

Adopted Minutes
Spanish Fork City Planning Commission - Work Session
June 1, 2005

Agenda review at 6:30 p.m. by Mr. Pierson

The meeting was called to order at 7:00 p.m. by Chairman Bradford.

Commission Members Present: Chairman Paul Bradford, Assistant Chairman Del Robins, Chris Wadsworth, Ted Scott, Sherman Huff. Dave Lewis is excused.

Staff Members Present: Emil Pierson, City Planner; Richard Nielsen, Assistant Public Works Director; Shawn Beacher; Christine Johnson, Assistant City Attorney; Tricia Breinholt, Secretary.

Citizens Present: Mary Isaac, Wayne Andersen, Gerald L. Hill, Gordon Clement, JoAnne Clement, Russell Olsen, Rex Larsen, Sherrie Larsen, James K. Thomas, Vicki Thomas, Pat Swenson, Glen R. Larsen, Tim Morgan, Frank Christiansen, H. Dennis Johnson, Paul B. Hansen, Roger Jones, Mick Balzly, Glen Thomas, K. Thomas, David Woodhouse, Tom Woodhouse, Clair Christensen, Lana Creer Harris, Jeff Clark, Jenny Baadsgaard, Howard N. Creer, Betty Larson, Ted W. Larson, Verta T. Robertson, Jolene Robertson, Sherry Eaton, James Eaton, Kent W. Huff, Jonathan Huff.

The pledge of allegiance was led by Commissioner Del Robins.

Minutes

Gerald Hill Annexation

Mr. Pierson presented the proposal for the Gerald Hill property annexation. This property is currently zoned in the Utah County area. He stated that this property is within our annexation and city growth boundaries. Within the annexation, no real general plan has been previously shown for this area. When the city looks at something in draft format, the recommendation can be made from that draft format. He showed minutes from Development Review Committee meeting and stated that staff's recommendation included the properties in which the owners have not signed the petition. Several property owners did not sign the petition. If the Planning Commission gives a positive recommendation and it goes to City Council, it could go to a forced annexation on those owners. Mr. Pierson stated that it is not allowed to create a peninsula or an island in the annexation. The homes on the north side are already on some of the city's utilities. He showed that the policy declaration boundary is along the railroad and the growth boundary is showing the northern area above the single family homes.

Chairman Bradford invited Gerald Hill to speak about his reasons for wanting this annexation.

Gerald Hill stated that he would like to do this because he feels like the timing is right and he thinks that it would be easier for him to work with Spanish Fork City rather than Utah County. His son would like to build a home on 300 West and would like to hook up to the Spanish Fork City's utilities. He does not want to go through Utah County. He stated that other than that, he doesn't really have any future plans for it. He believes that the property owners that did not sign the petition did not necessarily object to it. He stated that they have an agricultural interest within their family, and they would like to keep it that way. His main interest is to build the home on 300 West.

Chairman Bradford stated that they would like to add a change to the addresses, changing them from county addresses to city addresses.

Councilman Wadsworth confirmed with Mr. Hill that the Binks, the Lockharts, the Sorensens and the Wilsons are not totally opposed, but that they aren't emphatically for it. Mr. Hill stated that they are unsigned, but are not opposing.

Commissioner Robins asked if annexation requests are done in a public hearing. Mr. Pierson stated that it is not required. Commissioner Robins asked if there was anyone here that had any comments or questions. There was no response from anyone present.

Councilman Wadsworth asked what this would do to the homeowners' rights. Mr. Pierson stated that they would have lower taxes in the city rather than the county's tax rates. Chairman Bradford reiterated that there would not really be any objection to anything financially. Mr. Pierson stated there is not any real difference that way, just that they would now be a Spanish Fork City resident whereas they were not before.

Commissioner Huff asked about the Sorenson property and the equipment he stores on his property. Mr. Pierson stated that if he moved it for a year or more, then his non-conforming status would be lost, otherwise, it would stay the same. If it were unsightly or a danger to neighbors then the city would go in and enforce that at the time.

Commissioner Huff made a **motion** to make a positive recommendation for the Gerald Hill Annexation to City Council with following conditions, as stated in the Development Review Committee minutes:

1. All properties must be hooked up to the city utilities to meet the city service requirements upon annexation.
2. Mr. Hill's son's home to be built on the northeast corner of the property as mandated by an annexation agreement.
3. The homes within the annexation to be assigned city addresses.
4. Property to be zoned Rural Residential (R-R).

Commissioner Scott **seconded**, and the motion **passed** with a unanimous vote.

Commissioner Robins made a **motion** to move into work session. Commissioner Huff **seconded**, and the motion **passed** with a unanimous vote.

Work Session

General Plan – Land Use Section – Leland

Chairman Bradford explained that tables are set up and maps put on the tables so that those present could look at the maps and make recommendations for the areas of their concerns. These recommendations will be conjoined onto the map at a later time.

Mr. Pierson presented recommendations to create a vision for the residents, from his viewpoint, and stated that he would then like for them to go through the maps and put their input on the maps showing their own visions of Leland. He reiterated that he would like for them to mark the maps with what their own viewpoints are then these maps will be reviewed by the Planning Commission. He stated that the goal of tonight is to hear their ideas, not to preach them over a podium. He explained that the Planning Commissioners would be out there walking around to explain things and answer questions.

