TREMONTON CITY CORPORATION
PLANNING COMMISSION
NOVEMBER 14, 2023

Members Present:
Micah Capener, Chairman
Penni Dennis, Commission Member
Jeffrey Seedall, Commission Member
Raulon Van Tassell, Commission Member
Mark Thompson, Commission Member
Connie Archibald, City Councilmember
Shawn Warnke, City Manager
Linsey Nessen, Recorder

Chairman Capener called the Planning Commission Meeting to order at 5:34 p.m. The meeting was held November 14, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Dennis, Seedall, Van Tassell (arrived at 5:35 p.m.), and Thompson, City Councilmember Archibald, City Manager Warnke, and Recorder Nessen were in attendance.

1. Approval of agenda:

   Motion by Commission Member Seedall to approve the November 14, 2023 agenda. Motion seconded by Commission Member Dennis. Vote: Chairman Capener – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – aye, Commission Member Thompson – aye. Motion approved.

   Councilmember Archibald read a bio on new Commission Member Mark Thompson. He was welcomed by the Commission.

2. Declaration of Conflict of Interest: None.

3. Approval of minutes—August 8, 2023, September 12, 2023, & September 26, 2023

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

4. New Business:
   a. Discussion and approval of 2024 Annual Meeting Schedule

      Motion by Commission Member Seedall to approve the Annual Meeting Schedule. Motion seconded by Commission Member Van Tassell. Vote:

Chairman Capener – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – aye, Commission Member Thompson – aye. Motion approved.

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

Chairman Capener said it says at least 300 and shall not exceed 800 or 30% of the rear yard. The way I understood it was it could be greater than 800 as long as it was not over 30% of the backyard. Manager Warnke said during the last meeting, Mr. Taylor did an analysis on what is practical in different zones—what those lot sizes look like, the setbacks and how these accessory dwelling units would fit. When asked about utilities, Mr. Taylor said water and sewer are shared, others may be separate. Manager Warnke said as it relates to alleyways, I do think accessory dwelling units make a lot of sense there. The City does not maintain alleyways, and for the purposes of snow removal, it could make it challenging. We would need to put people on notice that the City does not provide those services to alleyways. We need to put that in the ordinance and make everyone aware of that scenario.

Manager Warnke said he would have a conversation with the fire chief to discuss fire hydrants and coverage to ensure safety. I sent this to our building official, who suggested a five-foot setback to provide a 10-foot separate. He also preferred a single meter rather than multiple meters. With anything related to building and safety, I hope the Commission would allow that to be revised in the draft that goes to the City Council. The same would be true for the fire chief. We used the same language that exists in our current code.

The Commission then discussed the need for an ADU to be attached to permanent foundation. Mr. Taylor said the intention here was that it is anchored to a permanent foundation—as long as it is correctly anchored to meet the code. If we want to fully exclude modular, we can change the language to say that the whole structure has to be site-built.

Chairman Capener said it says no public meeting is required if the zoning administrator approves it, but then it says a public meeting shall be held if the Development Review Committee or Planning Commission approves it. Mr. Taylor said if the zoning administrator feels it is something that needs to go before these bodies, then there will be a public hearing as part of that process. Manager Warnke said those are public bodies who have to make decisions in a public meeting. That is if they feel it is in the best interest of the City to be further discussed. Approval of an accessory dwelling unit is an administrative decision.

The zoning administrator is authorized to bring ADUs before the Development Review Committee or Planning Commission.

When asked about impact fees, Manager Warnke said it is in the impact fee ordinance. We probably need to make a new section. It will be less than a single-family dwelling and in line with multi-family because they have smaller usages. We are thinking about amending our affordable housing to allow the City to pay for impact fees. That is one of the housing strategies for accessory dwelling units.

