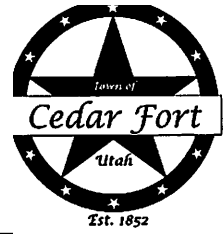


Town of Cedar Fort
Planning Commission Regular Meeting Minutes
Tuesday, November 09, 2021, at 7:00 p.m.
Town Hall, 50 East Center Street, Cedar Fort



Agenda

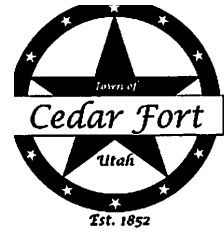
- 1. Call to Order; Roll Call; Pledge of Allegiance; Prayer/Thought***
- 2. Public Comment**
- 3. Vote to Approve Prior Meeting Minutes October 2021**
- 4. Vote to Cancel December Planning Commission Meeting**
- 5. Vote to Approve Permitted Use – La Petite Boarding and Grooming Shoppe**
- 6. Discussion on Town Roads – MAG Representative (Open Discussion)**
- 7. Adjourn**

THE PUBLIC IS WELCOME TO ATTEND ALL TOWN PLANNING AND ZONING MEETINGS.

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 November 2021 at ____AM/PM By: _____

**Town of Cedar Fort
Planning Commission Regular Meeting Minutes
Tuesday, November 09, 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

Planning Commission Member Absent: Commissioner Greg Cutberth

Visitors Present: Scott Christensen, Bob Allen, Vonda Cook, Nathan Washburn and Emma Izatt

1. Call to Order; Roll Call; Pledge of Allegiance; Prayer/Thought*

Bob Allen led the Pledge of Allegiance. Commissioner Cook provided invocation.

2. Public Comment

Cara Lyon and I am here as a resident of Cedar Fort. On item number 5 on the agenda, I'm not here to stop anyone from being in business or run a business here in Cedar Fort. I just think there's more research that needs to be done for what they want to do, just from my personal experience from their prior Residential Business in Eagle Mountain. All I can say, is my experience was horrible. I just hope that you can table this item and possibly revisit it at another time.

Scott Christensen, this is about item number 5 as well. I live in the neighborhood, and we just found out about the boarding and the grooming business yesterday. We do have some concerns about that. First thing is just reading through the residential building permit ordinances there's some things that I think would conflict with this, specifically 1.6. It says, in the ordinances the purpose of this ordinance is to protect residents from the adverse effects of business use, uses being conducted in residential areas from noises, nuisance, traffic, fire hazard and other possible business uses that are more than that customarily associated with the neighborhood. The neighborhood is rural/agricultural. It's a quiet neighborhood. We don't get a lot of traffic down there. We have noticed quite a bit of increased traffic recently, which we are concerned with, being that there's small children in the area. There have been some incidences of people just kind of blasting down that road fast, which is kind of frustrating.

So that's one concern which goes into Section 7.2, which talks specifically about traffic. It talks about vehicular traffic from business related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood and shall be conducted so that the neighbors would not be significantly impacted by its existence. In all occupation category one shall be related to two, business related visitors or customers per day. And then Section 8.6 it says a maximum of twelve customers or clients or deliveries per day may be allowed under a permitted use, limited use permit, permitted use permit, except as provided herein for childcare and other group child activities.

So, I would like to know more specifics on the volume of traffic in the neighborhood and how that's, if there's a way to control that better or use that volume of customers, etc., before issuing this permitted use permit or the possible business permit. So, more details are what I'm looking for. If it is approved, to make sure that it lines up

with the ordinances that are already established withing the Town.

3. Vote to Approve Prior Meeting Minutes (October 2021)

Vice Chairman Murphy moved to approve the October 12, 2021, meeting minutes.

Commissioner Cook seconded.

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

The motion passed to approve the October 12, 2021, meeting minutes.

4. Vote to Cancel December Planning Commission Meeting

Commissioner Cook made a motion to Cancel the December Planning Commission Regular Monthly Meeting.

Vice Chairman Murphy seconded.

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

The motion passed to Cancel the December Planning Commission Regular Monthly Meeting.

5. Vote to Approve Permitted Use – La Petite Boarding and Grooming

Nathan Washburn provided details about La Petite Boarding and Grooming. He is here to seek approval from the Planning Commission on the Category 2 Permitted Use Permit.

After a lengthy discussion between Mr. Washburn and the Planning Commission Members; Chairman Anderson indicated if we approve within the confines of Category 2, then it moves on to the council. If you put everything you are seeking in the packet, if we pass this and approve the permitted use in Category 2, then you'll want to say here are issues that we're working to get within the Category 2 classification. And if you present that to the council in that fashion, then they have something to work from. We can make the recommendation to approve the permitted use. I'm not sure that we can go beyond that.

