

30 Sept 2014

Good morning Commissioners:

My name is Eldon A. Neves

I'm going to miss Commissioner Anderson and Commissioner Witney and wonder how I'll get up in the morning when you're gone. I do love and appreciate all that the three of you do for me and for the county.

I've been a little bit bummed lately with the way that things are happening with the Community Development arm of the county. I'm not particularly bummed about the employees and staff but the direction of the organization.

Now I'm aware of the fact that the Planning Commission doesn't see all of the development from the county. We only see the applications for subdivisions and for the text amendments, only a half dozen items each month. I can only imagine what else is being perpetrated on the county.

Ninety-six point 7 percent of the applications that come before the Planning Commission are from South Utah County. Almost nothing is now coming from North of Provo or East of the freeway.

I suppose the reason for that is that the rest of the county is all within the municipalities and they do their own planning business. Then of course if the applications are a simple PERMITTED USE or even a CONDITIONAL USE we wouldn't be reviewing them in any case. Someone else does that.

We might want to rename our organization, the Utah County Community Development and Subdivision Facilitation Office. We have become a developer's best friend. In the last two years I can count on my right hand the number of subdivisions that have been recommended to you for denial.

There does not seem to an attempt to follow the direction of the Utah County General Plan or the Utah County Land Use Ordinances as they are written.

The question instead seems to be, "How do we look at the land use ordinances and the Plan and building codes and change those ordinances so that you can build and subdivide and do whatever in hell you want to do?"

I wonder; if the request and application doesn't fall within the constraints of the building codes and ordinances what is wrong with saying, "No! It doesn't fit! You can't build or subdivide here! Go somewhere else!"

It will only be a short time until we on the South side of the lake, the only part of the county left in a somewhat rural condition, are another Daybreak or Lehi or

Herriman, or Mapleton, or Springville, or Spanish Fork. The farming part of Utah County will be gone in ten years if we don't do something.

All that is left now of our farming community in the county is South of the Lake, West of the freeway, to the edge of West Mountain and south to Payson's borders. That's it and there ain't no more!

The Planning Commission is made up of a banker, a real-estate broker, and three developers, along with an environmentalist rancher lady with development ties. Then there is one old cowboy with shit on his boots and fire in his belly and a finger in the dike.

Some of these friends of mine have never said no to anything. It's not in their vocabulary and not in their makeup. A common response just before the motion for approval is, "I believe it's their land, I believe in property rights, and they should be able to do whatever they want with it."

The way we're headed, the time on the Utah County Planning Commission is a waste. No one ever says no! I often wonder, "Why do I go to the effort?"

Why do we have a land use ordinance if it simply means there is a base line from which to then change the ordinance to meet the request? The land use ordinance only serves to give the Community Development a place to start so they can figure out where to go to make the applicant successful.

I am disturbed and amused when I see the pastoral scenes of Utah County in our promotional literature and web sites. I don't see many of these promotional items with scenes of subdivisions and parking lots.

It won't be too long until photographers will have to go to San Pete County to find the pastoral scenes that they require.

Last Tuesday an applicant came in front of the Planning Commission with a plan to bring a small animal clinic three and a half miles west of the freeway on UT Route 77 directly across from the vice-chairman of the Planning Commission.

The land use ordinance currently lists as a permitted use, the establishment of a large animal clinic in the RR-5 zone. It is a permitted use in the agricultural community. Someone, the community, when these ordinances were crafted, decided that it would be wise to have that option available to the farmers and ranchers. They specifically did not think it wise to have the option available to a small animal clinic.

Now the applicant wants to change the text of the land use ordinance itself to allow for a small animal clinic to be built in the RR-5 zone as a permitted use. That completely changes the intent of the ordinance.

Someone or some group and the citizens at one time met and decided that it would serve agriculture to allow for a large animal clinic. They did not include the words, "small animal". I wonder now what has changed to make this different. Why, when it wasn't good for a small animal clinic then, is it good now to make the change? Is it just that someone asked for the change or is it best for agriculture interests?

I believe that the intent of this new application that you'll be looking at in a week or two is being done simply to do a little circle around the land use ordinance and make the end run to establish this business where it isn't needed or wanted.

We don't want this in the neighborhood! There are three large animal veterinary facilities within five miles of this new proposed site. We don't need any more vet clinics in the vicinity. There are ten small animal clinics within ten miles of the proposed site.

The applicant doesn't propose this text change as a **CONDITIONAL USE**. She wants this as a **PERMITTED USE**. The proposed change automatically approves the application for a small animal veterinary clinic. It is that simple. The veterinary owner doesn't even do large animals.

