

**Town of Cedar Fort
Planning Commission Public Hearing Meeting Minutes
Tuesday, October 13, 2020 at 6:00 p.m.
Town Hall, 50 East Center Street
APPROVED**

Time: 6:05 p.m.

Minutes Taken By: Cara Lyon, Town Clerk

Commission Members Present: Chairman Howard Anderson, Vice Chairman Kent Withers, Commissioner Bart Berry, Commissioner Gary Cook, and Commissioner Chris Murphy

Visitors Present: Harmony Withers, Tami Palmer, Denny Palmer, Kimball Messersmith, Deanne turner, David Gustin, Vonda Cook, Chris Jensen, Cheri Jensen, Josh Sundloff, Jed Berry, Ashley Cook, Kody Hill, Lynette Groff Ault, Clarence Ault, Darrell Cook, Travis Giles and Michelle Giles (Todd Butterfield - did not sign in)

1. CALL MEETING TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, PRAYER/THOUGHT

Chairman Anderson called the meeting to order. Vice Chairman Withers led the Pledge of Allegiance. Commissioner Murphy provided an invocation.

2. JED BERRY REQUEST FOR REZONING (EAST OF SR73 ON STATION ROAD)

Josh Sundloff, Jed Barry's Attorney, presented a slide show for the public and commissioners. He addressed comments and questions of the Commission. He felt the purpose of zoning was to find compatible and non-compatible uses. Land use should be flexible if the use was not detrimental. He quoted the "Utah Citizen Guide to Land Use Regulation, How it Works and How to Work It." by the Utah State Department of Natural Resources.

He referred to the broad discretion of land use by the Town Council and Planning Commission, and zoning decisions should be based on compatibility. He requested the current zoning be changed to the CR Zone designation. He showed a map of the area and then identified that the definition of "retail" was not in the Town Code and that allowed for discretion by the Commission. The property was 4.2 acres. The current owner was BCK Supply, it is an active business and the registered agent is Jed Barry. He referred to the slide show and commented that the red area showed the existing CR Zone.

Additionally, he detailed the proposed use of the property. It would include construction materials supply, monthly deliveries via semi-truck, weekly visits from employees, no employee would be on the property full time, approximately one acre would be used for the business, and no new structures had been proposed. It was a retail use and he provided the sales tax information that was paid to the State and Counties benefitting approximately what the Town may receive.

He detailed the traffic expectations and showed a rendering of how the site may have looked. There would be one semi-truck going to and from the site once per week and could grow to two per week.

He detailed the existing utilities, including the power line, well on site, storm and sewer line in the Southwest corner, and there were two fire hydrants close to the site.

He summarized his previous comments. He noted that direct neighbors were not opposed to the re-zoning.

Chairman Anderson opened the meeting for a public hearing.

David Gustin, a resident, commented that the Town was rural and a quiet community. He was concerned about the proposal changing a residential zone to a commercial one and the density. He felt that ten semi-trucks per month were too many. The property did not abut another commercial zone. The zoning change was not desirable.

Deanne Turner, a resident, expressed concern that the Town needed business to support itself. She wanted to keep Eagle Mountain from incorporating the Town. She was raised next to the busy Country Store and loved living nearby. She noted Jed Barry was her neighbor and that his property is always clean.

Clarence Ault, a resident of Station Road, had been denied a zoning change for one-acre properties along the same road. He wanted the entire road to be considered for the change and did not see an issue with the traffic.

Harmony Winters, a resident, wanted clear guidelines regarding commercial and residential zoning. She grew up in Manti and the businesses there supported the Town and were a part of the community. She felt the residents should be able to work and live in the Town.

Cheri Jensen commented that part of their property was in the CR Zone. She was concerned about the traffic but was considerate of Jed Barry. The traffic would bring business to the Town. She felt business and revenue brought to the Town would be worth the traffic.

Cara Lyon noted they had property nearby. She would be glad to see the light industrial in that area and would welcome the business.

Jed Barry, the owner, commented that he wanted to, and had, in the past, hired locally. He noted the garbage trucks passing through the Town were negative, so he wanted any additional traffic to benefit the Town.

Lori Adams noted that as light commercial zoning was introduced, there was a need for policies to be updated. She did not want questions regarding the zoning requirements for future companies that come to the Town.

Ashley Cook, a resident, is a financial planner and was involved in the Town finances as the former Town Treasurer. She felt the income from businesses was needed for the future of the Town. There was no money for subsidies. She welcomed Mr. Berry's business and was not overly concerned with traffic. She appreciated the concern regarding children's safety. The road already had traffic from the Country Store and farming equipment.

Tami Palmer commented she came to the meeting to see if the Town would be open to businesses. They were looking to buy property in the Town. If the Town were not welcoming to any business, she and her husband will purchase elsewhere.

Lynette Groff Ault noted she had a home business and would like the area re-zoned. She lived on the road and did not feel that a few semi-trucks would make a difference to the existing traffic. She noted that Mr. Berry's property is clean. She had been on the Town Council many years ago and felt that revenue was needed.

Chairman Anderson closed the public hearing portion of the meeting.

3. ANNEXATION POLICY (REFORMATTED FROM GENERAL PLAN)

There were no comments made.

4. ADJOURN MEETING

Commissioner Murphy motioned to adjourn the Planning Commission Public Hearing.

Commissioner Berry seconded the motion.

Vice Chairman Withers:	Yea
Commissioner Berry:	Yea
Commissioner Cook:	Yea
Commissioner Murphy:	Yea
Chairman Anderson:	Yea

The motion passed; meeting adjourned at 6:54 p.m.