

Town of Cedar Fort
Planning Commission Regular Meeting Minutes
Tuesday, April 13, 2021 at 7:00 p.m.
Town Hall, 50 East Center Street, Cedar Fort



Agenda

- 1. Call to Order; Roll Call; Pledge of Allegiance; Prayer/Thought***
- 2. Public Comment**
- 3. Vote to Approve Prior Meeting Minutes (Feb 2021)**
- 4. Discussion and Vote on Proposed Accessory Dwelling Units Ordinance**
- 5. Discussion on Zone Lot Frontage Requirements**
- 6. Accounting Recode Corrections**
- 7. Suspend for one-year restrictions of Resolution for Electronic Meetings**
- 8. Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations for this meeting should notify the Town Clerk (Cara Lyon 801-768-2147 or clerk@cedarfort.town) at least 24 hours prior to this meeting.

Posted this ____ day of April 2021 at ____ AM/PM By: _____

Town of Cedar Fort
Planning Commission Regular Meeting Minutes
Tuesday, April 13, 2021 at 7:00 p.m.
Town Hall, 50 East Center Street, Cedar Fort
APPROVED



Time: 7:02 p.m.

Minutes Taken By: Cara Lyon, Town Clerk

Planning Commission Members Present: Chairman, Howard Anderson, Vice Chairman Chris Murphy, Commissioner Gary Cook, Commissioner Bart Berry and Commissioner Greg Cutburth

Visitors Present: Sharon Cook, Jed Elton, Candice Elton, Vonda Cook, Rett Messersmith, and (Wyatt Cook - did not sign in)

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

Commissioner Cutburth led the Pledge of Allegiance. Chairman Anderson provided the invocation.

2. PUBLIC COMMENT

Sharon Cook asked if signs could be put up that state, "Slow Down?" The speeding is getting worse in Town. She stated that she did purchase signs today.

Chairman Anderson stated that they would pass it to the Town Council.

Vice Chairman Murphy moved to close Public Comment.

Commissioner Cutburth seconded.

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

The motion passed to close Public Comment.

3. VOTE TO APPROVE TWO SETS OF FEBRUARY 11, 2021 MEETING MINUTES

Chairman Anderson clarified that, for the last regular meeting minutes, he objected Mr. Jed Berry's hiring an attorney and the accompanying legal fees incurred to get placed on the planning commission agenda on the basis that hiring an attorney for such a purpose is not a requirement, but that Mr. Berry did that of

his own accord. Additionally, he stated that, for the record, neither he nor anyone on this commission has any prejudice against Mr. Berry. He stated that the reason Mr. Berry was unable to get an agenda with ease was that Mr. Adams provided the required and requested information in a timely manner whereas Mr. Berry did not.

Commissioner Cook made a motion to approve the Planning Commission Public Hearing Meeting Minutes of February 11, 2021.

Vice Chairman Murphy seconded.

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

The motion passed to approve the Planning Commission Public Hearing Meeting Minutes of February 11, 2021.

Commissioner Cook made a motion to approve the Planning Commission Regular Meeting Minutes of February 11, 2021.

Vice Chairman Murphy seconded.

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

The motion passed to approve the Planning Commission Regular Meeting Minutes of February 11, 2021.

4. DISCUSSION and VOTE on PROPOSED ACCESSORY DWELLING UNIT ORDINANCE

Chairman Anderson clarified that they are to discuss this Agenda Item tonight and vote to move it to a public hearing because it's a Land Use Ordinance. He stated that this Agenda Item is a proposed addition to the Cedar Fort Zoning Ordinance. He proposes putting it into Section 9 or a stand-alone Ordinance. He defined Accessory Dwelling Units as a living unit within or attached to the main house. He stated that the rest of the proposed ordinance provides conditions. It was pulled together from Eagle Mountain, Lehi, and Mantua. They would define the zones applicable to the size of the accessory dwelling unit compared to the size of the main house; that it only applied to units within or attached to the main house; it is defined as a structural connection. Item #2 states that an accessory dwelling must be enclosed within or attached to a single-family dwelling.

Commissioner Cutburth asked whether this applied strictly to units attached to the house or also to those separate from the house. He indicated that the structural connection has to be done with a foundation. He mentioned that the foundation print would come before the city. He also mentioned that the water may be an issue as well.

Vice Chairman Murphy stated that there is no definition of the nature of the attachment to the main house. He mentioned that there appears to be a loophole. He stated that there needs to be clarification on that definition. He stated that, if a satellite dwelling is far enough away, the potential is there will be two dwellings. A compromise could be to make sure that the dwellings are close enough together to meet setback requirements.

