

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
MARCH 12, 2019**

Members Present:

Micah Capener, Chairman
Val Bennett, Commission Member
Arnold Eberhard, Commission Member
Troy Forrest, Commission Member
Ben Greener, Commission Member
Brad Janssen, Commission Member
Tom Stokes, Commission Member
Roger Fridal, Mayor
Steve Bench, Zoning Administrator
Linsey Nessen, Recorder

Chairman Capener called the Planning Commission Meeting to order at 5:30 p.m. The meeting was held March 12, 2019 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Bennett, Eberhard, Forrest, Greener, Janssen (arrived at 5:31 p.m.), Stokes, Mayor Fridal, Zoning Administrator Bench, and Recorder Nessen were in attendance.

1. Approval of agenda:

Motion by Commission Member Bennett to approve the March 12, 2019 agenda. Motion seconded by Commission Member Stokes. Vote: Chairman Capener – aye, Commission Member Bennett – aye, Commission Member Eberhard – aye, Commission Member Forrest – aye, Commission Member Greener – aye, Commission Member Stokes – aye. Motion approved.

2. Approval of minutes—February 26, 2019

Motion by Commission Member Eberhard to approve the February 26, 2019 minutes. Motion seconded by Commission Member Greener. Vote: Chairman Capener – aye, Commission Member Bennett – aye, Commission Member Eberhard – aye, Commission Member Forrest – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

The Commission requested a copy of the 1988 Capital Facilities Plan, which will be sent over by Manager Warnke.

3. New Business:

- a. Discussion and consideration of amending Title II Tremonton City Subdivision Ordinance, Section 2.06.020 adding when a septic system may be installed

Administrator Bench said since we are changing the code we received a call from the health department wondering what is going on. There are many little towns, like Millville, that are having issues with too many septic tanks polluting the groundwater. They are re-looking at things and if they approve a new design it could triple the price from \$5,000 to nearly \$15,000 or more. Chairman Capener said so Commission Member Bennett you want to amend it to say what? I am not sure exactly what the language was. Commission Member Bennett said it would be similar to one of those other drafts. At first I was thinking incremental, but I figured that would over complicated it. If we say five lots or greater and you are greater than a quarter mile away then go ahead and do a septic tank, but if you are closer then you should hook to the sewer. Administrator Bench said with the exception of lots, the quarter mile is what we had in the first draft. Chairman Capener said but that was a quarter mile for any subdivision, even one. Commission Member Bennett said as long as it is larger than a half acre. Do we need to put that back in the newer draft? Commission Member Forrest said the health department regulations are going to cover that. Chairman Capener said the health department has a table for minimum lot sizes. The largest one on City water is 20,000 square feet so technically you do not need a half-acre if the septic system fits on the lot. Commission Member Bennett said they told me you have to have redundancy on that lot. If the drain fill goes bad you have to have room to put another one in. As long as they look at the plans that makes sense to me. Commission Member Stokes asked Administrator Bench if he approves septic tanks within the City or if the health department does. Administrator Bench said the health department still approves them. If we had to do a septic in the City one of the requirements is a copy of the permit from the health department. Chairman Capener said they are required to do a feasibility study and perc test. Administrator Bench said he looks at the pipes and foundation, but from there the health department takes care of it. Chairman Capener said it also depends on five different soil types, which will give them the minimum system they have to put in and how big the lot will have to be to accommodate it. It depends on the area and when you perc it. Commission Member Eberhard asked about proximity to other systems? Administrator Bench said they have rules on how far it has to be from water sources. Chairman Capener said the health department knows where all those sheds and wells are, and you have to be so many feet from each one. Commission Member Bennett said it sounds like we can take the half-acre thing out because that is taken care of by the health department.

