



ENT 87965:2014 PG 1 of 3  
 JEFFERY SMITH  
 UTAH COUNTY RECORDER  
 2014 Dec 05 4:29 pm FEE 0.00 BY CLS  
 RECORDED FOR UTAH COUNTY COMMISSIONERS

**ORDINANCE NO. 2014-11**

**AN ORDINANCE AMENDING SUBSECTION 7-24-C-4 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATIVE TO REQUIREMENTS FOR AMENDMENTS TO THE ZONING MAP WHICH CHANGES THE ZONING OF PROPERTY TO THE RURAL RESIDENTIAL (RR-5) ZONE**

**WHEREAS**, the Utah County Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Subsection 7-24-C-4, relative to requirements for amendments to the zoning map which changes the zoning of property to the Rural Residential (RR-5) Zone; and

**WHEREAS**, the Planning Commission addressed the proposed amendments to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, scheduled and held a public hearing regarding the proposed amendments, and made a recommendation to the Board of County Commissioners regarding the proposed amendments; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendments, and the minutes from the Utah County Planning Commission meeting and public hearing regarding the proposed amendments to the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendments to the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners finds that the proposed amendments to the Utah County Land Use Ordinance are in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

**Part I:**

Subsection 7-24-C-4 of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-24 POWERS AND DUTIES OF THE COUNTY COMMISSION

C. The County Commission may amend, change, or modify any provisions of the land use ordinance or zone map provided:

4. Any amendment to the zoning map which changes the zoning of property to the RR-5 Rural Residential Zone, shall be subject to the following restrictions and conditions:

- a. The property to be rezoned must be located not closer than two (2) miles from the boundaries of any incorporated municipality, as measured from the closest property line of the property to be rezoned, and must not be located within two (2) miles from the boundaries of any other property which has been rezoned within the previous five (5) year period, as measured from the closest property line unless either:
  - i. The County Commission approves a zone change upon finding the requirements of subsection (a) would hinder the intent of promoting the orderly transition of new developments into incorporated municipalities, or:
  - ii. The property to be rezoned is contiguous to, or within reasonable proximity of, land which has been rezoned within the previous five (5) year period such that the parcel to be rezoned can reasonably and cost effectively connect to services provided, or proposed to be provided, by the developer(s) on the previously rezoned parcel.
- b. The maximum contiguous area of property subject to rezoning to the RR-5 Rural Residential Zone shall be seventy five (75) acres.
- c. A Large Scale Development Plat encompassing all of the rezoned property shall receive approval by Utah County and be recorded in the office of the Utah County Recorder within four (4) years from the effective date of the amendment to the zoning map and the rezoning of the property, or the amendment of the zoning map and the rezoning of the property shall be void, and the zoning map and zoning of the property shall automatically revert to the status of the zoning map and the zoning of the property as they existed prior to the effective date of the amendment, and any unrecorded Large Scale Development Plat approval related to the rezoned property shall be void.

Exception: In a planned unit development which has been approved as a phased planned unit development, the amendment of the zoning map and the rezoning of the property shall be void, and the zoning map and zoning of the property shall automatically revert to the status of the zoning map and the zoning of the property as they existed prior to the effective date of the amendment, and any unrecorded Large Scale Development Plat approval related to the rezoned property shall be void, unless

- i. phased planned unit development plats encompassing all of the rezoned property have received approval by Utah County within four (4) years from the effective date of the amendment to the zoning map and the rezoning of the property,
- ii. the initial plat of the phased planned unit development has been recorded in the office of the Utah County Recorder within four (4) years from the effective date of the amendment to the zoning map and the rezoning of the property, and
- iii. all subsequent phased planned unit development plats, encompassing all of the rezoned property, have been recorded in the office of the Utah County Recorder within seven (7) years from the effective date of the amendment to the zoning map and the rezoning of the property.

### **Part III:**

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

**Part IV:**

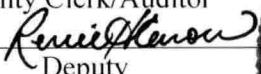
If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

**Part V:**


This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 4th day of November 2014.

