

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
MAY 9, 2023**

Members Present:

Micah Capener, Chairman—excused
Jordan Conrad, Commission Member
Penni Dennis, Commission Member—excused
Jeffrey Seedall, Commission Member
Raulon Van Tassell, Commission Member
Connie Archibald, City Councilmember
Shawn Warnke, City Manager
Cynthia Nelson, Deputy Recorder

Co-Chairman Conrad called the Planning Commission Meeting to order at 5:41 p.m. The meeting was held May 9, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Co-Chairman Conrad, Commission Members Seedall and Van Tassell, City Councilmember Archibald, City Manager Warnke, and Deputy Recorder Nelson were in attendance. Chairman Capener and Commission Member Dennis were excused.

1. Approval of agenda:

Motion by Commission Member Van Tassell to approve the May 9, 2023 agenda. Motion seconded by Commission Member Seedall. Vote: Chairman Capener – absent, Co-Chairman Conrad – aye, Commission Member Dennis – absent, Commission Member Seedall – aye, Commission Member Van Tassell – aye. Motion approved.

2. Declaration of Conflict of Interest: None.

3. Approval of minutes—February 28, 2023 & March 28, 2023

Motion by Commission Member Seedall to approve the minutes stated above. Motion seconded by Commission Member Van Tassell. Vote: Chairman Capener – absent, Co-Chairman Conrad – aye, Commission Member Dennis – absent, Commission Member Seedall – aye, Commission Member Van Tassell – aye. Motion approved.

4. New Business:

- a. Discussion of proposed elements of an Accessory Dwelling Unit (ADU) Ordinance—Sam Taylor

Manager Warnke said we have adopted our Moderate-Income Housing Plan and there are three strategies we have selected. First is infrastructure and using the City's low-to-moderate income housing funds, which are restricted to extend infrastructure to allow for moderate-income housing. The other one is for

mortgage assistance. The State just adopted a program for implementation. The hope is we will do the same and can marry those programs together to make it more affordable. That would be more for public employees. The low-to-moderate income housing funds we receive are granted to the RDA through other taxing entities. By doing this mortgage assistance for public employees we could help them in their quest to find employees. The accessory dwelling unit (ADU) is what we will discuss. The plan report is coming up in August. We are trying to put on record our progress toward meeting some of these goals.

Mr. Taylor reviewed ADUs. This discussion will help us create a draft. Accessory dwelling units are becoming really popular. They are secondary to a primary residence and can take on many forms. The most common internal dwelling units are basements. For larger properties, an ADU can offset the cost and encourages more housing. The primary purpose for implementing ADUs is to provide more housing. On the State level they used to be a conditional use and are now a permitted use. That legislation removes restrictions on unit and lot size, street frontage and more. Common things that were restricted previously are gone. You will still need to control parking and some of the smaller requirements. This creates more flexibility to make things happen. A number of units have been constructed without any guidelines to development—the most common is basement versions. The issue has been how are these handled if you then require them to register their units and if they do not meet the requirements of the ordinance. There is discussion on how to grandfather those in and meet the minimum building requirements. Manager Warnke said we have seen developers in the downtown area with a commercial use on the ground floor and the desire to have apartments on the above floor. The issue we see with trying to make that space inhabitable is parking. In some cases, having density is great. We have some established neighborhoods with larger lots. Those with a bigger yard can be hard to maintain and having this productive use around it could help. This could maximize that area assuming there is still capacity with sewer and water. Those are all good things that could come from the ordinance if it is implemented by the property owner.

Commission Member Van Tassel said affordable housing is the obvious elephant in the room. As far as creating an ordinance around ADUs we are discussing if they are allowed or not. The State says they are allowed. We are trying to decide how to implement this so it does not provide a burden on the system with parking and sewer and all that. Is there a way to determine how many ADU capable units there would be and what that would do as far as an impact? Commission Member Seedall said that is a hard question to estimate an answer to. Maybe less than half the lots in Tremonton would be able to have a detached ADU. There are likely more basements, but that will not change how the lot works. How many lots could handle a detached ADU and still allow access to them? Access is needed for

emergencies. The areas this would be more reasonable is on the alleyways where they have a secondary access.