When asked about occupation of the main unit and possible revocation, Manager Warnke said we want to have good communication with whoever owns it. Everyone needs to be licensed because we are required in our annual affordable housing report to the State to track these. At what point does it become not an owner-occupied scenario? We can try to be as generous as is reasonable. There is an allowance in the ordinance. The idea is not to be heavy-handed with people who have legitimate absences. It is more just to make sure it does not become two rentals on a property. These are an accessory to the principal building. Renting them both out changes the character of that neighborhood, and we have to be careful of other people who own property adjacent to these homes. We are trying to balance those two properties coexisting. I think what we do is put out something we feel comfortable with, but realize that as we start to implement, we can revisit it. If we feel we need to tighten it up or loosen it up, we can.

The Commission addressed parking. Manager Warnke said frankly people are going to park where is most convenient, regardless of where we tell them they need to park. These intermittent violations are going to be a bit of a challenge. I wanted to avoid the City being involved in these violations where neighbors challenge the legitimacy or compliance of ADUs and then we are in a never-ending cycle about these disputes. There are going to be some challenges along the way, and we will refine it as we go.

Motion by Commission Member Dennis to make a recommendation to the City Council with the modifications by Mr. Taylor and input from the fire chief and building inspector. Motion seconded by Commission Member Van Tassell. Vote: Chairman Capener – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – aye, Commission Member Thompson – aye. Motion approved.

c. Concept discussion of R1-4 zoning

Commission Member Seedall provided a presentation on this zoning. The idea is to get residential single-family lots closer. Most of these ends up being three-bedroom, two and a half-bathroom ramblers. He showed a few examples. There

are houses this size that are being built that people are buying that are relatively more affordable due to their smaller square footage. The purpose of these fitting into the General Land Use Plan starts with affordability for the starter home pricing. Homeowners would actually own the land, so their equity goes up by having that versus a townhome where they only have ownership of the individual townhome space. They are a little denser. There are a few spots in Tremonton where we have open space, and these 4,000 square foot lots would allow some variety and decrease the cost of building. That can make a huge price difference. This type of development would also allow flexibility for preserving open space for parks or pathways or trail master planning. Traditionally with conservation subdivisions, you try to build around the natural features, like wetlands and channels and other spots where you have natural features that no one wants to subdivide. Adding these would increase the diversity of the planned development and you get a good affordable range of options for homeowners. Mr. Taylor said they call these garden boards or cottage homes, and the idea is that they are arranged around a common open space. Chairman Capener said if we had smaller lots like this then we would not need as much multi-family housing. These are more affordable. I wonder if we would still do the HOA so they can all be landscaped and maintained out of the gate. Mr. Taylor said I think a discussion could really be had on form controls because you could end up in a situation where you have very large homes packed in like sardines. Establishing those limitations could be something worth considering. Especially if the idea was to keep them small. Chairman Capener said the target is to bring the cost down so you can bring affordability. Shrinking the size of the home and lot is the only way we are going to bring the cost down so people can afford these single-family, starter homes. I think these fits along the lines of what people would like to see—single-family ownership with the flexibility to be individual, but in an affordable way. My only reservation is if we put in these big conservation parks and require them to be landscaped and watered with all the bells and whistles then we are not going to be any cheaper than doing a traditional 8,000 square foot lot. Manager Warnke said the open space does not need to be huge—just landscaped well. Chairman Capener said if it is configured correctly it is going to be much more usable.

The Commission agreed to have Mr. Taylor try to refine this, look at case studies and further explore the concept. Manager Warnke said we could then identify key features and start to base an ordinance upon consensus of those principles. Commission Member Dennis said a year ago, this would have looked so claustrophobic and I would have wondered why we would want that. However, yards are not being maintained. There are so many people who cannot keep up.

5. Planning commission comments/reports

Councilmember Archibald said our next Planning Commission meeting is scheduled for November 25, but we will have our Christmas party at 6 p.m. at the Grille Restaurant. The Council would meet in December to discuss affordable housing.

6. Adjournment

Motion by Commission Member Van Tassell to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 7:25 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 9th day of January, 202.

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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.