<b>UTAH COUNTY COMMISSION</b>	<b>VOTE</b>
 _____ GARY J. ANDERSON, CHAIR	<u>aye</u>
 _____ LARRY A. ELLERTSON, COMMISSIONER	<u>aye</u>
 _____ DOUG WITNEY, COMMISSIONER	<u>aye</u>

**ATTEST:**  
**BRYAN E. THOMPSON**  
County Clerk/Auditor  
By:   
Deputy



**APPROVED AS TO FORM:**  
**JEFFREY R. BUHMAN**  
County Attorney  
 Approved  
 Disapproved  
By:   
Deputy

Date of Publication: Once only, as soon as possible

October 21, 2014

(Continued from the September 23, 2014 Utah County Planning Commission meeting)

## UTAH COUNTY PLANNING COMMISSION STAFF REPORT

- I. APPLICATION:** - **Public Hearing**
- A. APPLICANT** - **Utah County Planning Commission**
- B. REQUEST** - **Proposed Utah County Land Use Ordinance text amendment to Subsection 7-24-C-4, related to requirements for amendments to the zoning map which changes the zoning of property to the Rural Residential (RR-5) Zone**
- C. LOCATION** - **Unincorporated Utah County**

## II. ZONING ADMINISTRATOR'S REVIEW:

In 2008, issues relative to the future growth of the County and identifying locations for where a developer could "most successfully" develop in the unincorporated County were discussed in a number of meetings of the Utah County Planning Commission. Out of these meetings, and from work from behind the scenes, came a number of proposed amendments of the Utah County Land Use Ordinance (UCLUO), including, but not necessarily limited to, revision of Section 6-2 (PUDs) the elimination of Section 6-6 (Manufactured Home Parks), changes to the RR-5 and TR-5 Zones to facilitate changes to Section 6-2, and expansion of Section 7-24 (Powers and Duties of the County Commission). These meetings appeared to have been motivated, at least in part, by the proposal(s) of Cole Cannon to develop land, and eventually establish a town, in the West Mountain area of the County.

The RR-5 Zone received quite a bit of attention in relation to the considerations and proposals referenced above. Amendments to the "Declaration of Legislative Intent" of the RR-5 Zone were proposed and adopted. The following language was added to said intent:

- The Zone may also facilitate the creation of new incorporated municipalities where services are available or have been provided by the developer.
- To provide for the transition of certain lands in unincorporated Utah County into a new incorporated municipality.

Additionally, location requirements in connection with the rezoning of property to the RR-5 Zone, as it relates to the proximity of municipalities and existing RR-5 Zones, were proposed and adopted, as follows:

### 7-24: POWERS AND DUTIES OF THE COUNTY COMMISSION

- C. The County Commission may amend, change, or modify any provisions of the land use ordinance or zone map provided:

4. Any amendment to the zoning map which changes the zoning of property to the RR-5 Rural Residential Zone, shall be subject to the following restrictions and conditions:
  - a. The property to be rezoned must be located not closer than two (2) miles from the boundaries of any incorporated municipality, as measured from the closest property line of the property to be rezoned, and must not be located within two (2) miles from the boundaries of any other property which has been rezoned within the previous five (5) year period, as measured from the closest property line unless either:
    - i. The County Commission approves a zone change upon finding the requirements of subsection (a) would hinder the intent of promoting the orderly transition of new developments into newly incorporated municipalities, or:
    - ii. The property to be rezoned is contiguous to, or within reasonable proximity of, land which has been rezoned within the previous five (5) year period such that the parcel to be rezoned can reasonably and cost effectively connect to services provided, or proposed to be provided, by the developer(s) on the previously rezoned parcel.

Staff believes consideration should be given to amending the location requirements for rezoning land to the RR-5 Zone to establish some flexibility to allow for the approval of zone map amendments to the RR-5 Zone for land within two (2) miles of a municipality when the County Commission finds that such proposal would promote the orderly transition of new developments into an existing municipality.