Co-Chairman Conrad said what we used to think was a starter home is no longer a starter home. We need to change our views on that. Mr. Taylor said this would provide the homeowner with rental income and make their own home more affordable. Commission Member Seedall said ADUs are not for everyone, but some will be okay with that. This could be a starter home for a young couple, or you rent it out to help pay your mortgage on the whole lot. This increases what property owners can do for their own lot and personal situation. For new development they should be designed with these options in mind. Maybe the setback on one side is wider so it could allow access. You could allow existing to be grandfathered in, but also have new development more organized and thought out. Manager Warnke said as we craft our ordinance, we need to look at our existing code and do what makes sense. If we have less frontage there is less parking, but we also need to eliminate parking on the street for our winter months. As a City, I wonder if we could incentivize or encourage developers to build accessory dwelling units. If we plan in the beginning, it would make it easier.

Mr. Taylor said internal dwelling units are already a thing. Most communities will allow detached, but a few in older communities are already built out. They can say our lots are too small for detached housing to work here. What do you feel is acceptable for Tremonton with ADUs? What do you want to pursue? Councilmember Archibald said there are some alleyways in the older parts of town where this would work well. One of the first places we could start is 100 West and 100 East on the north side of Main Street. Commission Member Seedall said some of the utilities could become an issue, including garbage cans. There are a lot of good questions to think through. Some will work great, some will not, but it will open up a lot of options. Commission Member Van Tassell said we are trying to make it easier for people to live here so what can we do to help facilitate that process? These detached ADUs need to have a solid foundation. Mr. Taylor said there are a lot of things to think about including the lot size, unit size, height, as well as parking.

Manager Warnke said we also need to discuss conditional versus permitted uses. We could start with conditional uses and see how it goes for detached then reevaluate and consider if we should do it as a permitted use. The Committee raised the concern of just stamping all these through as a copy and paste process. Manager Warnke said there are funky things in older neighborhoods that should be considered. A conditional use could allow for those unusual issues that exist within the established neighborhoods. With a permitted use if they meet the standards it is approved. Commission Member Seedall said I like the idea of a conditional use so it can be reviewed more closely. Commission Member Van

Tassell said can you discriminate which areas have permitted or conditional uses? Manager Warnke said it could be done by zone. I would hate to permit something that conflicts with another ordinance we have, such as the off-street parking in the winter months. We need to determine how we would make that work. Before the housing crisis I would have thought this would make more sense on a larger lot, but we do not have many of those. On a conditional use you are allowed to place conditions whereas a permitted use you are just checking standards in that application. Commission Member Van Tassell said we want to make a streamlined process, but we also want to make sure what we are permitting is viable in the long run. Permitted could open a whole can of worms. We almost need different permits depending on the zoning or area it is in. There will be challenges in each subdivision and it would be hard to do a blanket yes. We want these, but certain areas have issues and problems that could occur. Commission Member Seedall said in general we are supportive of the ADU, but we want to ensure they are being constructed and placed on lots safely. We want this to be a successful idea that helps relieve the pressures of the housing industry and financial burdens when trying to buy property. We need to make sure all the ducks are in a row. Can we vet out the ordinances well enough that we can trust the permitting process, or do we need to make them all conditional uses knowing it could be burdensome for City officials and homeowners when it comes to resale?

Manager Warnke said the goal is to create affordable housing and more units. I wonder by adopting this ordinance what is really going to happen? Will people do ADU detached or not? I would love to dig into the issues on incentivizing developers to build a development with accessory dwelling units and what that would take. This way we would create them. The other way we might not. Adding a new house is expensive but adding it as part of the upfront development and planning process could be more affordable and doable. Mr. Taylor said the goal is to create affordable housing and get these things moving. What are the restrictions we insist on and how to push through them? I will work on a draft with Manager Warnke and be back for more discussion.

b. Training on How to Use the Tremonton City Land Use Code

The Commission will discuss this at their next meeting.

5. Planning commission comments/reports: None.

6. Adjournment

Motion by Commission Member Van Tassell to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 7:05 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Planning Commission held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this 10th day of October, 2023.

Linsey Nessen, CITY RECORDER

***Utah Code** 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.