

Fountain Green Planning Commission Meeting  
Fountain Green City Hall  
February 9, 2023

7:38 p.m.

PENDING MINUTES

Attendance: Bryan Allred, Stuart Krukiewicz, Riley Hansen, Alyson Strait, Jerime Ivory, Aimee Goble, Clint Hansen

Excuse: Curt C. Lund, Tyler Smith, Mark Woods

Citizens in Attendance: Joseph Papenfuss, David Richardson (Steve Bills' son-in-law)

- Bryan calls the meeting to order and asks Heather to read the minutes for the January 12, 2023 Public Hearing. Stuart motions to approve the minutes as read. Jerime seconds the motion all approve. Heather then reads the minutes for the January 12, 2023 regular meeting of the Planning Commission. Clint motions to approve the minutes as read. Stuart seconds the motion and all vote in favor.
- Steve Bills has come to request a lot line adjustment between his two lots at 250 West 500 North, serial #18230 and serial #18232, in the Residential Agriculture (RA) Zone. It is not in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA). The Transportation Plan includes 200 West going north, but the lot line adjustment will not affect that. Riley reads the definition of a lot line adjustment from the Murray City Ordinances. Heather reminds the Planning Commission to review Chapter 10.7 and 10.8. The 2.09-acre lot (s#18230) would have its east line moved ~150' further east and its north line moved ~425' south. This would leave the 2.09-acre lot (s#18230) with 6.0 acre and the lot with 4.72 acre (s#18232) would be left with 0.81 acre. Mr. Bills has plat maps showing the exact measurements of the proposed new plats. Both of these lots would meet or exceed all requirements for building lots within Fountain Green City. After discussion, Jerime motions to recommend approval to the Sanpete County Recorder to allow adjusting the lot lines of Mr. Bills' lots as described above. Clint seconds the motion and all vote in favor. Bryan instructs Heather to write a letter of recommendation for Mr. Bills to take to the County Recorder. Bryan will sign it and deliver it to David Richardson (Mr. Bills' son-in-law living in the house on the proposed 0.81-acre lot) tomorrow. Riley suggests that it would be a good idea to have a copy of the new plats to add to Mr. Bills' file.
- Bryan opens the meeting for nominations for Chairman of the Planning Commission. Clint motions to have Bryan continue as Chairman. Stuart seconds the motion and all agree by acclamation – Bryan will continue as Chairman for another year. Stuart motions for Riley to continue as Vice Chairman. Jerime seconds the motion and all agree by acclamation – Riley will continue as Vice Chairman although he warns the Commission that he will miss at least 3 meetings this coming year. The Mayor has told Bryan and Stuart that he would like a commitment of 80% attendance by all members of the Planning Commission. They suggested that the same commitment should apply to the members of the City Council. Also, it would be helpful if invitees to the Planning Commission would be advised to read Chapter 4 before accepting a position on the Planning Commission so they realize what is expected of them.
- Concerning the question of whether an "historic business district" is spot zoning, Joseph found State Code 10-9a-408 affirms that an "historic district" is not spot zoning as long as it is referred to in the General Plan.

- Bryan asks for a report from Alyson on the work that the committee accomplished at their meeting earlier this evening on the survey questions for updating the General Plan. She is happy with the progress and they are planning to meet again on March 2<sup>nd</sup> at 6 pm. Riley handed out copies of the Utah State Code requirements for a General Plan. Joseph interjects that he noticed that 5<sup>th</sup> class cities/towns are exempted from many of the requirements. Riley agrees and offers to have Heather make copies of his paper that has notes on those exemptions for the members of the Commission.

- The Commission next begins discussion of an Annexation Policy. Most of the Commission members favor the Annexation Policy of Mt. Pleasant City. The #1 goal of an Annexation Policy should be to protect the City. Fountain Green is essentially a "bedroom community" with limited water available. Even though a developer would be required to supply water for any development, there must be a net gain to the City before annexation should be considered. Reduction of lot sizes may be useful in some areas, but if the City decides to allow smaller lot sizes it must be explained in the General Plan. A developer must provide roads to City standards to tie into the City grid if the City has an Annexation Policy. They are also required to provide an in-depth analysis study of impact upon the City. It might be a good idea to also require a second opinion analysis study by a company of the City's choice at the developer's expense.

