

Minutes of a public hearing to consider passage of a new subdivision ordinance, held on May 21, 1980, at City Hall, 68 East Main Street, at 8:00 P.M.

Present were Mayor Robert Steele, Councilmen Walter Callaway, Fred Thompson and Sherman Jones, City Manager Steve Smith, Dan Mendenhall of the Planning and Zoning Commission and Mrs. Helen Kester representing Lynn Crook, Chairman of the Planning and Zoning Commission, who was unable to attend. Also present were Micheal Olson of the Chronicle, Ethel Evans and Joe Evans, with Ramona Rosenlund acting as clerk.

Meeting was called to order by Mayor Steele who also gave the opening prayer, followed by the pledge of allegiance to the flag.

Mayor Steele asked Mrs. Kester to go through the proposed ordinance page by page after first stating the meeting was to adjourn when forty minutes had been devoted to the discussion of the ordinance. Mrs. Kester said she had a copy of the minutes of the Planning and Zoning meeting held on April 2, 1980, which outlined the parts of the ordinance which the City Council had changed from the copy submitted to them by the Planning and Zoning Commission. Mr. Jones suggested just these items be discussed and it was agreed to do this.

There followed a discussion of item b on page 9; item (1) on page 10; item (f) on page 11; and Section 10 on page 14; also items K and N on page 15. Items K and N on page 15, had reference to whether the developer should pay all expenses involved with putting in on-site water lines regardless of the size. After some discussion it was finally decided that since the size of the line needed would be determined by the size of a development and what was possibly going in beyond the development and so it could not be predetermined and so the ordinance should be left as it reads and at the time a subdivision was to go in the city would better know what size line to require. It was also felt that (b) under item S took care of the problem of what might go in beyond the subdivision. It was thought the developer should stand the cost of the improvements since most of this was passed on to the home owner in the subdivision and the developer was the one making the money, not the city. If the city were required to pay for even part of the water lines it would be the people who had lived here previously to the subdivision who would bear the burden rather than the new ones, which would not be equitable.

Mrs. Kester explained that prior to her term expiring on the Planning and Zoning Commission it had been suggested that another item be added to the ordinance on page 3, Section 3, item B, as follows: "3. Development of any additional property, owned by the same owner and adjacent to that which qualified under Section 3 B, which, when developed and added to the original development exceeds the tenth lot, shall be deemed as a regular subdivision not exempted from this ordinance and may be subject to all the requirements therein." Mrs. Kester had spoken with Lynn Crook and he said leaving this out was an oversight and he thought it should be included. Mr. Thompson suggested this paragraph be added to the ordinance and also include that it would cover all heirs of the owner of the subdivision for a period of five years. There followed a discussion of this paragraph and also whether the paragraph covering how many lots should be declared a subdivision as outlined in Section 3, item B, should be changed to read any thing over three lots rather than anything less than ten. It was finally agreed to leave it at less than ten located on an improved dedicated street and that agreements with individual developers would be made that an improvement district would be declared to take care of sidewalks in the development. Also, it was decided the paragraph suggested by the Planning and Zoning Commission quoted above was not necessary because of the special agreements that would be made at the time the approval of the subdivisions was granted.

A motion to accept the ordinance as it was previously approved by the City Council was made by Mr. Thompson and seconded by Mr. Callaway. The motion passed unanimously.

Mr. Thompson made the motion that the meeting adjourn and Mr. Jones seconded the motion. Motion passed unanimously.

Meeting adjourned at 9:55 P.M.


Approved