

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
AUGUST 8, 2023**

Members Present:

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

Chairman Capener called the Planning Commission Meeting to order at 5:34 p.m. The meeting was held August 8, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Dennis, and Seedall (joined via Zoom and left at 6:54 p.m.), City Councilmember Archibald, City Manager Warnke, and Deputy Recorder Nelson were in attendance. Commission Members Conrad and Van Tassel were excused.

1. Approval of agenda:

Motion by Commission Member Seedall to approve the August 8, 2023 agenda. Motion seconded by Commission Member Dennis. Vote: Chairman Capener – aye, Commission Member Conrad – absent, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

2. Declaration of Conflict of Interest: None

3. Approval of minutes: No minutes to approve at this time.

4. New Business:

- a. Discussion and consideration of recommending to City Council the 2023 Integrated Land Use Plan – Sam Taylor via Zoom

Mr. Taylor said this is the latest on the Land Use Plan. After the public hearing we were ready to send it on but took a pause to evaluate it against the City's Transportation Master Plan to see what impacts the proposed land uses would have on transportation. The final page of this memorandum has a map, which shows the impacts of the Land Use Plan. There were two areas we saw issues—Main Street and Commerce Way. As far as Commerce Way is concerned, there will be room in the right-of-way to add additional lanes and get that level of service up. However, the Main Street portion is always going to be a choke point, regardless of what the future land use is. This exercise affirms that as the future

land use map is currently drawn, we are okay from a transportation standpoint. This memorandum acknowledges that there are other adjustments, which could be made to the transportation grid to alleviate some of that Main Street traffic. A local bypass could be proposed. We acknowledge that those are difficult to build across the Malad River, but if push comes to shove and something needed to be done, that's probably the best option for alleviating traffic.

Manager Warnke said the main takeaway is that we have a transportation issue, not a land use issue. This exercise was helpful. Previously, Commerce Way, on the other side of the interstate, was classified as a minor arterial road. We now know that needs to be a major arterial. The alternative segments are interesting. I am intrigued with 1650 West, which wraps around and tries to make a connection to Rocket Road. The transportation engineer felt like the closer you can stay to what you are trying to bypass, the better. They really want to explore 600 South as a collector road potentially, but Mr. Taylor highlighted the issues there. The next step would be to revisit our Transportation Plan to figure out more of these bypasses and how we can strengthen the transportation network. We know there will always be that choke point with five lanes going down to three lanes on Main Street. It is inevitable. The numbers are the average annual daily trips that are planned on Commerce Way. This is build-out for 50 years. That is where you get the level of service. Level D is acceptable but not great and E is failure.

Commission Member Seedall said the issue is that Main Street goes for such a long stretch. He suggested using 100 North to rejoin the traffic at 600 West where the light is proposed. I think you could use the intersection just past Kent's. Mr. Taylor said the biggest challenge would be a second crossing of the rail line. Manager Warnke said I think it is a great idea and something we should discuss as we do a Transportation Plan. This is long-range planning, so surely some of these properties could be redeveloped in that time, but I think that is an interesting idea. To clarify, you are suggesting one is for eastbound traffic and one for westbound traffic in that section? Commission Member Seedall said yes, the way our roads are divided now, I would leave Main Street to be eastbound traffic, and then they would continue on through three lanes. The westbound traffic would go up to 100 North and then go over until they get to the railroad tracks and come back down. We could even put in a couple more lights. Chairman Capener said if we took the center lane out and remove the parking, we could add four lanes instead of spending millions to extend 600 South or 1000 North. Manager Warnke said these are all ideas we should discuss. I like the idea of trying to connect Rocket Road and 1650 West and making a better intersection. I have talked to Elwood and let them know of our plans for corridor width since a portion of Rocket Road ties into Elwood. The transportation engineer was trying to come up with a regional plan and getting cities to connect to each other. Chairman Capener suggested they hold a workshop to throw around ideas.