The following subsection of the Utah County Land Use Ordinance is proposed to be amended (deletions are ~~struck out~~), as follows:

**Utah County Land Use Ordinance**

7-24: POWERS AND DUTIES OF THE COUNTY COMMISSION

- C. The County Commission may amend, change, or modify any provisions of the land use ordinance or zone map provided:
  4. Any amendment to the zoning map which changes the zoning of property to the RR-5 Rural Residential Zone, shall be subject to the following restrictions and conditions:
    - a. The property to be rezoned must be located not closer than two (2) miles from the boundaries of any incorporated municipality, as measured from the closest property line of the property to be rezoned, and must not be located within two (2) miles from the boundaries of any other property which has been rezoned within the previous five (5) year period, as measured from the closest property line unless either:
      - i. The County Commission approves a zone change upon finding the requirements of subsection (a) would hinder the intent of promoting the orderly transition of new developments into **newly** incorporated municipalities; or
      - ii. The property to be rezoned is contiguous to, or within reasonable proximity of, land which has been rezoned within the previous five (5) year period such that the parcel to be rezoned can reasonably and cost effectively connect to services provided, or proposed to be provided, by the developer(s) on the previously

rezoned parcel.

### Applicable Ordinances and Laws

The following are ordinances and laws pertaining to this request:

1. **Section 17-27a-503** of the Utah Code establishes requirements relative to land use ordinance or zoning map amendments.
2. **Section 1-2** of the Utah County Land Use Ordinance identifies the intent and purposes of the Utah County Land Use Ordinance.
3. **Subsection 5-3-A** of the Utah County Land Use Ordinance is a "Declaration of Legislative Intent" for the Rural Residential (RR-5) Zone.
4. **Subsection 7-23-C** of the Utah County Land Use Ordinance establishes the criteria for Planning Commission recommendation of approval to the County Commission for any land use ordinance or zone map amendment.
5. **Section 7-25** of the Utah County Land Use Ordinance establishes requirements and provisions relative to amendments to the Utah County Land Use Ordinance and the zoning map.

### **III. STAFF FINDINGS:**

1. The application for a land use ordinance amendment appears to meet the requirements of Sections 7-23-C and 7-25 of the Utah County Land Use Ordinance, which establishes the criteria for Planning Commission recommendation of approval to the County Commission for a land use ordinance amendment, because of the following:
  - In the "Housing as a land use" paragraph of the Land Use Element (Chapter 5), 2006 Utah County General Plan, preference for the location of residential development is set forth. Accordingly, the highest priority location for residential development is within a municipality. The next highest priority location is "in areas adjacent to those municipalities which are included within an annexation boundary of a municipality." Further, in the "Residential Area" paragraph of the Land Use Element (Chapter 5), 2006 Utah County General Plan, it states: "New areas of residential designation should not be approved except for the expansion of existing residential zones when roads, central sewer systems, topography, central water systems and fire protection indicate that such expansion is feasible." It may make sense to make some allowance for RR-5 Zoning adjacent to municipalities, including expansion of existing RR-5 zones, when the rezoning of land will promote the orderly transition of new developments into incorporated municipalities and when roads, central sewer systems, topography, central water systems and fire protection indicate that an expansion is feasible. It should be pointed out that there are RR-5 zones bordering a number of municipalities in the County, including, but not necessarily limited to, Payson, Santaquin, Woodland Hills, Salem,

- Spanish Fork, Pleasant Grove and American Fork.
- This proposal may promote residential development of land that is prime agricultural land, however, the intent of this proposal is to make an allowance for the rezoning of land to the RR-5 Zone, when such rezoning would promote the orderly transition of new developments into incorporated municipalities. It would appear the land that would be in best position to be rezoned to the RR-5 Zone, to promote the orderly transition of new developments into incorporated municipalities, would be land adjacent to municipalities. Land adjacent to municipalities may already be in an annexation declaration policy and is a likely place for future residential development.
  - As per Subsection 1-2-A of the Utah County Land Use Ordinance, this application would encourage and facilitate orderly growth and development in the County.
  - A portion of the "Declaration of Legislative Intent" for the RR-5 Zone states the following: "The area included within the zone is composed of relatively small parcels of land which are used for agricultural purposes but where residential use is increasing." The subject proposal would make allowance for approval of rezone applications for areas of the County where residential use is increasing and when the rezoning of land will promote the orderly transition of new developments into incorporated municipalities.
  - This proposal appears does not appear to negatively affect the health, safety and welfare of the public.
2. The intent of this amendment is to establish some flexibility to allow for the approval of zone map amendments to the RR-5 Zone for land within two (2) miles of a municipality when the County Commission finds that such proposal would promote the orderly transition of new developments into existing municipalities.
  3. This proposal appears to promote annexation of residential development into a municipality.

