

PLACE:

50 East Center Street
Cedar Fort Utah

MINUTES TAKEN BY:

Vonda Cook

VISITORS PRESENT:

Clay Sorenson, Ellen Cibula, Lori Adams, Chris Peterson, Lee Peterson, LaPriol Kinder? (Illegible), Colton Berry Remington Case, Jacob Orick (illegible), Brock Berry, Whitney Peterson, John Jacob. Gail Hyde, Heber Hyde, Joseph Wilson, Deputy Nathan Harris, David Gustin, Glenn Ashley, Jeanine Cook, Cal Cook, Dan & Vauna Allinson, Darrell Cook, Wyatt Cook, Richard Stark, Annette Ault, Greg Douglas, David Rose, Alisha Anderson, Ewan Anderson, Justin Lyon, Gerald Cook, Merrill & Glenda Carson, Jerry Lamoreaux, Josel Lamoreaux, Sheila McKinney, Richard Cook, Dennis Cook, Chris Joyal. The following did not sign in but were present: Glade Berry, Johnny Berry, Steve Berry, and Bart Berry.

ROLL CALL:

Barry Miller – Commission Chairman, Commissioners Dave Rose and Gary Cook

Chairman Miller called the meeting to order at 6:05 p.m. He said they had 3 areas of concern- the P&Z Ordinance, the Subdivision Ordinance and the Sensitive Area Overlay Ordinance. He said the proposed changes would be posted on the State Website.

Chairman Miller set the guidelines and protocol for the hearing. He said eventually all ordinances and checklists will be online.

Mayor Anderson ran the projector and put the ordinances on the screen so that all present could see and follow along with the proposed changes.

Chairman Miller made explanations as they went. On the Sensitive Area Overlay, he explained that they had basically adopting Tooele's SAO because the one we had was from MAG and Tooele's more closely fit our area. He said zones RA10 and MG40 would be in the SAO.

Chairman Miller said that Zone CR (Commercial Residential) is measured from the center of highway 73 and goes 300 ft. both ways. He said they are proposing to change the minimum lot size in Zones RA and Cr from 10,000 sq. ft. to ½ acre. He said they are also proposing to make it mandatory for a person to have lived in Cedar Fort for one year before they can be on the P&Z Commission.

They went through proposed changes to setbacks and minimum lot widths. Chairman Miller said they are doing this to keep the rural feel of the Town. He said they were also clarifying mixed zone lots and the lot will go with the most stringent zone. They are also clarifying guidelines for existing irrigation ditches that may run through a person's property.

They then went through the proposed changes to the subdivision ordinance. Chairman Miller said they need to know when properties are split so the Town knows what's coming.

Chairman Miller then opened up the meeting for public comment.

Greg Douglas asked if this was already a done deal. Barry said yes, this will probably be P&Z's recommendation to the Town. Mr. Douglas stated that conflicting times posted was in violation of the sunshine ordinance. Mayor Anderson said no because the public comment hadn't started yet. He said that was just a preview.

Justin Lyon said he bought a ¼ acre lot and if this passed he won't be able to build on it. He said he had a letter from the former Mayor, Jeanine Cook, stating that he could build on that lot. Chairman Miller said it will be grandfathered in.

Josel Lamoreaux asked what was driving the change. Barry said the main factor was that the state code requires a minimum of 12,000 sq. ft., with a perfect soil sample, to have a septic system. Commissioner Cook said there was also consideration for fire and flood control. Commissioner Rose said that if the Town has to put in a sewer system it will be a tax burden on everyone in Town. He said it is in our best interest to keep bigger lots or the State will force us to put in a sewer system. Commissioner Cook said the fire department has also recommended they spread the houses out a little so fire won't spread so quickly.

Jeanine Cook said that most people are on culinary water so it doesn't apply. Mayor Anderson said the State rule is that the minimum lot size is 12,000 sq. ft. with a perfect soil sample and goes up to ½ acre if you have a septic system and are on culinary water and it goes up to 1 acre if you are on a well.

