

Fountain Green Planning Commission Public Hearing
Fountain Green City Hall
December 9, 2021 7:05 p.m.

Attendance: Bryan Allred, Joseph Papenfuss, Jerime Ivory, Riley Hansen, Clint Hansen

Excuse: Shelith Jacobson

Citizens in attendance: Wendell Jacobson, Gene Jacobson, Chris Samuels (& 3 unknown people), Tyler & Maurie Smith, Jody Beck, Dan Naylor, Kameron Hanson, Ty Evans, Kyle Johanson, Curtis Blackham

Bryan calls the meeting to order and opens the discussion of the proposed zoning changes to:

- the old City Hall at 270 West 100 North – change from Public Facilities to Residential Agriculture. No comments from the Planning Commission members or citizens present.
- the new City Hall/Fire Station at 375 North State – change from Business Commercial to Public Facilities. Gene Jacobson asks if the front setback of 10' will now apply to any future Public Facilities. Clint explains why it has the shorter front setback – an emergency zone change because the City Council and Mayor at the time did not come to the Planning Commission for a permit. When they applied after the fact, the Planning Commission had to deny the permit so the City Council used their emergency powers to change the BC Use Table to allow the new City Hall. Gene suggests that the Planning Commission recommend a conditional use permit to allow the shorter front setback for the new City Hall in the Public Facilities Zone, but leave the current setback requirements for any future Public Facilities. They wouldn't need to renew the conditional use permit each year because there would be no changes to the front setback. The Planning Commission agrees that this is a good idea. Nate Strait arrives (7:18 pm).
- south of the old Fish Hatchery at ~500 North to 600 North and from Fish Hatchery Road to the west City boundary – change from Public Facilities to Residential Agriculture. Some of the citizens want to know why and Joseph explains that originally, the Fish Hatchery intended to expand to the south. Since they built the new Fish Hatchery further west, the owners of the property in question would like to be able to split it and build a few houses. This would require the property to be in the RA Zone because the PF Zone doesn't allow residences.
- the Well House at 170 West 100 North – change from Residential Agriculture to Public Facilities. Bryan points out that in the PF Zone, a sight-obscuring fence would be required on the north and west sides of the Well House property! This would be expensive and Gene Jacobson notes that public utility stations are allowed in the RA Zone – making it unnecessary to change the zone for the Well House. Joseph suggests that the Commission recommend leaving the Well House in the RA Zone with a conditional use permit allowing a utility station without sight-obscuring fencing. No annual renewal of the conditional use permit would be required unless more development around the Well House would annoy the neighbors. Stuart Krukiewicz arrives (7:34 pm).
- Block 30 at 100 North to Center Street and 100 West to State Street – change from Residential Agriculture to Sensitive Lands. Riley shows on the big screen TV that this would only change along the "creek". Tyler Smith is concerned that Sensitive Lands Zone

would prevent him from mowing, trimming the trees, etc. Maurnie Smith is concerned that it would limit how many animals she could have on their property. Gene Jacobson points out that there are only two significant differences between the RA and SL Zones: subdividing for a subdivision and group homes are not allowed in the SL Zone. Joseph points out that the number of animal units allowed is $\frac{1}{2}$ that of the RA Zone as well. Chris Samuels fears that if her property is zoned SL, it will give a negative impact on the property value. Gene Jacobson says this is true, but the Commission points out that the property is still in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) so it will still have that negative impact. The Samuels property is in the Business Commercial Zone at this time. Joseph reports that the State Legislature has changed ~40% of the Land Use Ordinance requirements this year! One change allows a property to be in two zones, but the most restrictive rules apply. Tyler Smith suggests an easement for the "creek", but the Commission says that the Irrigation Company already has an easement for the "creek". Joseph explains that the concern of FEMA is to protect homes from flooding and the SL Zone is to protect the "creek" and its downstream properties from pollution/contamination. Dan Naylor is concerned about how a SL zoning would affect his home because it would clip the corner of his existing house. He has a retaining wall at that point so it should not affect him.

- Bryan explains that the Commission will discuss the suggestions from the public in its regular meeting immediately after this Public Hearing and decide on its recommendations to the City Council and Mayor. It will ultimately be up to the City Council and Mayor to decide on the proposed zone changes.

- Bryan closes the Public Hearing at 8:16 pm.

A handwritten signature in black ink, appearing to read "Heather", with a horizontal line drawn through the middle of the name.