Administrator Bench said in the past, up until just a few years ago when clarifications were made, this has been a convoluted mess. If we keep it that way it needs to be tuned up. Commission Member Bennett said if you are in the City limits you just have to do it period? Administrator Bench said in a nutshell that is what the ordinance reads, that you will run to the sewer. For an individual house to run hundreds of feet is a lot of money. Building a single family dwelling on a half-acre lot and having to spend another 10 grand to get to the sewer does not

pencil out for their funding.

Commission Member Stokes asked about a utility plan for the sewer system. Do we have one going east toward the Crossroads further south? Administrator Bench said yes. I do not know the distances they branch out, but I am sure if it is an 8-inch line at the border it would continue there. We have a sewer plan, a water plan, a road plan, and we soon will have a secondary water plan. The sewer plan has what our engineer would estimate the growth to be in the future, which is driven by development. Commission Member Forrest said what if you are within 300 feet as the crow flies, but you cannot get an easement to cross your neighbor's property so you have to go half a mile to run it? Chairman Capener said we changed that to say it is to be measured by 300 linear feet. Administrator Bench added or without the whole house pumped too.

Commission Member Forrest said so do we want the quarter mile on a subdivision size or do we want to let what we have stand? Chairman Capener said I think if anyone is doing more than five lots they are going to want to run the sewer if they are within that quarter mile. Commission Member Stokes said if someone has 10 acres and they put three lots on there and then add two more, are we going to make them come back and put those first three that are already on septic tanks into the sewer system? Once it is a subdivision will they put in curb and gutter to come up to City standards? Commission Member Eberhard said we would have to lean on the health department, as long as they are in compliance with the health department I think we ought to grant that. Chairman Capener said but if they do go over five then they do have to extend the sewer line. We would have to make clarifications to the language. That is why we put the language in there that says they need to hook up if their system is unsanitary or fails, but other than that they should just keep doing what they are doing. New developers would if they go beyond the five lots though. Administrator Bench said if it is not in the code then how are we going to hold them to that? If we stick with five lots it ought to say regardless of the size of the lots. Commission Member Stokes said I say it needs to go to some sort of density factor. Someone could take a 20-acre piece and divide it creatively enough to basically have a 20-lot subdivision with no requirements to go to sewer. Chairman Capener said maybe we need to add some language like the health department has and stop allowing them when you identify a potential saturation. It depends on the soil, area, and a bunch of factors. To do what you are talking about is bringing in the complexity of the problem. Right now someone could call Administrator Bench and ask about building, but he has no clue how many times it has been divided. We would have to know how many acres they have and how many times that parcel has been divided, which is not simple. Maybe we could address the problem by saturation of the soil. Commission Member Eberhard said that goes back to the health department. Commission Member Stokes said but where is the cutoff? If I divide my land accordingly I never have to go to the sewer. I do not know the answer, but I know

it is going to be abused. Commission Member Forrest said if they subdivide too much the health department will look at the impacts and push to have it come back. They look at density. Those who want to do more will tend to want to go to sewer because when you build a septic system for four units it becomes expensive in a hurry. It starts to make digging a quarter mile line make a lot more sense. I think the health department language will largely take care of that.

Chairman Capener said all these things we are talking about can already be done in the County. So if I do not want to develop in the City I can put 20 lots in the County and there is no problem. Why are we forcing everyone to go to the County instead of extending the City's water and all those lines? We are forcing them to develop in the County and then making the problem worse because then they have a well and a septic system. Odds are they are coming into the City to get that water and connect those dots. Commission Member Forrest said that would be my motion, to leave it the way it is and have the health department be the screener. Chairman Capener said he would get Administrator Bench the write up for the Council to review.

Motion by Commission Member Forrest to approve the ordinance. Motion seconded by Commission Member Eberhard. Vote: Chairman Capener – aye, Commission Member Bennett – aye, Commission Member Eberhard – aye, Commission Member Forrest – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

4. Adjournment

Motion by Commission Member Forrest to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 6:01 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 ____ day of _____, 2019.

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.