

**TREMONTON CITY CORPORATION  
PLANNING COMMISSION  
OCTOBER 10, 2023**

Members Present:

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

Co-Chairman Dennis called the Planning Commission Meeting to order at 5:34 p.m. The meeting was held October 10, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Co-Chairman Dennis, Commission Members Seedall and Van Tassell, City Councilmember Archibald, City Manager Warnke, and Deputy Recorder Nelson were in attendance. Chairman Capener was excused.

1. Approval of agenda:

**Motion by Commission Member Van Tassell to approve the October 10, 2023 agenda.** Motion seconded by Commission Member Seedall. Vote: Co-Chairman Dennis – aye, Chairman Capener – absent, Commission Member Seedall – aye, Commission Member Van Tassell – aye. Motion approved.

2. Declaration of Conflict of Interest: None.

3. Approval of minutes—May 9, 2023, June 13, 2023 & July 11, 2023

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

4. New Business:

- a. Discussion and consideration of advising the City Council regarding a proposed land use ordinance relating to Accessory Dwelling Units in residential zoning districts

Manager Warnke said we held the public hearing at the last meeting. I reviewed it in anticipation that we were near the end. Mr. Taylor is going to lead you through the latest discoveries and recommendations for the draft. Mr. Taylor said here are the proposed provisions. We have discussed accessory dwelling units (ADUs)

versus accessory structures. The ordinance basically refers to treating detached accessory dwelling units as accessory structures in terms of setbacks, yards, etc. We are proposing to strengthen that language in the ordinance and make it clear that detached units and accessory structures are treated the same. In the residential ordinance it says no accessory building shall contain a greater square footage than the principal building. No accessory building or group of accessory buildings in any residential district shall cover more than 30% of the yard. Mr. Taylor showed examples of homes within each residential zone and outlined how an ADU might lay out. There are going to be situations where an accessory building might have a garage. Our proposed clarification in the ordinance is that the total building follows the 30% rule and that the ADU should not exceed 800 square feet. There is also the issue of parking. As the code is currently written, one parking stall is required for each bedroom within the ADU. The ordinance specifically states that tandem parking should not be allowed with the driveway of the principal dwelling. We want your opinion on whether tandem parking should be allowed or not.

Co-Chairman Dennis said can you rent out or live in the accessory structure? Manager Warnke said the owner has to be on the property. Mr. Taylor said they would probably just rent out the ADU portion. We do require owner occupancy of the primary loan. Councilmember Archibald said my primary concern has to do with parking. Manager Warnke said the standard is one spot for each bedroom. I think people will park on the street unless we are ticketing them during snow removal. It does add more complexity and burden on the City for enforcement as it relates to on-street parking. Co-Chairman Dennis said when you do tandem parking they end up on the sidewalk. Manager Warnke said that is a good point. The way the regulations are written now is you have to demonstrate a parking spot behind the front setback. Commission Member Seedall said you are probably going to have gravel to the ADU so it can be accessible by a car in the winter. I am fine with tandem, but they will not want to walk that far with their groceries. I would anticipate they would have some kind of gravel drive.

When asked about allowing more than one ADU on a lot, Manager Warnke said I would not. People are purchasing property in the City to enjoy. If you have multiple ADUs, then you start to undermine the purpose and maybe infringe more on your neighbors. Commission Member Seedall said but if you have four or five acres and you are limited to 800 square feet for an ADU, you could fit more than one. They would have plenty of space to put more than one 800 square foot ADU. Mr. Taylor said once you open that up, it brings in a lot of questions regarding impact for utilities and fire. Manager Warnke said we would evaluate it more on a rezoning rather than just open up the accessory dwelling unit ordinance for multiple units to be approved.

The Commission continued their discussion on tandem parking and using the driveway. Manager Warnke said in my mind, I do not think that functions well. However, we are trying to encourage accessory dwelling units. We could go with the most conservative approach and see how that goes and then amend the code if needed. Or we could be a little more liberal in the regulation and then try to rein it back. I think people are going to park where they want and where is convenient. Commission Member Seedall said that is going to be hard to enforce. We are thinking one car per bedroom, but a young married couple might only need one bedroom but both have a car. An ADU is probably going to bring in two cars, no matter the number of bedrooms.

