



**MEMO**

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf,  
Planning & Development Director

DATE: October 13, 2014

SUBJECT: Zoning Map Amendment – property at the end of E. Granite Dells  
760 acres recently annexed, 80 acres to be annexed **P14-004**

**Background**

The Town of Payson is initiating a Zoning map amendment for the purpose of designating a zoning classification for 760 acres recently annexed as well as potentially rezoning an additional 80 acres being considered for annexation into the Town of Payson in 2014. The property includes U.S. Forest Service land and private property in and around East Granite Dells Road, including The Rim Ranch (commonly known as FOX FARM; Gila County Assessor Parcel number 304-27-001).

A town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the other jurisdiction (Gila County or Star Valley) immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.

**Analysis**

The area of public lands adjacent to the previous eastern boundary of the Town of Payson was annexed by the Town of Star Valley after their initial incorporation. At that time, no zoning designation was applied to these 760 acres of public lands on Star Valley's Zoning Map. Star Valley recently de-annexed these 760 acres and the area was annexed by the Town of Payson.

The Town has a zoning classification of NF-National Forest, which is an appropriate designation for this area of annexation. The privately-held 80 acres for which a blank annexation petition has been filed (also known as The Rim Ranch/Fox Farm property) is currently zoned by Gila County as R1 PAD. This was to allow single family residential uses in conformance with a specific Planned Area Development proposal. However, the private parcel was never developed in accordance with the Planned Area Development rezoning application. If annexed, the zoning designation to be applied to this site would be PAD-Planned Area Development and uses would be per the zoning and PAD submitted and approved by the County.

The Payson Town Council has directed staff to facilitate manufacturing use of this 80 acre site. The proposed development of this site would allow for general manufacturing uses and activities and amending that Planned Area Development to M-2 - Industrial Two/General Industry District zoning district is proposed.

This property is contiguous to current or proposed trail way systems, and it would be reasonable to request the developer to contribute to pedestrian circulation in the area either by constructing on site or nearby improvements or amenities to provide more accessibility for trail users.

Development upon the 80 acre property shall meet all applicable Town of Payson Code requirements and development standards governing industrial sites. The property is not currently within the Northern Gila County Sanitary District nor within the Sanitary District's projected service area nor within 500 feet of public sewer facilities. Town of Payson water infrastructure shall be extended by the developer to service this site, and public water shall be utilized.

**Staff Recommendation:**

Staff finds that this rezoning request could be appropriate, so long as future development conforms to applicable Town Codes. Staff recommends approval of this rezoning application subject to the following conditions:

1. Adequate sanitary facilities shall be designed in accordance with Gila County Health Department or other sewer service provider approved by the Town of Payson prior to development/permit issuance.
2. Prior to any development, proposals for on-site or off-site trail access improvements to facilitate pedestrian circulation/Payson Area Trails System shall be brought to the Town Council for consideration and approval.
3. All applicable Town standards for development shall be met.

Any other condition the Commission deems necessary.

**Suggested Motion to Approve:**

“I move the Planning & Zoning Commission recommend to the Town Council approval of P14-004, an amendment to the zoning map to apply a NF – National Forest zoning designation to the 760 acres of U.S. Forest Service land recently annexed into the Town of Payson, and to rezone the 80 acre Rim Ranch/Fox Farm property to M-2 - Industrial Two/General Industry District, if/when it is annexed, subject to the conditions listed in the staff report.”

**Neighborhood Involvement**

Notice of this zoning action was posted on E. Granite Dells Road at the previous eastern boundary, and on The Rim Ranch/Fox Farm property. A 1/8<sup>th</sup> page display ad was published in the Payson Roundup on September 26, 2014. Notices were mailed to the private property owners, Gila County Planning and Zoning and the Board of Supervisors. Each notice provided the details of this Planning & Zoning Commission public hearing. As a Town initiative, the Planning Commission hearing is being utilized to pursue citizen participation in conjunction with the proposed amendments. Correspondence received prior to the distribution of meeting agenda and materials is attached to this memo.

Attachment(s): Exhibit A – Map illustrating proposed zoning designations, Exhibit B – Trails in the area of this zoning action, Exhibit C – Resolution initiating this action, Exhibit D – Citizen correspondence.

