

**TREMONTON CITY CORPORATION  
PLANNING COMMISSION  
January 12, 2016**

Members Present:

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

Chairman Robert Anderson called the Planning Commission Meeting to order at 5:28 p.m. The meeting was held January 12, 2016 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Robert Anderson, Commission Member Ben Greener, Commission Member Arnold Eberhard, Commission Member Micah Capener (arrived at 6:01 p.m.), Commission Member Tom Stokes, City Councilmember Bret Rohde, Zoning Administrator Steve Bench, and Deputy Recorder Linsey Nessen were in attendance. Commission Member Troy Forrest was excused.

1. Approval of agenda:

**Motion by Commission Member Stokes to approve the January 12, 2016 agenda.** Motion seconded by Commission Member Eberhard. Vote: Chairman Anderson – aye, Commission Member Greener – aye, Commission Member Eberhard – aye, and Commission Member Stokes – aye. Motion approved.

2. Approval of minutes:

**Motion by Commission Member Eberhard to approve the December 8, 2015 minutes.** Motion seconded by Commission Member Stokes. Vote: Chairman Anderson – aye, Commission Member Greener – aye, Commission Member Eberhard – aye, and Commission Member Stokes – aye. Motion approved.

3. Public Hearing:

Chairman Anderson opened the public hearing at 5:30 p.m. There were two people in attendance.

- a. To receive public input on a proposed amendment to the Tremonton City Zoning Code, Chapter 1.08 Commercial and Industrial Zone Districts, Tattoo and Body Art as a non-permitted use in all zoning districts.

Zoning Administrator Bench stated this item is on the agenda for Tattoo and Body Art to be stricken from the Code if that is the desire of the Planning Commission and the City Council. It is not the intent of this amendment to prohibit permanent make-up tattooing, just normal tattooing and body art would be eliminated.

Chairman Anderson clarified that the Code allowed for tattooing in the Commercial and Industrial Zone Districts by Conditional Use Permit. Zoning Administrator Bench stated it did.

Commission Member Stokes asked what the City needs to do to continue to allow permanent make-up tattooing but not tattooing and body art. City Councilmember Rohde suggested working with the City Attorney and putting language in the Code to address permanent make-up tattooing. Zoning Administrator Bench agreed that it should be in the Code.

Zoning Administrator Bench stated the City is not disallowing people from getting tattoos, they just won't be allowed to get tattoos in Tremonton City and will have to go elsewhere.

Chairman Anderson closed the public hearing at 5:37 p.m.

4. New Business:

- a. Discussion and consideration of approving and recommending to the City Council the proposed amendment to the Tremonton City Zoning Code, Chapter 1.08 Commercial and Industrial Zone Districts, Tattoo and Body Art as a non-permitted use in all zoning districts.

**Motion by Commission Member Stokes to approve and recommend to the City Council the proposed amendment to the Tremonton City Zoning Code, Chapter 1.08 Commercial and Industrial Zone Districts, Tattoo and Body Art as a non-permitted use in all zoning districts and adding language to allow for permanent make-up tattooing.** Motion seconded by Commission Member Greener. Vote: Chairman Anderson – aye, Commission Member Greener – aye, Commission Member Eberhard – aye, and Commission Member Stokes – aye. Motion approved.

- b. Discussion and consideration of rezoning property located at 196 South 1000 West containing 1 acre from RR-1 to R1-10 – Steve Batis

Zoning Administrator Bench stated that Mr. Steve Batis owns a one acre parcel of property, which is surrounded by RR-1 and R1-10 zoning districts. Mr. Batis stated behind his property and across the street is zoned as R1-10. Zoning Administrator Bench stated that new homes have already been built across the street and more new homes are slated to be built and are already zoned R1-10.

Directly north and south of this property is zoned RR-1, but this property is contiguous with the R1-10 Zone.

Commission Member Greener asked what the logic was for zoning the area on Iowa Street as RR-1. Zoning Administrator Bench stated it has been that zoning since the beginning when there were still farms. When that property was subdivided twenty or thirty years ago, it was still fairly rural.