Chairman Anderson made a motion to approve the La Petite Boarding and Grooming Shoppe, conditional use permit in Category 2, no exceptions.

Commissioner Cook seconded.

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

The motion passed to approve the La Petite Boarding and Grooming Shoppe, conditional use permit in Category 2, no exceptions.

6. Discussion on Town Roads – MAG Representative (Open Discussion)

Bob Allen dived right into discussion. So, the question that he was asked to talk to specifically, is the issue of a

landowner that wants to develop a road that's proposed to go right up the property line, so you have some private property owner A wants to develop or property owner B doesn't want to necessarily, how you deal with the road and any infrastructure.

Mr. Allen indicated there's not necessarily an easy answer. He has been meeting with a lot of the communities, city engineers, planners, just this week. And he has asked multiple of them, how do you guys deal with this situation? And so, there's a few ways to do it. One, the obvious one is you say to the landowner developer, we'll just call him developer, developer, you've got to get your neighbor to agree to build the other half or do the other half and the Town is not going consider it until you've taken that, until you've got it all squared away. That is a possibility, but I'm finding that's typically not how most cities do it because that's a big burden to put on one landowner.

The general rule that you hear a lot of is half width plus ten. So basically, what the Town is going to say is if you're just building your portion of the road, we need it half the width plus ten feet. In your ordinance, you show that the right of way is 56 feet. The pavement is 24 feet. Half the right of way is 28 feet, and so if you were going to call the property line the new center line, so what a Town will typically do then is say okay, we can't force you to do anything on that property and you can't really force anything on the other property. So instead of just building your half of the road, you must dedicate your half, dedicate your half of the right of way, meaning the 28 feet, but you must build half of the asphalt, which is 12 feet, plus ten more. So that you have a drivable amount of pavement.

So that's the standard, typically is half width plus ten. Some will say half width plus 12 or 13. And the developer, he can fit that all within the right of way, so he's not necessarily dedicating any more right of way, but he's building more asphalt than just half. Unfortunately, if you're going first that's kind of a detriment to go first, right? And most cities will say sorry.

Now the next layer that can come into this is a pioneering agreement. And what a pioneering agreement would be is, say for example Spanish Fork, talked to them just this morning. So typically, he's had the half width plus ten. Now, landowner B that says he doesn't want to do anything, obviously you're going to tell the developer hey, you need to go talk to the neighbor and see if they're willing to do anything with you. If he's relatively smart, or I guess I shouldn't say smart. But he could say look, I'll let you build, I'll give you the ten and you can build your plus ten on my property, and you can just build the rest of your half on your side, and what that does for him is if he ever wants to come in, he only has to build what's left of the ten, so two more feet, and dedicate all of the right of way. So, he's giving up those ten feet of right of way.

Most of the time that typically will work out. Not all the time, obviously, but most of the time in a lot of communities they'll say that makes financial sense to me.

But that doesn't always have to be the case, or that's not always the case, so if they're not willing to do it then you can just say okay, property owner, sorry he's not willing to work with you, you got to put all your half plus ten all on your property.

Chairman Anderson asked Mr. Allen if he is comfortable enough at being able to put this scenario together for the Town of Cedar Fort.

Mr. Allen responded if you're aligning most of your roads generally along, you're trying to keep it on property lines so you can be fair to both sides, then I would say don't worry too much about keeping it straight as an arrow. A straight road is safer. A straight road is easier to deal with, but it's not the end of the world if it does. We just said you're going to have some wobble in it, right? Now if you have a big landowner and say this is a big collector road or is a main road that's connecting into Eagle Mountain or whatever, then you can say, okay, when this developer does come in and he's got these multiple lots or whatever, you can say hey, we need all of this going through your property. But if it's just kind of going back and forth like this, if we did straight east and west as the compass shows and it's on this guy so he only has half and, on this guy, he has all of it, and this side he has all of it, then just do the best you can.

Again, in the long term, what I tell a lot of people in your situation is obviously someone that's developing or the property owners, they can see things differently. But basically, you guys are trying to make sure everybody is paying their fair share, and not benefiting from everybody else's paying for them. And then, but you're also respecting property rights as much as you can as well, and then, and I think what I always tell people is your job is

also to think not just of the town, but to think about the guy that's going to come along and buy that house in ten years or buy the house in 20 years.

This open discussion lasted approximately 45 minutes.

7. Adjourn

Vice Chairman Murphy made motion to Adjourn.

Commissioner Berry seconded.

Commissioner Cook: Yea

Commissioner Berry: Yea

Vice Chairman Murphy: Yea

Chairman Anderson: Yea

The motion passed to Adjourn

The meeting was adjourned 8:45 p.m.