The community is absolutely opposed to this small animal vet clinic coming into the area. While we cannot stop the large animal clinic from being built, we are adamantly opposed to the small animal addition to the Land Use Ordinance, which would effectively bring that facility into our community.

The proposed site across from where I live, adjacent to 7 of my grandchildren, is 3.5 miles from the freeway and if approved this new enterprise would be the first of commercial enterprises to come this far into the rural community. Almost no one wants this.

The Planning Commissioners and the applicant representatives were cautioned to remember that the action on Tuesday was a text amendment and not specific to the application for the small animal clinic.

I was interested that the main arguments were that the lady applicant maintained very beautiful flowers in season and that she usually only had four or five clients for each day. That seemed a rather odd way to argue for a text change of the land use ordinance. They argued that she probably wouldn't even do large animals very often.

Within the past two months Craig Sumsion purchased the land that the Dump people wanted six years ago to use for the transfer station. He bought the land to farm and not to develop. It is becoming economically feasible to farm and ranch if the land is available.

It is my belief that if we obey the intent of the General Plan, the land use ordinances, and the zoning, someone will come and buy and farm the land. It is becoming economically feasible. But the land is not economically feasible to farm if it is cut up into five-acre parcels.

I'd recommend that we don't subvert the land use ordinance and try to figure out how to change it but that we simply obey the ordinance. I know it's an unusual idea.

The community is absolutely opposed to this change, which will result in an approval that is not good or wanted in the community. It is a change to the entire land use ordinance and not to her particular parcel. The suggestion that this is not an approval or disapproval of a specific parcel is not true! That is exactly what this is.

The parcel in question will be automatically approved for a small animal vet clinic if the text of land use ordinance is changed as has been requested. Some one is simply trying to pretend we are too simple to understand what is being perpetrated.

We'll do our best when this issue comes before the Honorable Commissioners. Will you please see that this is not on the Consent portion of the agenda but given a spot on the regular agenda with time for the citizens to voice their concerns?

Thank You,

Eldon

I'd like to make a comment or two about the Utah County General Plan changes. The Planning Commission recommended approval by a vote of 5 to 2 last week. I'm sure it will be coming before this august body in the next week or two.

I hope that this item when it is considered will not be on the Consent portion of the agenda but will be in the Regular portion so that the citizens will be given a chance to comment. I'm not sure if it will be in a public hearing or just at your kind discretion but I think it will be important for the public to have a little time to comment.

I have some strong feelings on the outcome of the vote before the Planning Commission.

In our August meeting we were presented with an application for a change to the General Plan or at least certain parts of the plan. I suggested and it was agreed that it would be important to spend sufficient time to make certain that we get it right since it has been fifteen years since anything was done.

A meeting was scheduled on the 8<sup>th</sup> of September, separate from the normal third Tuesday, to review the Community Development Staff recommendations to help determine the changes needed to be made.

I was in El Paso and then on the road returning on the 8<sup>th</sup>. I was unable to attend the three-hour meeting but it appears that the extensive review wasn't too extensive. During the latest meeting on the 23<sup>rd</sup> of September five of the commissioners decided we'd done enough and the revised portions of the General Plan were approved.

I am adamantly opposed to what took place. I believe we lost a good chance to make effective changes to help save the rural part of South County. There was no real opportunity for public-comment. Perhaps I should acknowledge that the opportunity was there for public-comment but surely not a real desire for that to happen.

I brought in a representative from the Alpine and Provo/Timpanogas Conservation district at the last meeting with the understanding and my belief that we'd be holding subsequent meetings on the revision of the General Plan.

The main focus and intent of a few of the Planning Commissioners was to pat the rep on his head and tell him how much they love him being there but he should have gotten involved much earlier.

In response to my question Mr. Rowley said that he'd have the room full of ranchers and farmers at the next meeting. He simply didn't have time to make the arrangements and do the groundwork.

It was patiently explained to him in simple sentences so he'd understand that he should have somehow discovered the notice that discussions were going to be held on the general plan. "You need to keep better informed! Is that not your responsibility? We have given all the notice that we are legally bound to give. It is not our duty to do any more!"

No we can't delay the decision for another month! Why don't you have this room full of farmers and ranchers, you slacker?"

There was no real desire to get the public involved. The main desire was to keep the public away from the issue and get it approved and to your office as quickly as possible.

Please see that this item is given sufficient notice so that I can get the citizens here in the meeting. Please see that this item is not on the Consent portion of the agenda.

Thanks,

Eldon