

SUGAR CITY PLANNING AND ZONING MEETING MINUTES

REGULAR MEETING

December 5, 2013

The regular planning and zoning meeting began at 7:30 PM.

Minutes of the 7 November 2013 meeting was approved.

Attending the regular meeting were the commissioners from the Sugar City Planning and Zoning Commission Steve Hawkes, Janet Harris (secretary), Randall Miller, Tom Fleming, and Sam Lines. Anthony Merrill and Rick Robertson represented Madison County Planning and Zoning Commission. Also attending from the public were Jared Neeley, Angela Neeley, Ronnie Arnold, Kelton Larson, and Vaun Waddell.

The meeting began with a discussion of the three accesses to the property along the frontage road. The point in question was whether three accesses to the property were sufficient accesses to the property. Mr. Waddell's concern of access for addition businesses who may acquire some property in a future time was addressed. Rick Robertson stated that even if Mr. Larson were to eventually sell some of the property that the business would have to comply with the City of Sugar City and Madison County codes. It was determined that the accesses were sufficient for the proposed business, but may not be for development that will inevitably come in the future years.

Sam Lines was asked to read the definition of a commercial zone from the code book to see if this proposed zone change was within the definition of a commercial zone. Under the new 2013 zoning definition a commercial zone is allowed in the proposed property. The commissioners then turned to the schedule of uses allowed in a commercial zone and what businesses are permitted. A trucking business is allowed.

The discussion turned to what businesses are permitted by the city and what are permitted by the county. We read in the code book the list of businesses already approved by the city in the impact area. If the business is already on the approved list, then the county would issue a permit after the city has determined that the setbacks have been met. It was stated that a business desiring to locate in a commercial zone and not listed or approved in the code book would need to come before the city to get a special use or conditional permit. Again a trucking business is already on the approved list of businesses in the impact area.

Sam voiced her opinion that if this business were to change hands that perhaps an undesirable business such as a Sexual Oriented Business may want to locate in the area. The commissioners from the county reported that the county already has in place code to govern where these type of businesses are allowed. The said businesses are allowed in heavy commercial with many strict restrictions. Mr. Robertson said he did not think any of this property would fall into the allowed

use. Since these types of businesses are not on the Sugar City impact schedule of use they would need to come in for a special use permit.

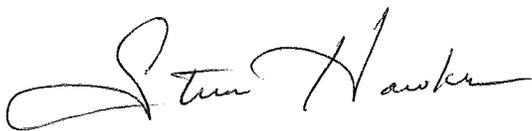
During the public hearing Mr. Waddell brought up a concern of annexation of the property to the City of Sugar City. This board has nothing to do with annexation. In the past the land owners have requested to be annexed. A city could request and negotiate with a parcel owner to be annexed. In the event that the property was to be annexed, the city would need to determine which of the three Commercial zones would best fit the property. Any new business would then need to fall within the city's schedule of use in the zone that was determined.

Anthony Merrill commented that the property being considered is a poor piece of property for some development and not many businesses because of the accesses. His concern is that there is only one lane in and out of the property for future development as a business may choose to locate in the years to come. He thinks that the access for the trucking business is adequate. Mr. Merrill suggested that for the time the commission might consider issuing a conditional permit on the acres need for the business and then at a future time he feels it should be zoned commercial because it is not good for other developments. He wonders if now is the time to change the zone or whether it should be in the future.

During the public hearing Mr. Waddell testified of his concerns regarding city services that may be needed in the future. It was said that natural gas and sewer lines were reported are across the street. Mr. Neeley reported when he looked into possible development of the property that a lift station would need to be installed to move the sewage at some future time as growth occurs.

After asking each of the commissioners if they had any additional questions or comments, Steve Hawkes asked if anyone wished to make a recommend regarding a zone change on said property. Sam Lines made a motion to recommendation to the county commission that a zone change from Transitional Agriculture to Commercial be accepted for Mr. Larson's property. The motion was seconded by Randall Miller. There was no further discussion. A voice vote was taken. All were in favor of the recommendation except for Anthony Merrill who opposed the motion on grounds that he did not feel the access to the property was adequate for future development beyond the trucking business.

The meeting was completed at 8:25 PM.



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