation when the timing is right.

# **MOTION: Commissioner Marzan – To recommend to City Council approval of item 5.2.** Motion seconded by Commissioner Moore. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – General Plan Amendment to the Housing section (chapter 7) of the Payson City General Plan. The amendment will consider existing and potential new strategies that will adequately address barriers related to the opportunity for and development of moderate-income housing.

Staff Presentation:

A comprehensive overview was given by staff of the current housing and income information for Payson City. This overview included the amendments necessary to the Payson City General Plan Housing section to accommodate House Bill 462, which requires municipalities review their moderate-income housing plans and update items with implementation elements. The three strategies Payson City intends to implement are as follows: 1) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing. 2) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers. 3) Create or allow for, and reduce regulations related to internal or detached accessory dwelling units in residential zones.

# **MOTION: Commissioner Rowland – To open the public hearing.** Motion seconded by

# Commissioner Marzan. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Public Comment:

No public comment.

# **MOTION: Commissioner Marzan – To close the public hearing.** Motion seconded by Commissioner Warner. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# Commission Discussion:

Commissioner Warner would like to also take into consideration the encouragement of developing executive housing as well.

Staff explained that executive housing does not necessarily exclude opportunities for moderate-income housing development because many of the larger homes can support an accessory dwelling unit well.

# **MOTION: Commissioner Marzan – To recommend to City Council approval of item 5.3.** Motion seconded by Commissioner Morgan. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

* 1. BYU Student Presentation – North Main Street Corridor Project.

Student Presentation:

The BYU student team was given the task by staff of looking at the North Main Street Corridor. The team gave a detailed presentation of their vision for an overlay zone through that area that they feel would revitalize the North Main Street Corridor, while maintaining the small-town look and feel. This would be accomplished through landscaping, design and other guidelines, and incentives. Their vision incorporates a flexible, mixed-use atmosphere, unique to Payson that reflects the architectural aspects of the downtown area. It would focus on preserving existing structures to protect the small-town feel.

# Commission and Staff Reports, and Training

None

1. Adjournment

**MOTION: Commissioner Morgan – To adjourn.** Motion seconded by Commissioner Marzan. Those voting yes: Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Jim Rowland, Blair Warner. The motion carried.

# The meeting adjourned at 9:05 p.m.

# /s/ Marty Dargel

# Marty Dargel, Planning Technician

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