#### **IV. ZONING ADMINISTRATOR'S POSITION:**

That the Utah County Planning Commission recommend approval to the Utah County Commission of the proposed amendment to the Utah County Land Use Ordinance Subsection 7-24-C-4, relative to requirements for amendments to the zoning map which changes the zoning of property to the Rural Residential (RR-5) Zone, subject to the following:

1. That the application for amendment meets the criteria for approval as per Sections 7-23-C and 7-25 of the Utah County Land Use Ordinance.

UTAH COUNTY PLANNING COMMISSION

UNAPPROVED

Minutes  
October 21, 2014

Present: John Glen Stevens, Chair  
Eldon A Neves  
Mike Stansfield  
Janice Reeb  
Carol Thorne  
Thomas Liddle

Excused: Janice Reeb  
Helina Carter-Thomas

Bryce Armstrong, Associate Director, Community Development  
David Shawcroft, Deputy County Attorney  
Joshua Ivie, Secretary

OTHERS PRESENT: Peggy Kelsey, Brandon Larsen, Robert May, Utah County Community Development; Melvin Luthy, applicant.

The meeting was called to order at 5:32 PM by John Glen Stevens, Chairman of the Utah County Planning Commission at 100 E Center St, Room 1400, of the Utah County Administration Building, located in Provo, Utah. Carol Thorne led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion: Thomas Liddle                      Second: Mike Stansfield

Motion to **approve** the minutes of the September 23, 2014 meeting of the Utah County Planning Commission. The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none.

**Kathryn A. McDaniels - Proposed Elberta Townsite Subdivision, Plat "C", being an amendment of Lots 11 & 12 of Block 54, Elberta Townsite in the Rural Residential (RR-5) Zone, Section 8, T10S R1W, located at approximately 14720 South and Whitney Ave., Elberta area of Utah County (continued from August 19 and September 23, 2014 Planning Commission meetings)**

Brandon Larsen, staff, explained that the applicant has encountered a problem with the siting of septic tanks. Larsen stated that it has been the intent of the applicant to combine several parcels together, but the applicant has discovered the need to add additional parcels to facilitate the proper siting of future septic tanks.

Motion: Mike Stansfield                      Second: Thomas Liddle

Motion to **continue** the Proposed Elberta Townsite Subdivision, Plat "C" agenda item to the November 18, 2014 Planning Commission meeting.

The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none.

**Melvin J. Luthy - Proposed Utah County Land Use Ordinance text amendments to Section 3-20 and Subsections 6-3-C & D, relative to water quality for water sources for lots and parcels of land (referred back to Planning Commission from August 19, 2014 County Commission meeting and continued from September 23, 2014 Planning Commission meeting) [Public Hearing]**

Brandon Larsen briefly summarized the history of the application to the Planning Commission and reviewed for the Commission the original proposal of the applicant. Larsen explained that the staff, through discussions with the Utah County Health Department and the Utah County Attorney's Office, believes that the Utah County Land Use Ordinance (UCLUO) should not establish public health requirements. As such, Larsen recommended to the Planning Commission disapprove the applicant's proposal, and recommend to the County Commission the proposal put forth by staff.

Thomas Liddle inquired as to why the proposal was remanded back to the Planning Commission from the County Commission.

Eldon A Neves asked why the UCLUO contemplated health concerns to begin with. Larsen explained that there were additions made to the UCLUO related to water quality, circa 2008-2009.