# **EXHIBIT A**

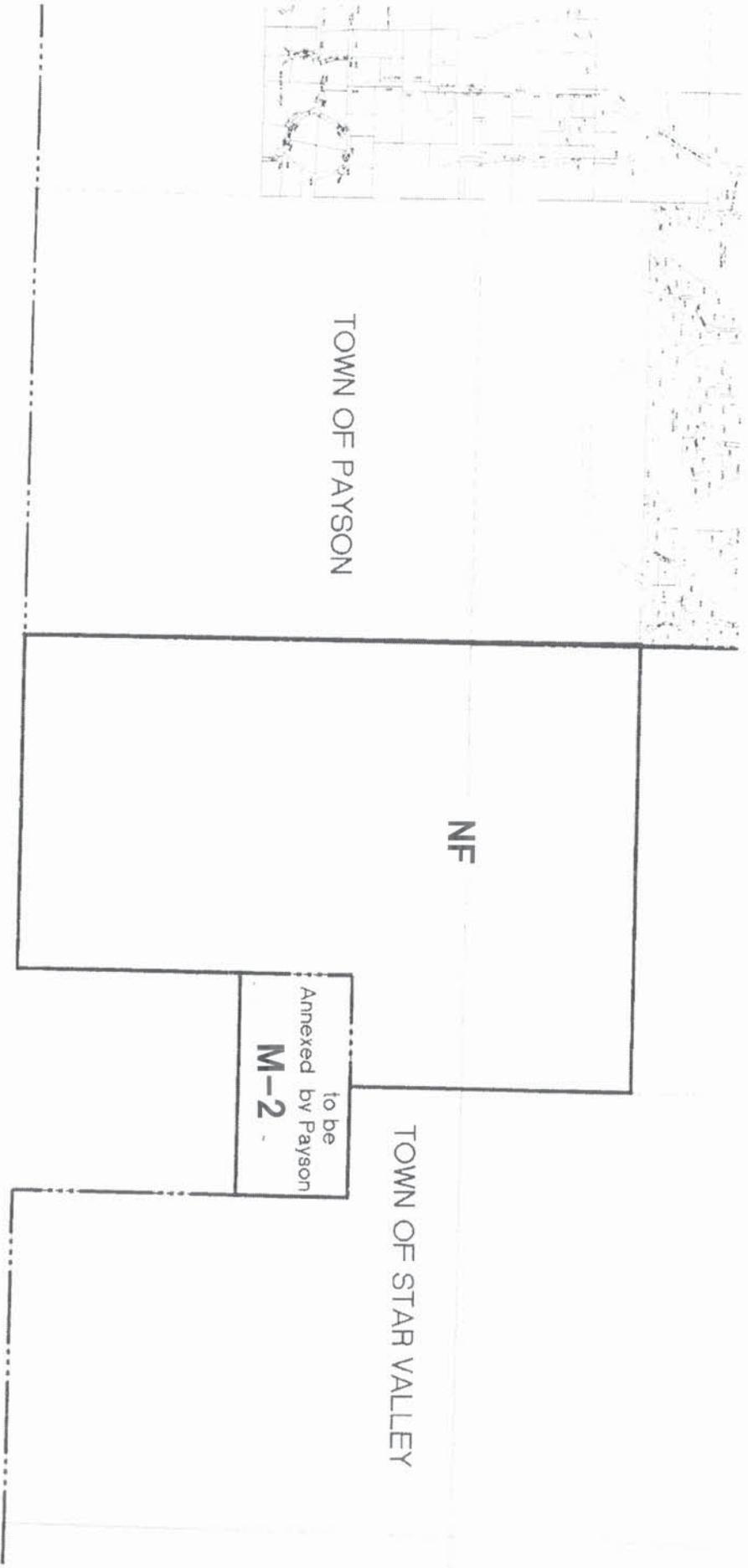


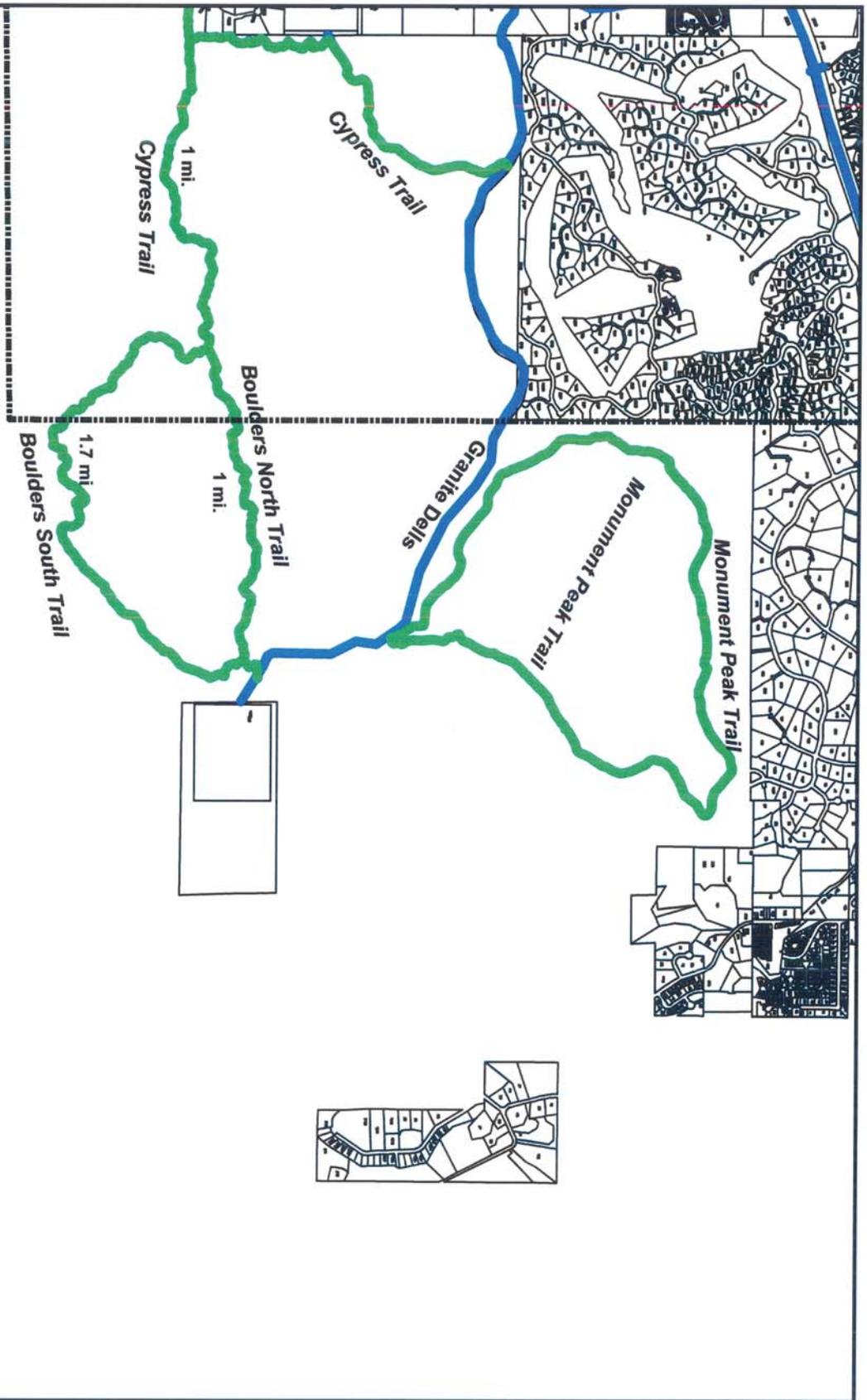
EXHIBIT A

# **EXHIBIT B**



303 North Beehive Highway  
Payson, Arizona 85541  
(928) 474-5242 www.ci.payson.az.us  
GIS/PaysonGIS\_Master.mxd 11/28/2007

This map has been provided for informational purposes only and is not accurate for engineering design.  
Every effort has been made to ensure this map is as accurate as possible. The Town of Payson shall  
assume no liability for the base information contained in this map.



# **EXHIBIT C**

RESOLUTION NO. 2799

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, SETTING FORTH THE TOWN'S POSITION AS TO THE POTENTIAL ANNEXATION AND REZONING OF REAL PROPERTY TO THE EAST OF PAYSON, COMMONLY KNOWN AS THE FOX FARM.

WHEREAS, approximately three quarters of a mile to the east of Payson's eastern boundary, there is an 80 acre parcel of land commonly referred to as the Fox Farm ("the Property"); and

WHEREAS, the Property is located in the unincorporated portion of the County, utilizes the unimproved portion of Granite Dells Road for access, is residentially zoned, and is surround by National Forest Land on all sides; and

WHEREAS, the Town of Payson ("the Town") has been approached by the owner of the Property ("the Owner") asking that the Town annex the Property and rezone the Property to allow manufacturing; and

WHEREAS, although annexation and rezoning (and their associated processes) are governed by State Law and the Town cannot guarantee the outcome of such processes, the Town desires to move forward to annex the Property and following annexation, rezone the Property to allow manufacturing uses; and

WHEREAS, the Town desires to set forth its position related to the Property,

NOW, THEREFORE, THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, RESOLVE AS FOLLOWS:

Section 1. Town staff is directed to initiate the process to annex the Property. In addition to all other State Law requirements, the Owner shall, prior to completion of the annexation process, execute a Proposition 207 waiver and agree to utilize only water from the Town's municipal water system on the Property.