Chairman Capener said now that home prices have doubled and interest rates have doubled, how much does that impact the overall plan? Mr. Taylor said as with any master plan, we do not have a crystal ball to know where market changes are headed. The main objective of the future Land Use Plan is to create a vision of what sort of character we want to create within the city. The future Land Use Plan is really a guiding document that helps inform zoning changes down the road. You can depart from the Land Use Plan as needed. It is not binding. There are opportunities to adjust as the market fluxes. Overall, I think what we have created is what people want Tremonton to look like as it grows. Manager Warnke said we are looking at Tremonton City and what is best. We want to make sure there are good opportunities for people to find homes here, but I do not think Tremonton should bear housing for all of the Bear River Valley. The plan allows for some flexibility. Housing is an issue and having different housing products, types, and varieties for different people at different economic stages in their life is good. We are doing our share in providing different housings options. We should preserve the land also for a balanced community. We can change and amend the future Land Use Plan as needed. It does not have to be followed but should be followed. Mr. Taylor said this plan is a living document. It is not static. It is not something we are going to hang on to for 50 years. It should be updated in 10 years, maybe even five. Probably 70% of what is shown here will not transpire as drawn. It is a guiding tool and it should be updated regularly.

Manager Warnke said it was nice that we had this interim period where we had the plan mostly drafted and had a chance to try to implement it. One of the things we noticed in implementation was trying to clarify density and translating that into lot size. I think it is a lot clearer. Mr. Taylor has done a great job for the City.

Motion by Commission Member Dennis to recommend the 2023 Integrated Land Use Plan to the Council for approval. Motion seconded by Commission Member Seedall. Vote: Chairman Capener – aye, Commission Member Conrad – absent, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

b. Discussion of an Accessory Dwelling Unit ordinance – Sam Taylor via Zoom

Mr. Taylor said we presented the first draft to you a couple of months ago. We have made some revisions since. This is the latest draft. We provided the definition for accessory dwelling units. We have reorganized the ordinance to follow a similar structure of other conditional use permit ordinances. It has a bit more detail as to how the process of obtaining a permit should go for detached accessory dwellings. We put the approval of conditional use permits under the path of the City administrator. So, unless they see a need to push it onto the Planning Commission, those approvals will take place outside this body. We also clarified some language, so it is a little easier to understand. It is organized where

internal and detached are separate sections of this ordinance. We have tried to strip out things that were already covered under residential zoning, like setbacks. We have really tried to simplify this and make it fit well within the existing zoning ordinance.

Manager Warnke said I am working through it right now and will provide written comments. There were some technical issues to consider. What I would like to do is finish providing my comments and then we could put one more draft before the Planning Commission. We would then advertise for a public hearing once we feel we have a final draft. Chairman Capener said we ought to add the military exception. Those are the people who really need it. They may want to rent but may not live there for eight months. Mr. Taylor said we do have a section at the end of the ordinance for renewal. They reviewed that and read through text that was more inclusive. Mr. Taylor said if someone has this and chooses to go away for military, church service or whatever—if they are gone longer than 24 months, then they would have to reapply once they move back.

Chairman Capener said the other question I had was about impact fees. Why are we charging impact fees for the detached, but not the attached? Manager Warnke said the idea is if it is in the original footprint of the home, then there is no impact, because it was planned to be that size. There is a difference when they are adding additional capacity, but it would probably be less than the traditional impact. As we do our next impact fee update, we probably would add a new category for accessory dwelling. Chairman Capener said why do we care if it is more than 600 square feet—that is pretty tight. If the lot is not very big, there is no way you are going to meet the setbacks and be able to do that at all. Manager Warnke said we do not want them to overbuild the site. You can overbuild a site and then the accessory dwelling becomes an imposition on other people's property. That is what we want to avoid. Limiting it to a reasonable square footage makes sense. Chairman Capener said each individual situation is going to be different. Maybe we need to base it on lot size. Manager Warnke said there is a tendency to overbuild sites. I deal with it all the time when we talk to developers. They are pushing the margins and there comes a point where the site is overbuilt. I really feel like the best approach is trying to encourage accessory dwelling units with the initial construction of the home rather than trying to retrofit it. To that point, we would encourage developers to have that as a housing option; whether it is internal or attached. The City likely has affordable housing funds, that could provide incentives. The Commission agreed there are other issues that need to be addressed in the next iteration.