Jeanine Cook said the law on minimum building is regulated by the department of water quality and local government. She also said they were impacting people who have been here forever.

Justin Lyon said the reason we have setbacks is to control flood and fire.

Jeanine Cook said the people you are going to impact are the people that have been here their entire life and they've paid for the infrastructure already.

Chairman Miller said anyone who wished to could send their comments to the Town, to box 389, attention: public comment.

Commissioner Cook said he would take the blame for the proposed ½ acre lots. He said by the time you put a small house, a corral, and all the cars and trailers are parked on the road because they don't have room for them on a ¼ acre lot, and then you think about the floods that come through town, and fire and the sewer problem, you need some extra room [between houses].

John Berry said they need to go up pole canyon and put in something to stop the flooding.

Justin Lyon said no one is building on the ¼ acre lots now. Commissioner Rose said they will sometime.

Alisha Anderson said she had done a suitability analysis on Cedar Fort and the closeness of houses was a concern.

Merrill Carson was concerned about taxes. Chairman Miller said the Town hasn't increased taxes.

Steve Berry said they could remedy ¼ acre lots by saying you can't put horses on them. He said floods are going to happen and you need to set your house up so it doesn't flood. He was concerned about the 5 year rule.

Bart Berry said there is a State Ag exception on property. He said subdividing should be based on requirements, not time. He also said that you shouldn't have to have a plot plan; you just need to meet the requirements.

Lori Adams asked who was going to pave all of the dirt roads in town. She asked if they were going to have to raise taxes to do it. She said if you want to be a developer then be a developer. She said she doesn't want to have to pay for the roads.

John Berry asked what they would do with all of the old houses in town [on ¼ acre lots]. Commissioner Cook said they will be grandfathered in.

Justin Lyon said they should get that in writing.

Merrill Carson was concerned about the ghost roads going through their property. Commission Miller said that's all they are –ghosts. Nothing has been decided yet.

Annette Ault said her lot is under ½ acre and she wouldn't be able to rebuild. Commissioner Miller said she could rebuild but she would have to meet current setbacks.

Sheila McKinney said that Wayne Peterson's house burnt down and he couldn't meet the setbacks and he went to the variance committee.

Chairman Miller asked if they should just take out the minor subdivisions.

Glance Berry said there shouldn't be setback requirements on 4 & 5 acre lots.

Jerry Lamoreaux said to answer Steve Berry's suggestion of not allowing horses on ¼ acre lots, was that he would rather have horses than people.

John Jacobs said the frontage proposed for 1 acre lots (150 ft.) was too much. He said it was too difficult to subdivide. Mayor Anderson said it will work.

Dennis Cook said he had the post office on his lot and his taxes went up and now they are changing the zoning.

Marlene Allen said she was concerned about all the wells in town and where Glade was selling property. Chairman Miller said the town is protesting those wells.

Chairman Miller then asked if anyone had any questions for them.

Jason Cook asked if the zone change would affect his building a garage. Chairman Miller said no he just had to meet the setbacks and distances between buildings.

Steve Berry asked if they were going to pass the 5 year rule. Commissioner Miller said if they take it out, then if someone come and wants to build, they just say no. He said they will have a grace period.

Bart Berry said if it is requirements based, time doesn't matter. Commissioner Miller said it is hard to get building permits in other places. He said the Town has bent over backwards to make it easy. Bart Berry said they should have an Ag exemption and building should be based on zoning and requirements. He said if you build on it you have to meet requirements. Commissioner Miller told him they need to make sure their buyers know there are requirements.

Lori Adams said she thought they should get rid of minor subdivision rules and let everything fall under the subdivision rules. Chairman Miller agreed but said it would not be easy.

Chairman Miller then asked if there were any more public comments.

Commissioner Cook said they were trying to make the best decisions for the community. He said they need to see what was coming down the road.

There were no more public comments.

Commissioner Cook made a motion to adjourn the meeting. Commissioner Rose seconded it. Motion passed unanimously.

Meeting Adjourned at 8:30 p.m.