

Newton Planning Commission Meeting
July 11, 2024, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT

Meeting Agenda

1. Call to Order/ Roll Call
2. Opening Ceremony
3. Approval of June 2024, Minutes
4. Follow up Nephi Jones regarding Accessory Dwelling Units Code
5. Adjourn

Minutes:

1. Call to Order/ Roll Call-

Roll Call: Holly Call, Justin Cooley, Cass Bleazard, Nicole Kunzler (Recorder)
Brett Peterson

2. Opening Ceremony – Holly Call

3. Approval of June 2024, Minutes-

Justin presented motion to approve June 2024 Minutes, All Approved.

4. Follow up Nephi Jones regarding Accessory Dwelling Units Code -

Cass- Looked up Utah state law regarding ADU. There was a new law passed 5/3/2023 regarding ADU. In it, it states some of the following I am going to paraphrase: defines an ADU, rented out for over 30 days. Primary Dwelling of owner with attached ADU. The ADU can be the bigger unit and the owner can live in the smaller unit. Our code cannot restrict the size of ADU. The ADU does have to be up to date on Building, Fire and any Health Codes that apply. Another thing to note was City cannot require or stop the owner from setting up a separate utility meter for ADU. City can place a restriction to not allow ADU in 25% area of city. City is allowed to deny ADU if it has a failing septic tank. And not approve ADU if lot size is smaller than 6,000 sq ft.

Brett- Town Council also had the ADU code on their agenda, I can paraphrase some of what we discussed. Karla mentioned some state laws, but due to the town's size we are exempt some from of the state laws. Brett talked to some previous council members to see what they knew or remembered about ADU Code, a lot of the feedback he got back was that the assumption was that ADU were not allowed. But no one could state when this would have been put into code or where the code says no ADU.

Town Council discussion from 7/10/2024, went over ADU code in Ch 10 it discusses mobile home single family dwelling units. Most of Newton is Single Family Dwelling Zoning R1. Which is 1 family per dwelling in unit. Also noted was the size of ADU, has to be subordinate (smaller) than the main dwelling. Not sure that Nephi would qualify, would have to get more information on size of unit. Biggest concern is if he is moving there with the intention of renting out both units, which would then make it a Duplex. Which it is not zoned for. We may have to change code to what Cass presented earlier from the state.

I have messaged Seth Tate, the town attorney to review and see if we are up to date with our code. I also want to note that the Land Use Code has not been updated since the early 2000's. Possibly look into updating that and getting the Town Attorney input on code.

Group Discussion- on the State Code

Cass- There was a video presentation regarding why the state passed the new laws regarding the ADU.

Brett- Town Attorney will advise us with his interpretation of the law. I will let you know when I hear back from him.

Holly- was anything discussed last meeting regarding Animal Ordinance?

Cass & Justin- No

Holly- I have not made any edits to our draft since May.

*Justin-*Are we using points?

Cass- Yes, just not finalized in what we have LISTED

*Brett-*My recommendation is the baseline number should be more moderate, with conditional use permit

Holly- We don't want to call it conditional us, we want something similar to a kennel license. With a yearly renewal and do 2nd year review in person, to go over any issues/complaints from neighbor if any. Then do a yearly renewal process.

Justin- I can't think of a lot of people, who would want a large number of animals

Group discussion- what are moderate numbers

Holly- I will do some revisions and send out what I have. But I want everyone to look over what animals we have listed to see if it's a good list. AS I want to use the wording in the code "any animals not listed are not allowed".

Brett- Also needs to solidify the language for a nuisance animal. What annoys one person versus another varies. So we need to have guidelines written in the code.

Holly- I will have some updates to the Animal Ordinance for the August Meeting to go over.

5.Meeting Adjourned 7:36pm

Minutes prepared by: _____
Nicole Kunzler, Assistant Town Clerk Approval Date