

RESOLUTION NO. 06-04

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>	ABSENT	
G. WAYNE ANDERSEN <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
STEVE LEIFSON <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>		X

I MOVE this resolution be adopted: Councilmember Sorensen

I SECOND the foregoing motion: Councilmember Leifson

RESOLUTION NO. 06-04

A RESOLUTION OF SPANISH FORK CITY EXPRESSING STRONG OPPOSITION TO SENATE BILL 170, LAND USE AMENDMENTS, AND REQUESTING THAT OUR SENATOR AND REPRESENTATIVES VOTE AGAINST THIS BILL

WHEREAS, in the 2005 legislative session, the Cities joined efforts with a large consortium of stake holders to make significant changes to the State's municipal and county land use code, under the sponsorship of Senator Greg Bell; and

WHEREAS, those who were represented in this undertaking, mutually agreed that any subsequent changes in the land use code should be made on a consensus basis, through an undertaking by these same stake holders; and

WHEREAS, on the 23rd of January, of 2006, Senate Bill 170 Land Use Amendments, was proposed for passage in this years legislative session in contradiction of the intent of the stake holders involved in the drafting of last years Land Use Bill; and

WHEREAS, Senate Bill 170 has received no input in the drafting from the Cities or Counties of this State nor from some of the other interested stakeholders involved in the 2005 legislation; and

WHEREAS, among the many objections that may be raised the language of this bill, the following are issues in Senate Bill 170 that are strongly opposed by this City and its Citizens:

1. It takes away and disregards the opportunity for public input to the City's elected officials on a zone change, on an individual parcel of land, even though such a change may have significant effect on neighbors and adjacent landowners.
2. It seriously compromises the ability of local elected officials to balance the interests of developers and neighbors in making essential land uses decisions.
3. It gives the development community the ability to control the development processing our community and establishes intimidating penalties for officers and employees of the City, both criminal and civil, for failure to comply with that process.
4. It presents unmanageable, if not impossible, time lines for the City's consideration of a land use decisions, under pressure of an automatic approval if those time frames are not met.
5. It eliminates the City's ability to plan long term, through its General Plan, as well as eliminating meaningful public input into the General Plan.
6. It Eliminates the City's ability to provide for the protection of surrounding property values, by imposing conditions for such protection according to the development proposal.
7. It gives a complete presumption of validity to the decisions of experts used by the developer to validate a development request, unless rebutted by a City expert.
8. It requires the reevaluation and redrafting of all the City's Capital Facilities Plans for all impact fees within six months from that date of the passage of the bill to include new requirements regarding infrastructure valuation, despite the fact the City has kept its Capital Facilities Plan up to date.
9. It effectively removes the public from participation in what should be a very public process.

NOW, THEREFORE, be it resolved by the Spanish Fork City Council as follows:

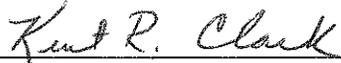
1. That Spanish Fork City hereby expresses, in the strongest terms possible, its opposition to Senate Bill 170, Land Use Amendments, Sponsored by Senator Alma Mansell, together with any amendments which are not consensual with the stakeholders of the 2005 legislation.
2. That Spanish Fork City hereby requests that Mark Madsen, Mike Morley, and Aaron Tilton (our Senator and Representatives) oppose this legislation.

DATED this 7th day of February, 2006



JOE L THOMAS, Mayor

ATTEST:



KENT R. CLARK, City Recorder