- Heather passes out copies of the updated Chapter 3.15 and recommends that the Commission look at Chapter 5.4 and 5.10 to bring them into agreement with Chapter 3.15. After discussion, they decide to replace "(through the Mayor)" with "(see Chapter 5.10)" and add "The Recorder informs the Mayor of a request for an appeal and the Mayor calls the Chair of the Board of Adjustment to arrange scheduling a meeting of the Board to hear the appeal." This would be inserted before the last sentence of section 5.10 A.2. Clint motions to have Heather adjust the wording in Chapter 5.4 and 5.10 as described above. Jerime seconds the motion and all vote in favor. Bryan asks Heather to post a Public Hearing for 15 minutes before the next meeting of the Planning Commission in March.

- Heather next points out that the Chapter 3.2 Table has been incorrect for at least a decade: "General Plan" and "Variance" should be separated in their own rows. General Plan should be reviewed by the Planning Commission and decided by the City Council. Variance is not reviewed by either the Planning Commission or the City Council, but decided by the Board of Adjustment. Jerime motions to have Heather fix the Table as described above. Clint seconds the motion and all vote in favor. This will also be presented at the Public Hearing in March.

- Heather passes out copies of the maps that she updated per the City Council decision of December 2021. Comparing these with the Transportation Plan, it is noted that the Transportation Plan has nearly a dozen more streets than the City Map. Riley notes that the new Public Facilities Building should be in block 55 rather than block 58 and the City still has storage facilities east of the old City Hall that should be marked as a Public Facility Zone. Clint notes that there is still a small Public Facility by the Fish Hatchery. Heather asks if she should add the Cemetery and 100 East to the City Map. Riley suggests that maybe we should wait until after finishing the General Plan.

- Bryan asks if there are any more violations to report. Heather asks if Alyson found the City Ordinance dealing with Luis Mora's RV parked on the City street right-of-way within the 50' clear vision line of sight triangle at the intersection of 200 West and 100 South. It is a serious traffic violation which should be in the City Ordinances, but Alyson has not been able to find it and offers to bring it to the attention of the City Council next week. There is a truck parked on State Street in front of Michael Oliver's home, but that is a State

Ordinance violation – not in the City's jurisdiction. Bryan reports that Michael Oliver also has someone renting his basement (an Internal Accessory Dwelling Unit) without a permit. Heather reports that Amy (the Ordinance Enforcement Officer) suggested that when the Planning Commission denies a permit to someone they should give them a letter explaining the denial. The Commission agrees that this is a good idea.

- Alyson would like to help the Planning Commission shorten its meetings. She reports that other Commissions don't have applicants attend their meetings and they have no permit required for sheds less than 200 sq.ft. or temporary structures. The Commission explains that we don't require applicants to attend our meeting, but some want to come for one reason or another. We require permits for all sheds and temporary structures so that we can insure setbacks and irrigation easements are observed. This also discourages unapproved add-ons. Riley thinks that we could treat these situations like a fence: requirements are listed in the Ordinances and people only come to the Commission for a permit if they want to do something outside of the requirements. Enforcement would still be a problem. Riley suggests that if the Commission would consider "summary" minutes to be read before the meeting and then voted on at the meeting rather than reading the minutes in the meeting before voting this would save about 20 or 30 minutes each meeting. They ask Heather to email last month's minutes to each member of the Planning Commission before the next meeting and they will read them and come to the next meeting prepared to vote without reading them in the meeting. Jerime and Clint would like to have hard copies passed out with their Agenda.

- Jerime motions to adjourn the meeting. Clint seconds the motion and all vote in favor. The meeting adjourns at 10:38 pm.