

**TREMONTON CITY CORPORATION  
PLANNING COMMISSION  
FEBRUARY 27, 2024**

Members Present:

Micah Capener, Chairman  
Penni Dennis, Commission Member—excused  
Jeffrey Seedall, Commission Member  
Raulon Van Tassell, Commission Member  
Mark Thompson, Commission Member  
Sam Taylor, Landmark Design  
Cynthia Nelson, Deputy Recorder

Chairman Capener called the Planning Commission Meeting to order at 5:41 p.m. The meeting was held February 27, 2024 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Seedall, Van Tassell, and Thompson (arrived at 5:19 p.m. via Zoom), Mr. Taylor with Landmark Design, and Deputy Recorder Nelson were in attendance. Commission Member Dennis was excused.

1. Approval of agenda:

**Motion by Commission Member Seedall to approve the February 27, 2024 agenda.** Motion seconded by Commission Member Van Tassell. Vote: Chairman Capener – aye, Commission Member Dennis – absent, Commission Member Seedall – aye, Commission Member Van Tassell – aye, Commission Member Thompson – aye. Motion approved.

2. Declaration of Conflict of Interest: None.

3. Public Comments: None.

4. Approval of minutes—December 12, 2023 and January 9, 2024

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

5. New Business:

a. Discussion of master plan development zoning ordinance – Sam Taylor

Mr. Taylor said I am filling a new role for Tremonton with former City Manager Shawn Warnke's departure. I have had discussions within the Development Review Committee (DRC). I want to discuss residential zoning in Tremonton and different factors that play into this discussion. We currently have seven residential

zone districts. Most property annexed in the City is assigned to one of those. However, in recent years the City has used discretionary zoning to create overlays as part of a master development agreement. With discretionary zoning, there are pros and cons. It can prescribe some specific mitigation actions for the City, and often results in certain benefits with agreed upon negotiate amenities. It also gives the developer a chance to feel more secure in their development. It has worked pretty well so far. However, the public can perceive these as bias. How do you get consistency from agreement to agreement and keep track of that? We still need this from time to time, but we need to get more defined. The more special zones we create, the more difficult it becomes for staff to track and administer. It is time intensive to develop a new agreement for every project. When we did the Integrated Land Use Plan, it identified a number of zone properties, which do not align with our vision. It raised the question as to whether the existing residential zones are meeting that need. Are there enough zones in place or do they offer less flexibility for different types of density or regions? The recommendation of the plan is to look at long-term land use and compare that against the zoning to identify weak points and introduce ordinances to realign the zoning with what has been determined as the General Plan. The other force at play is our current market. Tremonton is trying to bring affordability to the table so developers are looking to provide a variety of housing products. The positives are that it distributes affordable housing and encourages a more diverse neighborhood. This often leads to an overlay because it does not fit our zones the way they are written. This is pointing to the potential for creating new zoning. This could carry forward the R1-4 discussion we had. We need to look at potential solutions to satisfy these competing forces.

Mr. Taylor said something we would like to consider is the creation of additional zoning to promote denser single-family housing, such as cottage or patio homes. This would offer more affordable housing and opportunity to transition between higher density to lower density. This is a product that is continuing to be implemented across the Wasatch Front and is something that is missing in Tremonton. The DRC is interested in pursuing a product like this. We could also do more of a mixed residential zoning that could allow for single and multi-families in the same zone. We could implement different controls for each form and what amenities would be required. We could also look at the Land Use Plan and recommend an overlay that would allow for increased density for clustering. We have also worked through the Moderate-Income Housing Plan. One of the strategies was to look at introducing multi-family housing into single-family neighborhoods that are compatible in scale and form. That might be another opportunity to introduce duplexes and triplexes into single-family neighborhoods as long as they fit the character.

Mr. Taylor said if you want to encourage walkable centers then the vertical mixed

use lends itself more to that whereas Tremont Center is more of a horizontal separation and tends to be more auto oriented. I think we need to reduce the number of overlays we are doing as a whole. We need to get to a point where our zoning better allows for what the market is doing and fits our Land Use Plan to meet a decision of how it is supposed to play out. Doing development agreement after development agreement with different overlays is not giving us the consistency to do that and becomes difficult to track. I am not saying we are doing away with overlays—they still have value. As we move down the road, I think it would be valuable to our planning staff to have more consistent regular zoning that conveys the same message as to what is expected. There are still some development agreements that have to be worked through to some degree. Councilmember Rohde said that is subjective development and people say one developer did this and another this, where is the fairness in that? How do they measure that across the board with development agreements? If we can standardize them that would be a great tool. Sitting on the Council I do not know how many times we took it for doing unfair practices or paying money under the table because of a development and that was not fair to us. That is one of the cons to these development agreements, it looks like we are doing unfair practices under the table in some people's eyes. Chairman Capener said we are not going to be able to require what was demanded of River's Edge. Based on the scope and all the things we put in the code, I just do not think we are going to get the kind of leverage you can get with a development agreement. Mr. Taylor said it all depends on how it is written. I will share some examples. They still require a development master plan to be submitted and it goes through the process just like it does today, but it takes care of some of the issues of setbacks, parking, fencing, landscaping and utilities. The things that streamline so there is more consistency from development to development. I do not think it gets into some of the other details like fee-in-lieu. There is still room for some of that to be worked into the development agreement and for some negotiation to take place.

Mr. Taylor said there may still be need to do development agreements. We could start by creating an overlay that experiments with R1-4 and see if it works. I am interested in creating a toolbox, not trying to throw darts at a map, but creating a toolbox that we can draw from as these things come along. Having it written in a way that is not specific to one development, but can be recycled and reapplied in other places is what we want to do for here.

After much discussion, Mr. Taylor said he would drill down on their concerns a bit more for further discussion at their next meeting. Chairman Capener said I do not want to put stuff in there that limits our ability to have some incredible places that cannot be afforded unless we have significant density. I think HOAs are critical to keep it maintained no matter how many units it has. Councilmember Rohde explained an experience where someone said we do not want anything to

do with certain major cities because their taxes are too high and they are over regulated. He said do we as a City fall into any of those categories? Do we make it hard for businesses to come into town because we are over taxed and over regulated? If we are, I think we ought to start looking at deregulating just a little bit to make it more friendly for businesses. I think we need to talk about how we can make it more friendly for people to come in and set up businesses. Mr. Taylor said I think it is important to be mindful of that.

6. Planning commission comments/reports: None.

7. Adjournment

**Motion by Commission Member Van Tassell to adjourn the meeting.** Motion seconded by consensus of the Board. The meeting adjourned at 6:49 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 26<sup>th</sup> day of March, 2024.

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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.