

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
October 14, 2014**

Members Present:

Robert Anderson, Acting Chairman
Arnold Eberhard, Commission Member
Troy Forrest, Commission Member
Micah Capener, Commission Member
Tom Stokes, Commission Member
Bret Rohde, City Councilmember
Steve Bench, Zoning Administrator
Linsey Nessen, Deputy Recorder

Acting Chairman Robert Anderson called the Planning Commission Meeting to order at 5:35 p.m. The meeting was held October 14, 2014, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Acting Chairman Robert Anderson, Commission Member Arnold Eberhard, Commission Member Troy Forrest (arrived at 5:39 p.m.), Commission Member Micah Capener, Commission Member Tom Stokes, City Councilmember Bret Rohde, Zoning Administrator Steve Bench, and Deputy Recorder Linsey Nessen were in attendance. Chairman Richard Seamons and Commission Member Jared Summers were excused.

1. Approval of agenda:

Motion by Commission Member Capener to approve the October 14, 2014 agenda. Motion seconded by Commission Member Stokes. Vote: Acting Chairman Anderson – aye, Commission Member Eberhard – aye, Commission Member Capener – aye, and Commission Member Stokes – aye. Motion approved.

2. Approval of minutes: September 23, 2014

Motion by Commission Member Eberhard to approve the September 23, 2014 minutes. Motion seconded by Commission Member Capener. Vote: Acting Chairman Anderson – aye, Commission Member Eberhard – aye, Commission Member Capener – aye, and Commission Member Stokes – abstained. Motion approved.

3. Public Hearing:

Acting Chairman Anderson called the public hearing to order at 5:38 p.m. There were no persons in attendance.

- a. To receive public input on proposed amendments to Title I Zoning Ordinance Chapter 1.26 Permit Required – Master Site Plan and Chapter 1.18 Landscaping, Buffering, and Fencing Regulations Section 1.18.030 Commercial, Industrial, Institutional, and Multi-Family Dwelling Landscape Requirements

Zoning Administrator Bench stated that there were some clarifications added and some items omitted from Chapter 1.26 on Master Site Plans. The Master Site Plan for a large development won't have the detail needed for approval from the City. A generic Site Plan can be submitted, but won't be approved. It is proposed to add item A to the Code stating, "Delaying the Submission of Documents. Depending on the size and scale of the proposed Master Site Plan area, the Land Use Authority Board may determine that it is more appropriate to delay the submission of some of the required Master Site Plan documents enumerated above until the review of an individual phase of a site plan."

Zoning Administrator Bench stated that as the Code reads now in Chapter 1.18, if there was a 100 acre development, but a building was only being built on 25 acres, the entire 100 acres would have to be landscaped at that time. It is proposed to add Item C to the Code stating, "Large Parcels of Property. Since site conditions and development constraints vary greatly on large parcels of property, the Land Use Authority Board is authorized to approve Landscape Plans that deviate from strict compliance with the provisions of this Chapter. Property not required to be landscaped with a Site Plan Permit approval shall be required to be maintained."

Commission Member Capener summarized that the proposed change to Chapter 1.26 gives the Land Use Authority Board the authority to change the requirements of the Master Site Plan based on the size and scope of the potential site. Zoning Administrator Bench stated that was correct.

Acting Chairman Anderson closed the public hearing at 5:44 p.m.

4. New Business:

- a. Discussion and consideration of approving and recommending to the City Council the proposed amendments to Title I Zoning Ordinance Chapter 1.26 Permit Required – Master Site Plan

Item was combined with Item b.

- b. Discussion of proposed amendments to Title I Zoning Ordinance Chapter 1.26 Permit Required – Master Site Plan

Motion by Commission Member Forrest to approve and recommend to the City Council the proposed amendments to Title I Zoning Ordinance Chapter 1.26 Permit Required – Master Site Plan and Chapter 1.18 Landscaping, Buffering, and Fencing Regulations Section 1.18.030 Commercial, Industrial, Institutional, and Multi-Family Dwelling Landscape Requirements. Motion seconded by Commission Member Eberhard. Vote: Acting Chairman Anderson –

aye, Commission Member Eberhard – aye, Commission Member Forrest – aye, Commission Member Capener – abstained, and Commission Member Stokes – aye. Motion approved.

- c. Discussion of proposed amendments to Title I Zoning Ordinance Chapter 1.16 Residential Overlay Zones and Map 1.08

Zoning Administrator Bench stated that an overlay zone and map were approved several months ago for Spring Hollow and Spring Hollow Legends Subdivision. The development doesn't have intersections, but has winding roads instead, which gives some of the lots a pie shape. According to Chapter 1.16, those lots wouldn't meet the frontage regulations, but the overlay has already been approved. It is proposed to change the frontage regulations from 60 feet to 45 feet, which is the frontage that all other zoning regulations allow.

A 20 foot rear yard setback is required in the RI-8 zone, where lots are only 8,000 square feet, so it is proposed to change the rear yard setback regulations for this development of 6,000 square foot lots from 25 feet to 20 feet.

In a meeting with the developers of this property, there were some other issues found. There was some off-street parking required because of the open space in the development so visitors would have a place to park. The 1150 North street will be a public street that runs through this development, but the City is going to treat the street as private for purposes of off-street parking and allow a strip of parking that pulls directly off the street. The developers did a couple of parking lots on each end of the open space.

Another change was that the original map showed a tennis court, but the development will not have a tennis court after all. The Land Use Authority Board recommended, pending approval of the Planning Commission and City Council, in trade of the City making the changes for off-street parking and the tennis court removal, that the developers will put in dry secondary water piping as the City does not have a secondary water for this development. Manager Warnke sent this information down to the State's Ombudsman for his response on this proposal.

- d. Advise and consent on amendments to Title I Zoning Ordinance Chapter 1.01 General Provisions, Section 1.01.040 and Section 2.01.015 Penalty for Violating Title

Zoning Administrator Bench stated that there was some concern in the last meeting about it stating in Chapter 1.01 Section 1.01.040 that the penalty for violating the Title is a Class B Misdemeanor. The paragraph has been rewritten to state, "Penalty for Violating Title. All punishments, fines, and/or fees, for violating Title I, II, and III of the Tremonton City Corporation Land Use Code shall be assessed in accordance with the City's Consolidated Bail Schedule of the

Tremonton City Consolidated Fees and Fines Schedule as adopted by resolution.”

5. Adjournment

Motion by Commission Member Capener to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 5:58 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 Linsey Nessen.

Dated this 28th day of October, 2014



Darlene S. Hess, 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.