

MINUTES OF A SPECIAL JOINT MEETING OF THE HYRUM CITY COUNCIL AND THE HYRUM CITY PLANNING COMMISSION HELD OCTOBER 2, 2008 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:00 p.m.

**ROLL CALL:** Mayor W. Dean Howard, City Councilmembers Martin L. Felix, Paul C. James, Thomas C. LaBau, Stephanie Miller, and Craig Rasmussen present; Planning Commission Members Scot Allgood, Dave Bennett, Brent Roylance, and Steven Sproul.

**CALL TO ORDER:** There being five City Council members present and five City Councilmembers represent a quorum, the meeting was called to order.

**OTHERS PRESENT:** City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen and two citizens. City Recorder Stephanie Fricke recorded the minutes.

**AGENDA:** A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

#### AGENDA

4. WORKSHOP:
  - A. To discuss requiring residential front yards to be landscaped.
5. ADJOURNMENT

#### **WORKSHOP:**

#### **TO DISCUSS REQUIRING RESIDENTIAL FRONT YARDS TO BE LANDSCAPED.**

Mayor Howard said the Planning Commission sent the City Council a letter and a draft ordinance requiring residential lots to be landscaped. The City Council previously discussed this item at the April 3, 2008 City Council Meeting and decided to enforce the nuisance ordinance on weedy lots rather than adopting an ordinance requiring front yards to be landscaped. However, the Planning Commission is very concerned about this issue and is asking the City Council to reconsider it. The Planning Commission is recommending an ordinance be adopted requiring residential front yards to be landscaped to help improve the look of the City, raise property values, improve agricultural feel of the City, and lower neighborhood conflict.

Planning Commission Chairman Brent Roylance said the Planning Commission has revised the draft ordinance that was presented to the City Council in April. The amended ordinance better defines and addresses several key concerns, and extends the existing

deposit and compliance time for minimal impact. There are several communities that already have a landscape ordinance for residential dwellings and many other cities that are in the process of adopting a landscape ordinance. The new ordinance allows for an extension of the existing deposit rather than requiring an additional deposit to ensure the landscaping is completed within six months of the house being completed.

Planning Commission Member Dave Bennett said as a Planning Commission Member he hears from citizens that are tired of living next to a house with a weedy lot. The proposed landscaping ordinance provides increases in property values for the entire neighborhood; makes Hyrum City a more desirable and beautiful place to live; lowers the cost of replacing street trees and other problems with park strips because if a lawn is landscaped the homeowner will be more likely to take care of that area too; acts as a remedy to situations where neighbors are forced to live for years next to a non-landscaped property; increases neighborhood price and aesthetics; leaves less vacant houses for sale and minimizes the neighborhood problems with those homes, such as, lawns, garbage, disrepair, and crime; provides a protective measure with all current and expected growth; protects the agricultural feel of our City; relieves City Staff of the burden of nagging citizens about weed control; alleviates tension among neighbors and decreases burdens; even the newest lot looks finished and settled; and equalizes the appearance of the City.

Planning Commission Member Steven Sproul said a business is required to have a landscaping plan for beautification reasons, so isn't it reasonable to have the same expectation of a homeowner.

Councilmember Rasmussen said a business is different than a residential dwelling. Businesses are built to attract the public and make a profit, a residential dwelling provides a family a place to live. Some people struggle to make their mortgage payments and it may be a financial burden on a new homeowner if he/she has to landscape the front yard within six months of occupancy. Most new homeowners want to have their yards landscaped as quickly as possible, but struggle with the costs or are physically unable to do so.

Councilmember Miller asked if a developer should provide landscaping requirements as a condition of development rather than the City adopting another ordinance.

Planning Commission Member Brent Roylance said the Planning Commission considered requiring developers to have a landscaping plan for the front yard of residential lots, but then it would exclude mini-subdivisions. If the City is going to require landscaped front yards, it needs to be consistent and include all lots.

Councilmember LaBau said he appreciates the work and time the Planning Commission has spent on the proposed ordinance. He agrees with the Planning Commission's recommendation that it is time the City requires all residential lots to be landscaped.

Councilmember James said the City Council could approve an ordinance requiring residential front yards to be landscaped, but it does not mean the homeowner will maintain it.

Planning Commission Member Dave Bennett said if a homeowner has went to the expense and work of landscaping a yard he/she will be less likely to let it go back to weeds.

**AMENDED**

10-16-08

Zoning Administrator Ron Salvesen said the City receives calls from people complaining about neighbors that have yards that aren't landscaped. It is frustrating to tell them there is nothing the City can do as long as the weeds are cut down. There are homeowners that have lived in a new house for several years that have not landscaped their front yards. The majority of the people want to landscape their yards as soon as possible, but laws are not written for the majority and it is the minority that is creating this problem.

Councilmember Rasmussen said he doesn't believe an ordinance requiring front yards to be landscaped is necessary and that the problems from yards not landscaped can be dealt with through the nuisance ordinance.

Planning Commission Chairman Brent Roylance said the Planning Commission has spent a lot of time discussing and researching this issue. The Planning Commission doesn't believe the ordinance will impact a lot of people, because most people put in a lawn within six months of occupancy. The Planning Commission is striving to make Hyrum an even greater place to live and it is not fair that a homeowner should be able to create blight in a neighborhood by not landscaping his/her front yard.

Mayor Howard thanked the Planning Commission for its recommendation and expressed his appreciate for the Commission's thorough research and sensible recommendations.

**ADJOURNMENT:****ACTION**

**There being no further business before the Council, the Council Meeting adjourned at 6:25 P.m.**

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: October 16, 2008  
As Amended