

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
APRIL 24, 2019**

Members Present:

Steve Bench, Chairman/Zoning Administrator—excused
Chris Breinholt, City Engineer
Marc Christensen, Parks & Recreation Director—excused
Paul Fulgham, Public Works Director
Shawn Warnke, City Manager
Cynthia Nelson, Deputy Recorder

Manager Warnke called the Development Review Committee Meeting to order at 11:11 a.m. The meeting was held April 24, 2019 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Engineer Chris Breinholt, Director Paul Fulgham, City Manager Shawn Warnke, and Deputy Recorder Cynthia Nelson were in attendance. Director Marc Christensen and Zoning Administrator Steve Bench were excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the April 24, 2019 agenda with Ben Johnston talking about his item first (3. b.). Motion seconded by Engineer Breinholt. Vote: Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes: No minutes to approve.

The following items were discussed out of order.

3. New Business:

- a. Concept/Preliminary Review for Pena Subdivision at 2495 West 1000 North—Jesus Pena

Discussed during the Comments/Reports portion of the meeting.

- b. Concept Review for Riley Buck Subdivision at 4979 West 12000 North—Ben Johnston

Director Fulgham said this is out by the Hirschi Subdivision that went in three years ago—when we adopted our new septic system ordinance. Engineer Breinholt said this is part of that original parcel. It is subdividing the remainder. I do not remember the limitations in the ordinance. Manager Warnke said Administrator Bench mentioned that it did not meet the ordinance to allow a septic tank. I am not sure why, maybe because it is subdividing it again. Mr. Johnston said I talked to Administrator Bench before doing this and this is the first I have heard about it. Director Fulgham said the new code talks about a density of one lot for four acres. Mr. Johnston said we mentioned this in the meeting before I did this and I thought we were good on that density. Engineer Breinholt said we were thinking it was one lot per four acres from the original parcel.

How big was that original parcel? Mr. Johnston said about nine acres. Engineer Breinholt said we should document it on these plats so we can keep track of where things are. It says the entire acreage, which is comprised of a subdivision, has a density no greater than one dwelling unit per four acres or five dwelling units per original parcel. Mr. Johnston said he discussed this with Administrator Bench in a meeting, but did not have paper work at the time. Manager Warnke said the subject parcel for division should be an existing lot of record as of June 2016. Mr. Johnston showed the parent parcel and they discussed the boundaries. Engineer Breinholt said we need to know what the original parcel size was. If it is nine acres, then one more lot would be allowed. Manager Warnke said it sounds like this is not an existing lot of record as of June 21, 2016. Mr. Johnston said this is a new one we are breaking off here, but this was the parent of it all. Engineer Breinholt said the ordinance says one lot per four acres with a maximum of five homes per original parcel. The density is based on the original parcel size. We are basing it off the lot of record—everything is calculated off that. Manager Warnke said this lot of record occurred in August of 2016 so the lot of record is now August. Engineer Breinholt said the ordinance says June and defines the point in which we look at the status of the property. If the ordinance does not say that, that is what it needs to say because that is what we intended. From this point forward whatever the size of that lot is you can have one house per four acres. Manager Warnke said how do we track that. Engineer Breinholt said we need to have it on the plat as a note. When he recorded this, we would not want it to change. Let us say he has nine acres and just divided off less than an acre. He still has more than eight acres, which now says on what is remaining he could still do two more lots. That is not what the code intended. It intended to say that as of June, you have nine acres and you can put one house per four acres maximum from the parent parcel; you do not want to do it with what is remaining because then you could just keep going. Manager Warnke said they need to get some clarity from Administrator Bench.

Manager Warnke asked what is the proposal on the road? Mr. Johnston said a future road is reserved in the back later on so they do not block it. This leaves it open. He has put in the 12-foot hard surface. Manager Warnke said these protection strips are a nuisance. I hate it when development is held hostage by obtaining access to a road. At what point is it dedicated to the City so that development can occur without the road? Mr. Johnston said this is just an easement for him to get into here. Director Fulgham said at what point do we say that will be a future road? Mr. Johnston said if we have density issues, it probably will not be. Director Fulgham said unless they get sewer. I am looking at it like you are. Why do we want it dedicated to the City until then? Engineer Breinholt said I would want to leave it a private lane at this point. If these guys want a road there, they can negotiate with the neighbors to buy a double road. It will be dictated by development.

Manager Warnke asked about fire protection and the Committee discussed where a fire hydrant is located currently. Engineer Breinholt asked how far back the corner of the lot is. Mr. Johnson said it is about 333 feet. Engineer Breinholt said I have a question about that fire code. I tried to find references and even called the fire marshal. The 250 feet is what they use for subdivisions and lot frontages, but there is a different one I cannot

find. Mr. Johnston said I do not think it is an issue there. The fire department has hoses on the truck that are thousands of feet. Director Fulgham confirmed the City's main water line is out front. That is why it was annexed in so they could get our water. Engineer Breinholt made the recommendation to have Fire Chief Steve Batis tell the Committee if that is okay to approve.