Motion by Commission Member Dennis to table item 4. b. Motion seconded by Commission Member Seedall. Vote: Chairman Capener – aye, Commission Member Conrad – absent, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

The next two items were discussed together.

- c. Discussion of the Moderate-Income Housing Plan Annual Report
- d. Discussion of amending the strategies of the Moderate-Income Housing Plan

Manager Warnke said this was the first opportunity to submit an annual report under this latest version of the State code. I spent quite a bit of time actually talking to the administrator and trying to get a sense of what they needed and what our obligations were. Either we are compliant or noncompliant. If we are noncompliant over multiple years, there is a fine they impose upon you (\$250 a day or \$500 for your second year of noncompliance). The thought process is, if you are not going to participate and be a willing partner by going through a planning process, you will help finance affordable housing. We want to be compliant. Affordability is an issue, and I think we are all sympathetic to it. We realize it is something that we should try to work toward. We had three strategies—infrastructure, an accessory dwelling unit ordinance, which we are doing, and a mortgage assistance program. A couple of these strategies rely on other people, which puts us in a precarious situation for compliance. We do not really control our destiny. I think what we should look toward is finding strategies that the City can implement relatively easy and effectively. I have put in a plug and a plea for them to allow us to use affordable housing funds to pay for a planner. I feel this is a program that the State is requiring us to do, and in order to really do it effectively, we need more resources. Having staff would certainly help. These are complex issues. I feel we should look toward strategies that can help us be compliant. We already have an established partnership with the Neighborhood Improvement Program, which helps existing homeowners who are low-to-moderate income, to address some of their housing needs. We are on phase seven of that. So that might be one we want to consider. These are living, breathing documents, and I feel this is maybe a good opportunity to reevaluate those strategies. The State told me if we change the strategies that we might have to report on both, so if we are going to make changes, the sooner we can make those, the better. We fared fairly well this year in the review process because we gave a little longer lead time to get some of these programs going, but we are toward the end of that lead time. We might not be as successful next, in saying we are in compliance. We should have Mr. Taylor take another review and add feasibility and maybe reevaluate how that looks. Mr. Taylor said we could definitely look at that again and find some good options. The Commission agreed to revisit the Moderate-Income Housing Plan at their next meeting.

5. Planning commission comments/reports

Councilmember Archibald said Commission Member Conrad has moved to Thatcher. He

asked if we want him to continue serving. Do we have individuals who would have the necessary gifts or talents that we might be able to utilize to serve the City well? Commission Member Seedall said if he is still interested in doing it then I believe he can according to City code. I think he still can serve legally. Manager Warnke said Planning Commissioners do not represent constituents. They are an advisor to the City. However, it is a political appointment, so it is sort of up to the Council to decide if they want them to serve or not. We wanted to give flexibility. If the Council felt like that person had something to contribute and would be to the benefit of the City, they could serve. They are supposed to be technical advisors, not the voice of the people. They answer to the Council. Chairman Capener said we would appreciate it if he wanted to serve until we could find a replacement.

The Commission agreed to cancel their next few meetings. The August 22 meeting would be canceled due to the Box Elder County Fair, the August 29 meeting would be canceled since City Council is meeting that day. They would also cancel the September 5 meeting, which is after Labor Day. Their next meetings will be in September.

6. Adjournment

Motion by Commission Member Dennis to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 6:57 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 ____ day of _____, 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.