Manager Warnke said one of the notes I had in working this draft was to chat with the fire chief and get his input on ADUs. The majority of a home needs to be within 400 feet of a fire hydrant. If you tuck them in the back, it could be harder to achieve that. The objective is to make these accessible and to encourage them. In order to do that you have to lessen the regulations maybe more than I would generally recommend for the sake of creating affordable housing. I would actually almost write the ordinance to be more liberal so that when people complain, we can tell them they comply. Commission Member Seedall said I think the internal one makes it more difficult for parking, because you are not going to open up your backyard for it. You are going to try and make it fit in the front. Whereas the detached housing, you will provide access to the structure. Manager Warnke said if we want to provide accessory dwellings, we should be more liberal on the parking requirement. That will allow for less issues administratively. We can always adjust the code. Mr. Taylor said I agree. There are so many variables. The maximum square footage was actually increased from a previous draft. Lowering that could eliminate a bedroom and a car or two. At least for the detached. Commission Member Seedall said most floor plans are anywhere from 800 to 1,200 square feet. If the maximum is 600, does that mean your basement cannot be rented out? Some people will still want a backyard so they may do less than the max. Manager Warnke said the smaller the footprint the more the price is per square foot. I think I favor flexibility. The 30% maximum sort of gives us a little bit of a controlling factor.

Manager Warnke said we wanted to bring these items to your attention. I will read it one last time and Mr. Taylor will make the changes. We will get you the latest draft at the next meeting. We then should be in a good position to make a recommendation to the City Council.

- b. Discussion of a draft scope of work for a water use and preservation element of the Tremonton City General Plan (see Utah Code 10-9a-403(2)(a)(iv)) and a water-conserving landscape ordinance

Mr. Taylor said this requirement is new from last year and required for all municipalities and counties. This needs to be organized to help City staff and our consultants get this adopted by the end of 2025. This will work in tandem with the City's Water Conservation Plan. It will look at the effects of development on water infrastructure and identify recommendations for how that can be reduced for both future and existing development. The Land Use Plan was sort of built around the Transportation Master Plan, so they are well integrated. This is now going to integrate with the Land Use Plan. It will also look at water conservation goals for the region. The other component is to look at sustainable landscaping. The recommendations that are going to come out of this element are water conservation policies, recommended ordinance changes to promote the efficient use of water and standards for main developments. We would also look at the landscape ordinance and develop one that is geared toward water conservation. I have started preparing this scope of work. The City is interested in getting this project done so it can be in compliance with State legislation. Manager Warnke said I want the Planning Commission to be familiar with the project and this is a really good starting point. Through the process, you will have opportunities to weigh in and make sure we are on the right track. The plan would be to have this done by July. The first component is the actual plan, which is an element of our General Plan. The other one is the landscape ordinance. The plan will set the policies and the landscaping ordinance will enact those policies through regulations. I have not forgotten about our Transportation Plan. We did get a scope of work and I will bring that to the next meeting. We also need to look at our Annexation Policy and Plan. There is plenty of work. If we are able to hire a planner, we will have more capacity for planning.

- c. Discussion of using an urban designer firm to design improvements (restroom, permanent stage, and electrical pedestals) in Midland Square associated with the City's implementation of a Rural Communities Opportunity Grant award

Manager Warnke said several meetings ago, I told you about a grant the City received for Midland Square to construct a restroom, permanent stage and power pedestals. We want to create a public plaza where people can gather and there are amenities that support programming. We have about \$580,000 to do the project. We received a grant for \$405,000. One of the requirements is that the Planning Commission is involved in the process and serves as an advisory. I felt strongly about having the right design professional to design these amenities. We put out a request for proposal and qualifications and did not get anyone. The second iteration of this included urban designers. It is someone we have worked with in the past. During City Council I plan on recommending that the City engages this urban designer to provide oversight and the creation of these amenities. They will provide different plans, perspectives and elevations. They will go through the programming and make sure it is programmed well, as far as the actual use is

concerned. The limiting factor is going to be the budget. You will get a chance to weigh in. This is not to exceed \$17,000 and will be based on hours. I feel it is important to get the design right and maximize the space we have. The grant is due at the end of the next calendar year, so it needs to be constructed by December 2024. We do have alternative sources that we might be able to use to supplement. This is an impact fee eligible project. There will be a steering committee, which will be comprised of our engineer, parks and recreation director, main street manager, city manager, assistant city manager, public works director, and the mayor. The purpose of that is to feed them with information and then they will draft designs that the Planning Commission can vet.

5. Planning commission comments/reports

Councilmember Archibald said I have sent texts of gratitude to those who have served on the Planning Commission. Deputy Recorder Nelson helped me pull from her files and I am going to be send out thank you letters this week. A new member of this commission was announced in City Council—Mark Thompson. Also, we will have our Planning Commission Christmas dinner on November 28, at 6 p.m. My concern is having a facility that is private enough that you can have conversations. I have reached out to each of you and asked where you would prefer to go. The majority would like to go to Maddox, but several would like to stay local. I will let you know where we decide soon.

6. Adjournment

**Motion by Commission Member Van Tassell to adjourn the meeting.** Motion seconded by consensus of the Board. The meeting adjourned at 6:58 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 12<sup>th</sup> day of December, 2023.

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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.