

LOCAL VOTER INFORMATION PAMPHLET WASATCH COUNTY

The pamphlet contains a summary of the Ordinance passed by the Wasatch County Council and a fiscal impact by the Wasatch county local budget officer. The ballot question, statements for and against the zone change “The arguments for or against the zone change proposition are the opinions of the authors.”

ORDINANCE 14-08 SUMMARY

AN ORDINANCE CREATING AN AGRICULTURE TEN ACRE ZONE (A-10 ZONE) IN WASATCH COUNTY, AND AMENDING THE WASATCH COUNTY ZONING MAP TO INCLUDE THE NORTH FIELDS AREA IN THE NEWLY CREATED A-10 ZONE. A complete copy of ordinance 14-08 is available in the Wasatch county clerk’s office 25 north main street, Heber city Utah.

Fiscal Impact

“The Wasatch County local budget officer estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt.”

PROPOSITION 12, NORTH FIELDS ZONING CHANGE

Shall the minimum building lot size be changed from 20 acres to 10 acres in the area known as the North Fields. The North Fields area is bounded on the west by the Provo river Mitigation property, on the south by U-113, on the east and south by the Heber City boundary, also on the east by US-40 and on the north by River Road excepting those lands within the North Village Special Service Area?

FOR THE CHANGE OF LOT SIZE

AGAINST THE CHANGE OF LOT SIZE

STATEMENT FOR THE ZONE CHANGE

Statements For and Against In 2001, the County’s General Plan was created from recommendations of a committee of 100 citizens. The General Plan is required by law to be updated at least every five years. A land use sub-committee made up of 25 citizens identified issues of public concern through hearings and surveys. The citizen sub-committee listened to the public, studied the issues, and made land use recommendations to the Planning and County Commissions to formulate the General Plan. The land use sub-committee voted and recommended a ten-acre zone for the North Fields. However, when the General Plan was drafted and passed, the citizen committee’s recommendation of 10-acres was ignored and replaced with 20-acres.

In 2005, another committee was formed to revisit zoning. That committee voted unanimously to recommend 10-acre lots in the North Fields. Again, their recommendation was ignored in the updated General Plan.

In 2011, various citizens and North Field landowners approached County Councilmen to request the General Plan be amended to reflect the original ten-acre citizen committee recommendation. Again it was ignored.

In 2014, citizens and landowners again requested, and the County Council initiated, a zone change in the North Fields to 10-acres. After public hearings and public comment, the County Council voted 4-2 to change zoning in the North Fields to 10-acres.

The average parcel size of land in the North Fields is approximately 11 acres; very close to the proposed 10-acre requirement. Many parcels less than 20 acres have preexisting building rights that predate the 20-acre zone. This is evidenced by past and current construction of homes in the North Fields on parcels less than 20-acres (many on parcels less than 5-acres). This means that the current 20-acre requirement predominantly affects only a small number of land owners with parcels greater than 20-acres. This creates two distinct classes of landowners in the North Fields; those with buildable lots less than 20-acres in size and those greater than 20-acres. The 20-acre requirement creates a fundamental inequity among landowners in the North Fields with large parcel owners bearing the burden. A change to 10-acres would approximate the current average parcel size and eliminate the inequity among landowners.

At public hearings, it was shown that even if every large parcel owner were to subdivide their lots into parcels that met the proposed 10-acre zone it would only add approximately 50-60 additional parcels. That is a small price to resolve a fundamental inequity among North Field landowners.

A change to 10-acre lots will NOT destroy the beauty of the North Fields. It will NOT have any significant impact on open-space, it will NOT effect of the North Fields as a buffer between Heber and Midway, it will NOT bring significant growth to the North Fields, and it is NOT an incremental step towards high density development of the North Fields. A change will still leave 98% of the North Fields as open space.

Vote **YES** to recognize the recommendations of the citizens committee.

Vote **YES** to resolve the current inequity among North Fields landowners.

REBUTAL AGAINST THE ZONE CHANGE

The FOR argument was written by a former county councilman who voted for the rezone in 2014, even though there was no 10 acre zone developed and perfected to put the most sensitive and pristine 2800 acres in our valley into. That is irresponsible. Developing a new zone in our County General Plan is a big deal, which takes months of debate and public hearings to accomplish. That didn't happen in 2014. In fact there's STILL no 10 acre zone now. So to advocate for this rezone even today is ill-advised.

There were also statistics that are hard to substantiate. No one currently knows how many Northfield parcels are capable of building on, so to say "the proposed 10-acre zone would only add approximately 50-60 additional parcels" is speculation, at best. One can't say for certain that this land won't see future rezone attempts, either.