Lana Creer-Harris stated that her husband is not here tonight and presented a letter that she would like noted in the minutes. Commissioner Huff stated that the letter could be noted in the minutes. The letter is as follows:

“June 1, 2005

Dear Gentlemen;

My husband and I live in Leland, at 1657 West 900 South. We like the area as it is now – open spaces, neighbors raising livestock, quiet streets. We do not want to see the area re-zoned with smaller lots, or heavy business traffic. We expect the City to maintain the streets and infrastructure they commandeered when they absorbed our part of the County. But we live here for a reason, that reason does not include close neighbors or fast food joints down the street.

We understand there is an undeveloped freeway exit to the west of us, and that area is more than likely going to be home to box stores and fast food chains. But we think there should be some green space still visible between the freeway and Spanish Fork Main Street. There should be a few old trees. There is a reason people choose to live out here, and re-zoning could ruin that. What is wrong with a buffer zone of large green spaces between the freeway and the closer packed city streets?

We are not anti-growth, but we believe the City should carefully consider how it grows. Do we want an ambiance of closely packed subdivisions, busy streets, or do we want open spaces occasionally, a warmer rural atmosphere? Green spaces that are not ball parks or golf courses? I think demand would be high for homes, on large plots of land inter-spaced with pastures. Not

everyone in the world wants to live in a stucco ghetto. We urge the City Planners to ignore the siren call of more income from tightly packed residents and look at the bigger picture of quality of life.

I think the culture of Central Utah County should continue to contain elements of that which made it habitable in the first place. Agriculture is still important in this area although few people can make a living doing nothing else, there are many who work the land and raise food for man and animal.

There should be a place, where people who want to, can put a horse or two in their back acreage. Their kids should have a place to roam without having to look both ways every few seconds. They should be able to enjoy what we do now, sitting on our back porch looking out, smelling the warm farm smells, hearing the cattle and horses, watching birds and generally feeling un-crowded.

Sincerely,

Lana Creer-Harris
Richard V. Harris”

Chairman Bradford stated that we are starting this public work session at 7:45 and we would like to limit it to one hour.

Commissioner Lewis joined the meeting during work session.

Meeting called to order at 8:40. Chairman Bradford expressed thanks and appreciation to those present for taking the time to come tonight. Their appreciation was also expressed to the planning commission.

It was asked if once the maps were put back together, if there is a way that the residents can see what is proposed before the time it goes to Planning Commission. Mr. Pierson stated that it has to go to public hearing before it can be passed. Commissioner Robins stated that they would need to watch for the agendas on the city website. Mr. Pierson stated that they are welcome to come to the future Planning Commission meetings. Commissioner Robins stated that they can also go to Mr. Pierson's office before the next meeting, in about two to three weeks to see. Mr. Pierson stated that the agendas are posted about a week before the meeting. Mr. Beacher showed how to navigate to the agenda on the city website.

Councilman Wadsworth stated that he is willing to create an email group. Mr. Pierson stated that he could work that through Connie Swain.

Mr. Pierson stated that ten days prior to the meeting, it will be posted on the city website under public meetings. Commissioner Robins stated that the Planning Commission puts a high priority on the public input.

It was asked at what point a developer becomes vested. Mr. Pierson stated that a developer has already made a deal with the land owner before he buys the property. They are vested once they submit their paperwork and pay their fees, as long as they are meeting the city ordinances. The zoning and the subdivision happen together. He stated that the reason that we do a general plan is because the general plan dictates what the future will hold. Mr. Pierson showed that spot zoning is when the council approves one property within a zone and make it a different zone.

Mr. Pierson stated that he and Shawn Beacher will go through all the maps and look for areas that are similar to each other, then they would map those out and present it to the Planning Commission. Then a public hearing would be held and statements could be made. He stated that he is hoping the public hearing will be at the beginning of August.

Councilman Wadsworth asked if the Planning Commission could have another work session after the maps have all been compiled. Mr. Pierson stated that would be up to the Planning Commission.

It was asked if the 500 feet that the developer is required to notify could be changed to a higher number. Councilman Wadsworth stated that he has asked the same question several times. He stated that it is resources. He has been talking to state legislators and they may be able to use an interactive phone response. State code right now does not allow for that. It would cast a much wider net and reach more people. It would also be less expensive than standard mailings. Mr. Pierson stated that it is also posted in the newspaper, the Spanish Fork Press and the Daily Herald. Lana Creer stated that she believes that the Herald as the paper of choice is a disservice because it is such a small font and not everyone takes the Herald. Commissioner Robins reminded that it is also put on the website now.

Commissioner Lewis clarified that if an area was zoned for a certain proposal, and the proposal is of the same zone, it cannot be denied. Mr. Pierson concurred that if they are bringing a proposal that meets the ordinance, it is by law that they cannot say no.

Commissioner Robins asked about a master plan development. Mr. Pierson showed how zoning works and how developers can offer amenities in order to increase the density. The Planning Commission and City Council then look at what is being offered and make their decision by trying to balance things out.

Motion to adjourn made by Commissioner Robins and seconded by Commissioner Scott. The meeting adjourned at 9:25 p.m.