Manager Warnke said any lot that is created shall connect to the City's culinary system and would turn over a water share for secondary. Would they do a fee in lieu for secondary water pipe? Engineer Breinholt confirmed they did fee in lieu for curb and gutter, and asked about eventually connecting to sewer. Director Fulgham said they would connect and pay an impact fee. Secondary water would apply the same way. We do not have an impact fee yet. A water share would be required for the development. Manager Warnke said anything over 1.6 acres is calculated by the City. The Committee reviewed more of the code to see what would be required. Manager Warnke said what happens with the future utilities? They pay for system improvements, not project improvements? Engineer Breinholt said you would not want to collect a fee in lieu for a 60 foot section for a sewer line. Building a sewer system out here could qualify as an impact fee project. It is an existing street with existing homes, but there is future development. We have never collected a fee in lieu for anything besides curb, gutter, sidewalk, pavement, and storm drain. Manager Warnke said what about secondary? Should that be a fee in lieu at some point? Director Fulgham said it is going to be impact fee driven. Manager Warnke said this is existing and impact fees cannot pay for existing improvement deficiencies. Engineer Breinholt said we would want to have that discussion. I do not think we can do it now since we have not done it in the past. Director Fulgham said water shares are the other issue. They will not irrigate the whole thing, but it will be applied for the home lot. We could estimate what we think and then have it recorded. The canal company does half a share for a building home lot in their bylaws. Engineer Breinholt said that is all based off an average quarter-acre building lot—half a share per acre of developed land. I would guess he is not going to irrigate more than half an acre. Manager Warnke said I thought regardless of if people xeriscape they would turn over the entire share. Director Fulgham said this is still agriculture so we would do it different. They have the potential to irrigate it all, but I do not think they will so that is why we follow what the canal company says, which is half a share per building lot. Engineer Breinholt said they will not irrigate all that with a pressurize system. I would say a half a share for that lot would be appropriate. Director Fulgham said they need to bring us the certificate in Tremonton's name with that share so we do not have to pay the fee for certificates.

Engineer Breinholt asked Mr. Johnston to find out the exact acreage on the original parcel and put that information on this plat, as well as reference the City code.

c. Concept Discussion for Stan Summers Subdivision at 1770 East 100 South

Discussed during the Comments/Reports portion of the meeting.

d. Walk ins*

There were no walk ins.

4. Comments/Reports:

Engineer Breinholt said I had a few questions about the other items on the agenda. For item 3. a. it says their sewer will come from the City. Are they going to have to pump? Director Fulgham said no, if they get an easement across the back, they can gravity into our sewer system because our sewer line comes right up here. He can get secondary off of there and sewer could go that way. Engineer Breinholt said this is another one we need to get the fire chief's approval on for the fire hydrant since it sits back so far. Irrigation would come from the rear—the same way as the sewer. Director Fulgham said they would have to get an easement across the parcel. It used to be one piece of property and when it was subdivided, they were supposed to do the easements. If they go septic systems, they will have to be enhanced because they are having issues up there.

Director Fulgham said item 3. c. is Stan Summers's off of east Main Street. Mr. Johnston said I told Mr. Summers about this. Hansen screwed up the whole plat when they put that in. All these plats reference a different bearing from the state highway to the right-of-way of the road. They put the wrong bearing on there so it pinches it down and it is a big mess. Director Fulgham said if they figure that out, there is water and sewer there. Manager Warnke said my biggest concern is the access and how we handle it.

Engineer Breinholt said for the River Valley four-plex we signed and recorded it. They split it into two lots, but then Administrator Bench gave me a mylar and this is all one lot again with townhouses. They were going to build apartments with separate owners, but the new one puts them back into one lot with townhomes. We have not approved it yet because we have not even seen it. They all have to have their own laterals. Either the City owns the lateral or they have four individual laterals. If there is one owner and they are apartments that is fine, but if there are multiple owners, they all have to have their own.

Mr. Johnston gave an update on Marc Allred's building. He said they had entrances in different spots, but decided to put them where there were curb cuts. They slid this down to here and added one more parking stall and got rid of some landscaping. They have paved to the building and replaced the sewer line. He also showed where the existing buildings are. He said there is gravel in the back, it is paved here and collected there. He will put some grates for washouts in front of the garage doors. There is a box collector there and we will tap into that box. He showed the existing parking and said the landscaping will be river rock with some trees. Manager Warnke said it requires a bigger buffer than the typical 15-feet. Mr. Johnston said if we do the 15-feet, they would lose parking. Engineer Breinholt said he would need more than river rock. The reduction comes with an enhanced landscaping requirement. Manager Warnke said I thought the parking was still deficient. Mr. Johnston said he wants to designate these parking spaces for each place because it is so tight. Engineer Breinholt said would he

just tell them? Parking on a City street is not private parking. Mr. Johnston said whatever you guys want him to do he just wants to identify it.

5. Public comments: Comments limited to five minutes.

No public comments.

6. Adjournment:

Motion by Director Fulgham to adjourn the meeting. Motion seconded by consensus of the Committee. The meeting adjourned at 12:18 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 Development Review Committee Meeting held on the above referenced date. Minutes 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.