Town of Cedar Fort
Planning Commission Monthly Meeting Minutes

Tuesday, August 11, 2020 at 7:00 p.m.

Town Recreation Center, 455 South 100 East, Cedar Fort

APPROVED

Time:	6:56 p.m.
Minutes Taken By:	Julia Cosper, Town Clerk
Town Employees Present:	Town Clerk Julia Cosper
Commission Members Present:	Chairman Howard Anderson, Commissioner Chris Murphy, Commissioner Gary Cook, Commissioner Kent Withers, and Commissioner Bart D. Berry
Visitors Present:	Harmony Withers, Donald Chadwick, David Gustin, Calvin Cook, Theo Cook, Josh Sundloff, Darrell Cook, Jed Berry, Rett Messersmith

1. ROLL CALL; PLEDGE OF ALLEGIANCE; PRAYER/THOUGHT

Commissioner Murphy led the pledge.

Commissioner Berry offered the prayer.

2. VOTE TO APPROVE PRIOR MEETING MINUTES

Commissioner Murphy moved to approve meeting minutes for July 14, 2020.

Commissioner Cook seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	ABSTAIN
Commissioner Withers:	ABSTAIN

The motion passed; the July 14, 2020 meeting minutes were approved.

3. DISCUSSION & VOTE TO APPROVE LANDSCAPING & FENCING FOR COMMERICIAL & LIGHT INDUSTRIAL ZONES ORDINANCE

Commissioner Cook moved to approve the Landscaping & Fencing for Commercial & Light Industrial Zones Ordinance.

Commissioner Murphy seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the Landscaping & Fencing for Commercial & Light Industrial Zones Ordinance.

4. DISCUSSION & VOTE TO APPROVE OFF STREET PARKING ORDINANCE

Commissioner Murphy moved to approve the Off-Street Parking Ordinance.
Commissioner Withers seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the Off-Street Parking Ordinance.

5. DISCUSSION & VOTE TO APPROVE OUTDOOR LIGHTING ORDINANCE

Commissioner Cook moved to approve the Outdoor Lighting Ordinance.
Commissioner Murphy seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the Outdoor Lighting Ordinance.

6. DISCUSSION & VOTE TO APPROVE SEXUALLY ORIENTED BUSINESSES ORDINANCE

These types of businesses will be limited to the light industrial zone.

Commissioner Murphy moved to approve the Sexually Oriented Businesses Ordinance.
Commissioner Cook seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the Sexually Oriented Businesses Ordinance.

7. DISCUSSION & VOTE TO APPROVE APWA (AMERICAN PUBLIC WORKS ASSOCIATION) STANDARDS & SPECIFICATIONS, 2017 REVISION

Commissioner Withers moved to approve the APWA Standards & Specifications, 2017 Revision.
Commissioner Berry seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the APWA Standards & Specifications, 2017 Revision.

8. DISCUSSION & VOTE TO APPROVE NEW COMMERCIAL ZONE

Commissioner Berry commented to we need to be more receptive to people coming here because we need commercial business to help the community.

Note to Town Council to allow access roads to be reviewed at site map review time.

Commissioner Murphy moved to approve the New Commercial Zone.
Commissioner Cook seconded.

Chairman Anderson:	YEA

Commissioner Murphy: YEA
Commissioner Cook: YEA
Commissioner Berry: YEA
Commissioner Withers: YEA

The motion passed to approve the New Commercial Zone.

9. DISCUSSION & VOTE TO APPROVE NEW LIGHT INDUSTRIAL

Commissioner Berry moved to approve the New Light Industrial Zone.
Commissioner Murphy seconded.

Chairman Anderson: YEA
Commissioner Murphy: YEA
Commissioner Cook: YEA
Commissioner Berry: YEA
Commissioner Withers: YEA

The motion passed to approve the New Light Industrial Zone with the same note as agenda item number 8 that the Town Council allow access roads to be reviewed at site map review time.

10. DISCUSSION & VOTE TO APPROVE REVISED GENERAL PLAN 2020-2025

Commissioner Berry commented that he thought that the commission needs to conduct a survey.

Commissioner Berry moved to approve the General Plan 2020-2025 and obtain public input through surveys.
Commissioner Withers seconded.

Chairman Anderson: YEA
Commissioner Murphy: YEA
Commissioner Cook: YEA
Commissioner Berry: YEA
Commissioner Withers: YEA

The motion passed to approve the General Plan 2020-2025 with a stipulation that the planning commission move forward within six months and obtain citizen input through questionnaires.

11. DISCUSSION & VOTE TO APPROVE NEW GENERAL PLAN MAP

Commissioner Berry moved to approve the General Plan Map.

Commissioner Murphy seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed to approve the General Plan Map.

12. DISCUSSION & VOTE ON JED BERRY REQUESTED ZONING CHANGE

Jed Berry made comment about his business that is window wells and weatherproofing. He explained what his business does and what he plans to do on his property. He answered the commission's questions about how many trucks would be coming through each month etc.

Discussed if his business is a retail business and what the sales tax would be and what portion the town would get from this business.

Josh Sundloff Jed Berry's attorney made comment on sales tax and would provide further information to the commission if that would help them in their decision.

(53.58) Josh Sundloff mentioned that back in January they had submitted a letter for this re-zone petition. On March 09 Mr. Sundloff received a letter to Jed from Councilwoman Cibula with a very detailed application. From his perspective there are many requirements that were not active within the code. Your code states one thing and the application asks for a bunch of other requirements. Mr. Sundloff stated that he would be happy to send the commissioners the letter he had responded back to Councilwoman Cibula with the details. This letter basically stated that, under Utah State Law you can only require information on an application that is in your ordinance. You have to legislatively pass requirements for a re-zone request and things that you want to see on your request before it can show up on your application. So, my point is that the Petition we submitted in January was sufficient and should not have gone through the application process. He had spoken with the Town's attorney, Jamie Blakesley and his response to me is that the Petition that Mr. Berry submitted in January was sufficient and that is why we are in front of you today. Long story short, yes, we received an application, but I do not think we need to jump through all the requirements on the application, because they are not in your ordinances. That doesn't mean that we won't provide you with what it requests.

The commission decided they would like to see further records to help them in their decision.

Commissioner Cook moved to table the motion until Jed Berry fills out the application and brings back information on the sales tax for his business.
Commissioner Murphy seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	NAY
Commissioner Withers:	NAY

The motion carried and will be put on the agenda for next month.

13. ADJOURN

Commissioner Murphy moved to adjourn.

Commissioner Cook seconded.

Chairman Anderson:	YEA
Commissioner Murphy:	YEA
Commissioner Cook:	YEA
Commissioner Berry:	YEA
Commissioner Withers:	YEA

The motion passed; meeting adjourned at 8:10 p.m.