Also mentioned is the past history of this process. Nowhere in his argument are the past conflicts of interest by planning commissioners and county councilmen, or a 2012 citizen complaint about the planning commission formally sent to the county attorney and manager, with no response.

It boils down to this, what do we want our valley to look like 20-50 years from now? Should we keep current zoning, that the landowners accepted when they bought the property? Or should every acre of this valley be homes and condos? This important planning decision will be made by all of us, instead of the seven councilmen.

STATEMENT AGAINST ZONE CHANGE

It is important to understand why the 2800 acres in the Northfields is a ballot item. The public will vote whether the Northfields zoning should be changed from a 1 home per 20 acres zone, to a 1 home per 10 acre zone. The Wasatch County Council voted in November 2014 to rezone this area without proper due process according to Utah and County code, and also without a 10 acre zone even established in the County General Plan. There is still none today.

Some Northfields' landowners, who disagreed with the council's decision, sponsored a referendum petition to possibly retract their vote. The county-wide petition asked for this issue to be put on the ballot, and needed 1847 signatures. More than 2200 signatures were collected from Wasatch County residents who agreed that saving this vital, historic ground was important.

Concerned citizens and Northfields' landowners have been working the past year to develop a preservation plan in concert with the Heber and Wasatch County public officials, Utah Open Lands, and Mountainland Association of Governments. A vote now to rezone the Northfields to 10 acres would increase the value, increase landowners' taxes, and preservation will be even more difficult to achieve.

Wasatch County professionals in 2014 shared their reasoning against the 10 acre rezone. The Wasatch County Planner shared the General Plan where it specifically talks about the 20 acre zone and how it is purposefully meant to preserve agricultural land:

Wasatch County General Plan- Purpose Section of the A-20 code:

A. Avoid excessive costs for public services in areas with high physical constraints;

- B. Provide a location where the cultivation of crops and the raising and keeping of livestock and related uses can be protected and encouraged;
- C. Prevent the necessity of having to pay excessive taxes on grazing lands;
- D. Preserve the beauty of the entry corridors of Wasatch County;
- E. Protect the underground water supply from pollution; and
- F. Maintain an open rural buffer between Heber and Midway City. (2002 Code § 16.06.01

The County Director of Tourism and Economic Development actually advised our county council NOT to adopt the rezone in 2014, citing a 6 month survey they conducted with visitors. The #1 reason tourists visit us once, or numerous times, was the “rural feel and open space.” He stating a rezone might have “long term ramifications, and may negatively affect our tourism industry.”

Also in 2000, the Heber City Council published their “Declaration of Policy – Northfields” to help preserve the area:

“Preserving the scenic character and open space of the North Fields has been an important part of past master plans’ objectives.”

“For some thirty years the public has allowed the Northfields to be assessed based on value which the land has for agricultural use, rather than fair market value, for the purpose of making it affordable to preserve as such.”

We ask you to vote AGAINST the Northfields rezone to 10 acres on the ballot this election.

To see detailed information mentioned here go to www.WasatchTaxpayersAssociation.com

Opponents to changes in the North Fields always quote the General Plan and argue for adherence without amendment. However, opponents ignore important parts of the General Plan concerning the North Fields.

REBUTAL FOR THE ZONE CHANGE

Citizens, planners, and councilman, who prepared the General Plan, implicitly recognized that preservation of the North Fields as “open space” puts an unfair burden on landowners providing it for everyone else. The General Plan explicitly calls for “strategies... to assist the county in preserving some of this area as open space at the same time providing property owners with a reasonable value for the removal of development rights from their property.” The General Plan explicitly calls for implementation of Transfer Development Rights (TDR’s), sales tax, or bonding (property tax) to raise funds to compensate landowners in the North Fields. Have these “strategies” been implemented and have landowners in the North Fields received a dime? NO. Opponents want strict adherence to those parts of the General Plan calling for maintaining “open space” but want ignore those parts that call for compensation to those providing it.

TDR’s have been in the County’s development code for a very long time and have never worked and never will work. Who wants all the potential density from 2,800 acres transferred to their city or neighborhood? Has Wasatch Taxpayers Association proposed a sales tax or property tax increase to raise the funds to compensate landowners? NO.

Vote **YES** to recognize the burden being born by a few for the benefit of all and without compensation.

This election will be all vote-by-mail. This information, along with ballot and precinct areas and information on State candidates and judges will be on the county web page www.wasatch.utah.gov and on www.vote.utah.gov you may also update and register and view a sample ballot.