Bryce Armstrong, staff, added that the Health Department has always had policies and suggested that the UCLUO was amended to remedy problems that the Health Department was encountering relative to land use.

Mike Stansfield asked about how the staff's proposal affects the applicant.

David Shawcroft explained that the applicant's water source had been tested after the application was made and was found to meet all related requirements without any treatment.

Bryce Armstrong clarified that the applicant would be obligated to meet the Health Department requirements regardless of the language of the UCLUO.

Eldon A Neves questioned whether or not the Planning Commission should contemplate Health Department regulations.

Melvin Luthy, applicant, addressed the Planning Commission. Luthy addressed the nature of his proposal, stating that he felt that, had it been accepted, it would have benefitted multiple residents of the county. As such, Luthy explained that he has not wanted to withdraw his application. Luthy stated that he hopes that the Health Department will be sympathetic. Luthy asked whether or not things were "back to square one" and whether or not the County Commission had authority over the Health Department.

Bryce Armstrong summated that the UCLUO was attempting to apply public health requirements relative to land use; Armstrong added that the Health Department already has requirements in place that must be met before elements of land use, such as building permits, can be exercised. Armstrong

stated that what the staff has proposed eliminates an extra layer of requirements—in essence, if an applicant meets the Health Department requirements, they will not be burdened unduly by the UCLUO.

Eldon A Neves is concerned that the absence of the Planning Commission in such discussions limits public input. Armstrong reiterated that the Health Department's requirements exist independently from any requirements that the UCLUO may contemplate.

*There was brief discussion about how regulations are approved for the Health Department and which entities have jurisdictional influence over the Health Department. There was also discussion about how, if the staff's proposal were to be approved, how the process would be different from how it is currently. It was also explained that the Health Department's requirements will take precedence over any requirements that may have been included in the UCLUO.*

David Shawcroft clarified that, should the staff's proposal be approved, if an applicant meets the Health Department's requirements, by default they have met the requirements of the UCLUO.

Motion: Thomas Liddle

Second: Carol Thorne

Motion to open the public hearing. The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none.

There was no additional public comment.

Motion: Thomas Liddle

Second: Carol Thorne

Motion that the Utah County Planning Commission recommend to the Utah County Commission **denial** of the above land use ordinance amendment to Subsection 6-3-C-7-e, requirements related to water quality for wells in subdivisions, due to the following:

1. The application for the proposed land use ordinance amendment does not appear to meet all the requirements of Sections 7-23-C and 7-25 of the Utah County Land Use Ordinance, which establishes the criteria for Planning Commission recommendation of approval to the County Commission for a land use ordinance amendment

The motion passed by the following vote: "Aye", John Glen Stevens, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none. Eldon A Neves abstained.

Motion: Thomas Liddle

Second: Mike Stansfield

Motion that the Utah County Planning Commission recommend **approval** of Utah County Community Development Staff's recommendation to amend Section 3-20, Subsection 6-2-D-11, Subsection 6-3-C-7-e, Subsection 6-3-C-7-i, Subsection 6-3-D-9-b, Subsection 6-3-D-10, Subsection 6-4-D-11, Subsection 6-5-D-11, and Subsection 6-6-D-7 of the Utah County Land Use Ordinance, relative to Health Department approval of water and sewage facilities for various land uses, water quality requirements for subdivisions, and clarification of standards and requirements for water systems in all large scale development types, as specified in the Staff Report.

The motion passed by the following vote: "Aye", John Glen Stevens, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", Eldon A Neves.

**Utah County Planning Commission - Proposed Utah County Land Use Ordinance text amendment to Subsection 7-24-C-4, related to requirements for amendments to the zoning map which changes the zoning of property to the Rural Residential (RR-5) Zone (continued from September 23, 2014 Planning Commission meeting) [Public Hearing]**

Brandon Larsen explained that the UCLUO currently states that, unless exceptions are made, properties in the RR5 zone cannot be within two miles of the boundary of an incorporated municipality. Larsen believes that the distance restriction is helpful, as the intent is to create "seeds" for incorporated communities, but that it would be occasionally helpful to have some flexibility to allow for some RR5 zoning near municipalities (on a limited basis).