Commissioner Berry stated that the specifications for a basement, attached garage, apartment, etc., were minimal and concise. He stated that the definition should be clear. He mentioned that there will be to have inspections done. He stated that there shouldn't be anything stating who can live in the house. They have no way to enforce that, and he wouldn't want that for himself. He doesn't want to have to monitor who's living in their homes.

Commissioner Cook stated that they should keep it internal. Eventually it could change, but for now they should keep it simple. He indicated that, in regard to the septic tanks, the number of bedrooms dictates the size of the septic tank. He stated that there should be a limit on the number of people.

Vice Chairman Murphy stated that is the reason to state this needs to be owner occupied. He stated that he's not opposed to limiting the number of people in the accessory unit. He stated that the owner occupancy could help control an undesirable element. He mentioned septic tanks. He stated that, if people add a ADU to their house, they're sized for what they have.

Commissioner Berry stated that some communities for ADUs required an additional septic tank.

Sharon Cook asked what the difference is between having a large family versus a smaller number of people living somewhere. She stated that there isn't a difference.

Commissioner Cutburth stated that the difference is that it's not just more people per bedroom, but additionally, there's another kitchen, more bathrooms, all the things needed for an additional dwelling.

Chairman Anderson discussed the application part. He stated that the conditional use clearly defines what the 3 conditions are.

Commissioner Berry stated that he's of the same opinion. He stated that they don't have the manpower to enforce specifics. They shouldn't get into people's business. A lot of the requirements are already included in the permits.

Vice Chairman Murphy stated that he's concerned about the enforcement issues and annual inspections. He asked whether they were going to require someone to go around every year to inspect. He stated that he would like to cap the number of people in the ADUs. He stated that the enforcement of that should be along the same lines of the ordinances as written.

Commissioner Cook stated that they only need to enforce things once there are problems. They can speculate all day on what-ifs, but, ultimately, they can only address things as they arise. If there is a limit, there's at least something to fall back on. He stated that they should include limits and specifics so that they can refer to them if and when something does happen. He stated that the ADUs should be restricted to being only within the house with no additional add-ons. He stated that things could change in the future, but for now they should only allow ADUs to be part of the initial footprint of the house.

Commissioner Cutburth asked what the limit was for the number of people in the house.

Vice Chairman Murphy asked whether the inhabitants needed to be related to each other or to the property owner and if there was a distinct definition on that. He stated that they need to come up with a reasonable number regardless of relation. He suggested limiting the number of people to person per square foot.

Chairman Anderson stated that he would like to define it as renting being a different category than relatives.

Commissioner Cutburth agreed with Vice Chairman Murphy. He stated that the smaller the number, the better. He suggested 4 people. He discussed bedrooms and building permits. He suggested being specific to prevent people going through loopholes as much as possible. He asked why this is being brought up.

Chairman Anderson stated that, in addition to being a senate bill, there are people who have expressed interest in ADUs.

Vice Chairman Murphy discussed renting out the ADU. He stated that there should be requirements that need to be met if someone were to rent. If someone were to finish a basement, they would need to file a permit. He expressed concern about being able to hold everyone to the same standard.

Commissioner Cutburth motioned to move the Agenda Item to Public Hearing with the requirement that it's within the same footprint of the initial home.

Commissioner Cutburth removed the motion.

Vice Chairman Murphy motioned to table Agenda Item #4 until they receive clarification from the State on their requirements and limitations.

Commissioner Cutburth seconded.

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

The motion passed to table Agenda Item #4 until they receive clarification from the State on their requirements and limitations.

5. DISCUSSION ON ZONE LOT FRONTAGE REQUIREMENTS

Vice Chairman Murphy reviewed the zones, lots, current frontage requirements, potential splitting, etc. He stated that there are so many possibilities and variables that it's impossible to make everybody happy. They need to come up with a number that is reasonable. He discussed Field Road lots. He stated that he had reviewed what other municipalities have in place for frontage requirements but was unable to find what he needed. He stated that they need to find a frontage requirement that was acceptable. He mentioned the frontage is a bit excessive.

Commissioner Berry stated that there are 3 lots on West Canyon Road and there was a shortage on the frontage.

Chairman Anderson stated that Cedar Fort is an especially diverse town, which makes coming up with a number more difficult.

Commissioner Cutburth stated that they need to do what is best for the Town, not for any individual.

Commissioner Berry moved to table Agenda Item #5.

Commissioner Cutburth seconded.

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

The motion passed to table Agenda Item #5.

6. ADJOURN

Commissioner Cutburth moved to Adjourn.

Commissioner Berry seconded.

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

The motion passed to Adjourn. Meeting adjourned at 8:49PM.