Mr. Batis stated he just wanted to get the Planning Commission's feel for this possible change as they have recently placed the home for sale by owner and have had interest in just the house and not the accompanying acreage. Mr. Batis stated he would be interested in building a new house on the back section of the lot if the property were rezoned and the new owner didn't want to purchase the accompanying acreage.

Chairman Anderson asked how many lots could be made out of the property. Zoning Administrator Bench stated the minimum lot size in the R1-10 zone is 10,000 square feet so the property could be subdivided into at least two lots or possibly three depending how they were laid out.

Commission Member Stokes asked if Mr. Batis has approached the neighbors about this possible zone change and what their thoughts were. Mr. Batis stated he has spoke with the neighbors to the north who had interest in purchasing Mr. Batis' shed at one point and the other neighbors haven't had any objections to it. Zoning Administrator Bench stated if the Planning Commission wants to move forward with this, a public hearing would be set and those neighbors will be notified by mail of the possible change and the hearing. Mr. Batis clarified that he is currently just getting a feel for the possibility of this change, but may not need to do it if someone puts an offer down for the entire property.

Chairman Anderson stated that even if the zone change was made, that wouldn't preclude Mr. Batis from selling the entire one acre of property. Mr. Batis stated it would be a problem if the purchaser wanted the animal rights included in the RR-1 zone as the R1-10 zone has no animal rights.

Commission Member Stokes stated he would like to move forward with the public hearing. The other Planning Commission Members agreed. Zoning Administrator Bench stated he will set this for a public hearing and asked Mr. Batis to provide him with the addressed envelopes to mail to the neighbors of the property. Mr. Batis stated he would.

- c. Review and consideration of amending the Tremonton City Transportation Master Plan

Zoning Administrator Bench stated the plan shows existing roads, categorizing

them into arterial and collector roads, and also shows how UDOT would also categorize them. There are hashed lines picking out where potential future roads may go. Zoning Administrator Bench stated this plan will be on the next agenda and asked the Planning Commission members to review it and write down any comments, questions, or concerns they may have to be addressed at the next meeting.

d. Review and consideration of the Tremonton City Main Street Access Plan

Zoning Administrator Bench stated that Main Street is a UDOT road from Deweyville to the turn off to go to Thiokol. The roads are categorized anywhere from one to seven and the City is between the four to seven category, which means somebody can't go out and just put an access off Main Street without UDOT's permission. That access also has to be a certain distance away from other accesses.

Zoning Administrator Bench stated the Land Use Authority Board went from what the future annexation boundary would be and drew in accesses with the distance required by UDOT at the current time. Additional stoplights are also shown, if they are needed in the future. A cross access style road would have to be done for anything developed west of the Maverik.

Zoning Administrator Bench stated the blue markings on the plan are where the City is going to have to go after obtaining a right-of-way. The road would not be put in, but an easement obtained.

Zoning Administrator Bench asked the Planning Commission Members to also look this plan over and write down any questions, concerns, or comments they have to be discussed at the next meeting.

Commission Member Stokes asked why the City has to purchase right-of-ways if it is understood that they are right-of-ways. Zoning Administrator Bench stated it is not understood that they are right-of-ways currently. Commission Member Stokes asked why it is to the City's advantage to obtain right-of-ways when it is the developer's incentive to build there and why the developer isn't required to purchase the right-of-way. Commission Member Greener stated it is to the City's advantage to help develop an area so a contractor will come there to build. Zoning Administrator Bench stated the road would be built by the developer.

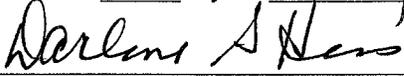
Zoning Administrator Bench stated that when a land owner comes in and wants to develop, the City has a plan showing accesses onto that property that UDOT has already approved.

5. Adjournment

**Motion by Commission Member Stokes to adjourn the meeting.** Motion seconded by consensus of the Board. The meeting adjourned at 6:02 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 26<sup>th</sup> day of January, 2016.



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.