Larsen then explained that the single-word text change to the ordinance would facilitate orderly annexations into incorporated municipalities, not specifically *newly* incorporated municipalities.

John Glen Stevens referenced an email<sup>1</sup> from Commissioner Reeb that was included in the staff report. Larsen spoke briefly about how the two-mile requirement referenced in Reeb's email relates to the intent of the County's General Plan document.

*There was some brief discussion about how this text amendment relates to a previous development discussed by the Planning Commission. Armstrong explained the two-mile requirement is not being removed from the ordinance.*

John Glen Stevens stated that he believes that the text amendment allows for land owners to develop correctly within the county.

There was no public comment.

Motion: Thomas Liddle

Second: Mike Stansfield

Motion that the Utah County Planning Commission recommend **approval** to the Utah County Commission of the proposed amendment to the Utah County Land Use Ordinance Subsection 7-24-C-4, relative to requirements for amendments to the zoning map which changes the zoning of property to the Rural Residential (RR-5) Zone, subject to the following:

1. That the application for amendment meets the criteria for approval as per Sections 7-23-C and 7-25 of the Utah County Land Use Ordinance.

The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none.

Motion: Mike Stansfield

Second: Thomas Liddle

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<sup>1</sup> Email from Janice Reeb to Joshua Ivie, dated 10/15/14.

Motion to close the public hearing. The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Mike Stansfield, Carol Thorne, Thomas Liddle; "Nay", none.

#### **OTHER PLANNING COMMISSION BUSINESS**

#### **Utah County Attorney - Training and discussion on issues related to the Open and Public Meetings Act (continued from September 23, 2014 Planning Commission meeting)**

David Shawcroft explained that there is a statutory obligation for annual training on the Open and Public Meetings Act for members of the Planning Commission. Shawcroft presented slides to the Planning Commission that addressed the statutory obligations stated in said Act.

Though Shawcroft addressed each item within the presentation to the Planning Commission, the Commissioners discussed with Shawcroft a number of specific topics. Among these were notices for electronic meetings, closed versus open meetings, notice requirements and written minutes.

There was also discussion on acting as a member of the Planning Commission outside of a "public meeting" setting, and when it is appropriate for a member of the Planning Commission to recuse themselves for the purpose of representing an applicant.

Bryce Armstrong introduced the section<sup>2</sup> of the UCLUO that explains the powers and duties of the Planning Commission. Armstrong discussed the ordinance with the Planning Commission.

Armstrong also introduced a document containing Judge Dave Rosenberg's "Rosenberg's Rules of Order," which as per the UCLUO, is the parliamentary rule of order for the Planning Commission. Armstrong discussed the rules described within the document with the Planning Commission, highlighting items such as *ex parte* contact, the role of the Chair, the basic format of the agenda, the ability for and context of multiple motions, the motion to limit debate, the motion to reconsider, and withdrawing motions.

There was also some discussion about when it was appropriate for a member of the Planning Commission to address a separate public body on behalf of or as a member of the Planning Commission.

#### **REPORT OF DIRECTOR**

Bryce Armstrong summarized the Utah County Commission's findings relative to the recommendations received by that governing body from the Planning Commission during the previous three months. Armstrong also explained that the Planning Commission's recommendation to the Utah County Commission regarding the veterinary clinic text amendment<sup>3</sup> from the September 23, 2014 Planning Commission meeting has been referred back to the Planning Commission with the request for an alternative proposal to be prepared by staff.

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<sup>2</sup> Chapter 7, Section 23 – "Powers and Duties of the Planning Commission"

<sup>3</sup> For more information, see the September 23, 2014 Planning Commission meeting minutes for the Yoeny D. Calas-Dobson text amendment application and the minutes from the October 7, 2014 County Commission meeting.

**ADJOURN**

Motion: Thomas Liddle

Second: Carol Thorne

Motion to adjourn. The motion passed by the following vote: "Aye", John Glen Stevens, Eldon A Neves, Carol Thorne, Thomas Liddle; "Nay", none. Mike Stansfield had been excused prior to the motion. The meeting adjourned at 7:20 PM.