Section 2. If the Property is annexed and appropriate water infrastructure is constructed connecting the Property to the Town's existing water system (at no cost to the Town), the Town will provide water service to the Property in accordance with the Town Code and all other Town Water Division regulations and policies.

Section 3. If the Property is annexed and access to the Property is improved to the Town's roadway standards (at no cost to the Town), the Town will provide Police and Fire Services to the Property.

Section 4. If the Property is annexed, Town staff is directed to initiate a rezoning application for the Property to allow manufacturing. If the County or the Owner initiates a rezoning application for the Property to allow manufacturing prior to annexation, Town staff is directed to support such rezoning.

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Section 5. The Town will work with Arizona Public Service, as needed, to facilitate adequate electric power supply to the Property.

Section 6. The Town will assist the Owner or the Owner's designee in attempting to secure various State, County or other employment or economic incentives. This assistance shall not require the Town to provide any direct economic incentives to the Owner.

Section 7. The Town will coordinate with and assist the Owner in obtaining any necessary Forest Service easements and/or permits required for the improvement of Granite Dells Road.

Section 8. The Town will assist the Owner with investigating the process and opportunity for the Owner to seek financial assistance from the Arizona Commerce Authority for the required improvements related to access to the Property.

Section 9. If the Property is annexed, Town staff is directed to negotiate a draft Development Agreement related to the Property that will be submitted to the Council for consideration.

Section 10. Nothing in this Resolution shall be construed as (a) committing the Town to any action in contravention of State law, any process established by State law, or Payson's Town Code; or (b) requiring the Town to expend any Town monies without Council approval.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this 18<sup>th</sup> day of September, 2014, by the following vote:

AYES 6 NOES 0 ABSTENTIONS 0 ABSENT 1

  
Kenny J. Evans, Mayor

APPROVED AS TO FORM:

  
Timothy M. Wright, Town Attorney

ATTEST:

  
Silvia Smith, Town Clerk

# **EXHIBIT D**

## LEON H. KEDDINGTON

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110 N Feather Plume Circle  
Payson, Arizona 85541  
(928) 468-9667  
emk@npgcable.com

October 7, 2014

Town of Payson Planning and Zoning Commission  
303 N Beeline Highway  
Payson, Arizona 85541

RE: Hearing scheduled for October 14, 2014. Items B, C and D

Dear Commission,

I would like to offer the following comments these agenda items:

**Item B**     **P14-002**, An application filed by the Town of Payson to amend the Town of Payson Unified Development Code provisions related to sewer requirements in Industrial Zoning Districts.

It is inappropriate to allow any new development to not connect to Northern Gila County Sanitary District or provide a wastewater treatment system using similar technology, especially an industrial site. All traditional septic systems fail; it is not if, it is when. We can look to sites in California and Arizona. Actually, we need look no further than right here in Payson. Further, industrial sites use materials that are known to be environmental hazards (solvents, lubricants, etc.) and we cannot risk those contaminants reaching the ground water by leaching through a septic leach field or by a spill.

In the case of the proposed new industrial area it seems to me a better solution is for the Towns of Payson and Star Valley to work together to solve their issue with septic systems and provide a safe wastewater management plan for this new area.

**Item C**     **P14-003**, An application filed by the Town of Payson for a major amendment to the Town of Payson General Plan. This amendment would apply land use designations to land annexed or considered for annexation into the Town of Payson in 2014.

**Item D**     **P14-004**, An application filed by the Town of Payson to ReZone property annexed or considered for annexation into the Town of Payson in 2014, in and around E. Granite Dells Road, including The Rim Ranch property (commonly known as FOX FARM; Gila County Assessor Parcel number

304-27-001).

I agree it is absolutely a sound plan to annex the Fox Farm in to Payson. However, I disagree it should be Industrial on the General Plan. Likewise, it is inappropriate to change the zoning to industrial. It does not make sense to have one of the most isolated areas with fabulous vistas become an industrial area. The fact that it is so isolated seems to make it more difficult serve with fire and emergency services. A small industrial accident could very well result in a catastrophic wild fire due the proximity to the National Forest. It should be residential or perhaps agriculture.

I believe that there is still adequate space near the Airport that is currently zoned for industry that should be utilized.

Questions for another day; Will there be sufficient ingress and egress, two well-built roads? Will the roads be able to handle 60,000 to 80,000 pound trucks? Will the roads have curb, sidewalk and bike path? Are plans in the works to allow an outdoor shooting range?

Sincerely,

Leon Keddington