Minutes respectfully submitted by:

**APPROVED BY:**

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Joshua Ivie, Secretary

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**JOHN GLEN STEVENS, CHAIR**

**Brandon Larsen - Fwd: RE: Packet for the October 21, 2014 Planning Commission Meeting**

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**From:** Josh Ivie  
**To:** Armstrong, Bryce; Larsen, Brandon  
**Date:** 10/15/2014 3:14 PM  
**Subject:** Fwd: RE: Packet for the October 21, 2014 Planning Commission Meeting

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FYI--

Joshua Ivie  
Administrative Assistant  
Community Development  
[JoshI@utahcounty.gov](mailto:JoshI@utahcounty.gov)  
(801) 851-8343

>>> Janice Reeb <[janicereeb@hotmail.com](mailto:janicereeb@hotmail.com)> 10/15/2014 1:12 PM >>>

Thank you, Josh. I do not need a hard copy of the packet sent to me because I am unable to attend the

October 21st meeting. However, I would like to weigh in with what would be almost certainly a minority observation regarding item E-2: Proposed UCLUO text amendment proposal for Subsection 7-24-C-4 to "promote the orderly transition of new developments into existing municipalities." Although staff findings #1-3 verify that the change to the text amendment does indeed, "...appear to promote annexation of residential development into a municipality," which is stated as priority number one of the "Satellite Green Belt" form of zoning, it is my observation that doing away with the requirement to leave a 2 mile green belt around new development(s) insures that Utah County will perpetuate the "urban sprawl scenario" that has developed along the I-15 Urban corridor. This one statute may have had some teeth in it. While it may be, "The intent of this amendment is to establish some flexibility to allow for the approval of zone map amendments to the RR-5 Zone for land within two (2) miles of a municipality when the County Commission finds that such proposal would promote the orderly transition of new developments into existing municipalities," it seems clear that doing away with the two mile open space requirement also contradicts the core intent of the county's general plan to preserve and protect the rural and agricultural nature of Utah County set forth so explicitly in the General Plan.

Considering the projected growth for the county, such accommodation in the UCLUO may be a necessity, but I again contend that we should "call a spade a spade" so that by re-naming "Satellite Green-Belt Zoning" more appropriately the County may be better prepared to address the "conflicting" priorities to preserve the rural/agricultural nature of the County that are apparent when looking at the present zoning maps. Best wishes, Janice

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Date: Wed, 15 Oct 2014 09:52:34 -0600

From: [JoshI@utahcounty.gov](mailto:JoshI@utahcounty.gov)

To: [mikes@fairwaysmag.com](mailto:mikes@fairwaysmag.com); [hcarterthomas@gmail.com](mailto:hcarterthomas@gmail.com); [johngstevens@gmail.com](mailto:johngstevens@gmail.com); [tomeliddle@gmail.com](mailto:tomeliddle@gmail.com); [carolwthorne@hotmail.com](mailto:carolwthorne@hotmail.com); [janicereeb@hotmail.com](mailto:janicereeb@hotmail.com); [BrandonL@utahcounty.gov](mailto:BrandonL@utahcounty.gov); [BRYCEA@utahcounty.gov](mailto:BRYCEA@utahcounty.gov);

Daves@utahcounty.gov; LarryE@utahcounty.gov; PEGGYK@utahcounty.gov; RobertMa@utahcounty.gov;  
eldonneves@yahoo.com

Subject: Packet for the October 21, 2014 Planning Commission Meeting

Hi all,

Attached, please find the packet for the October 21, 2014 Planning Commission meeting. If you have any questions or concerns, please feel free to let me know.

Please note: You will continue to receive a hard-copy of the packet delivered to you if you have been receiving it this way in the past. If at any point you would like to receive the packet electronically only, please let me know.

Joshua Ivie  
Administrative Assistant  
Community Development  
[JoshI@utahcounty.gov](mailto:JoshI@utahcounty.gov)  
(801) 851-8343