

**TREMONTON CITY CORPORATION  
DEVELOPMENT REVIEW COMMITTEE  
NOVEMBER 13, 2019**

Members Present:

Steve Bench, Chairman/Zoning Administrator  
Chris Breinholt, City Engineer  
Marc Christensen, Community Services Director—excused  
Paul Fulgham, Public Works Director  
Shawn Warnke, City Manager  
Roger Fridal, Mayor  
Cynthia Nelson, Deputy Recorder

Chairman Bench called the Development Review Committee Meeting to order at 9:02 a.m. The meeting was held November 13, 2019 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Bench, Engineer Breinholt, Director Fulgham, City Manager Warnke, Mayor Fridal (left at 9:33 a.m.), and Deputy Recorder Nelson were in attendance. Director Christensen was excused.

1. Approval of agenda:

**Motion by Director Fulgham to approve the November 13, 2019 agenda.** Motion seconded by Manger Warnke. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes—October 16, 2019

**Motion by Director Fulgham to approve the minutes of October 16, 2019.** Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

3. New Business:

- a. Final Approval for River Valley Subdivision Phase 6, Lot 161 Amendment – Sierra Homes, Matt Nielson

The Committee reviewed some of their previous notes. Manager Warnke asked about the protection strips. Mr. Nielson said if it affects things in the future, we could sit down and discuss it then, but if not then it does not matter. Manager Warnke said it was done illegally outside the bounds of the code and is blocking our right-of-way. The code does not allow protection strips and he subdivided the property outside of the process with a specific purpose in mind. The City has eliminated its protections strips and no longer allows them. When will they be eliminated if we do not talk now? Mr. Nielson said they would go away as we develop, but I do not want to get in the middle. He suggested the Committee talk to Mr. Jay Stocking and Mr. Chris Sorensen.

Mr. Nielson said he has sent the details on the HOA (homeowner association). Chairman Bench said it is recorded as an overlay for all the River Valley fourplex association. Director Fulgham said they would all share the same document. Engineer Breinholt said are we within our bounds to hold this until the protection strip is resolved; and should we be talking to Mr. Stocking before we approve it? Chairman Bench said in theory it does block our access, but we do not own this property. If someone drives down this road, they are essentially trespassing. We are not extending that road today. I know it has to be dealt with, but this plat is only dividing these into individual units that already exist. We can talk with Mr. Stocking while we are working on 6. After more discussion, Manager Warnke said I think we need to get them addressed. If we let Mr. Stocking slide and others do the same, it creates a bigger problem. Engineer Breinholt suggested the Committee move forward on this item and have the discussions needed to resolve the issue.

**Motion by Engineer Breinholt to approve River Valley Subdivision Phase 6, lot 161 amendment.** Motion seconded by Director Fulgham. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, and Manager Warnke – aye. Motion approved.

- b. Concept/Preliminary Review for River Valley Subdivision Phase 6, Lot 160 Amendment – Sierra Homes, Matt Nielson

The Committee has not seen the plat for this and asked Mr. Nielson to send it. Mr. Nielson asked if Mr. Stocking had discussed with them the option of going down from 10,000 square feet to 8,000 square feet on two parcels. Chairman Bench said he had a phone conversation.

The Committee looked at lot 160. Engineer Breinholt said it is one lot being subdivided into townhomes. Director Fulgham said by law they need individual sewer laterals to the City main. They have to have their own unless there is one owner. Water is not required individually, but that is how they bill them. Most owners want them to have individual meters so they do not have to take care of it all. With the HOA, you could have a common main that people feed into out of their privately owned property. The HOA would have to maintain it and if it backs up, they go after them. It would need to be recorded with that wording in the document. Mr. Nielson said the best way to go, would be to do the one main sewer maintained by the HOA. Water is either split into six units or included in the same thing. Director Fulgham said usually they want a separate meter so the HOA is not responsible to pay their bills. They rather the City bill those units and that allows them to shutoff water to the individual if needed.

Manager Warnke asked if there would be garbage cans or a dumpster. I am not sure where they would put the cans. The Committee also discussed the need for a landscape stamp. Chairman Bench said they would work on the review and get it on a future agenda.

c. Walk-ins:\*

Mr. Nielson had a couple other properties to address—River Valley and Snake Bite Subdivision. Mr. Nielson said that for 600 North we wondered about going to 8,000 square foot lots because with 10,000 square feet we would lose three lots. Others in the area are that size. Chairman Bench said it is zoned R-110 so there would have to be a zone change. There are some legal non-conforming lots there. Mr. Nielson said this other one would expand River Valley up top, but would we have to do a rezone? Chairman Bench said a rezone would be required. Everything in the future of River Valley is R-110. Engineer Breinholt said as you move up the hill, lot sizes are going to get bigger, not smaller. Director Fulgham said there is one lot with a road on three sides of the home; they would need to bump it out. The Committee suggested they stick with 10,000 square foot lots and the same thing would apply in Phase 3.

Mr. Nielson talked about 30 lots being developed with potential for more. Chairman Bench said the Council is well aware of the issues that may be faced when having greater than 30 lots on one access. Manager Warnke said anything greater than 30 lots may require a second access. With there being a small ditch on top of the property, as well as a canal on the bottom, Chairman Bench said that could be problematic. Mr. Nielson asked about building a fire access road. Manager Warnke said I think once you suggest a road you have to start using as if it is a road or it becomes problematic. Engineer Breinholt said that in this case we have a Master Road Plan that will come in the future. This is likely to be the only other access out and I do not see that happening before this. Director Fulgham said we would have to maintain it for winter use. Chairman Bench said you would have to dedicate the right-of-way with a certain width of asphalt. Fire lanes are required to be 20 feet. Mr. Nielson said the problem with putting a street in is, and then you would have to add sewer and water. If you put in a hard surface without sewer and water, then you have to dig it up later to do the stubs. Engineer Breinholt said you already have 30 lots, you cannot add 18 more on a single access. Chairman Bench said the one to the south would be easy enough. You could extend that up on both sides and work that way to get the road up to there and then could move south to the north.

The Committee talked about sewer north and south of the freeway, but Engineer Breinholt said he would like a little more time to review it. Manager Warnke said he looked at the annexation policy plan, which is a bit of a process to amend. They would have to have a public hearing with the Planning Commission and City Council and would also need to have a meeting with Elwood. They continued to discuss sewer and water serviceability for the area.

4. Comments/Reports: none.

5. Public comments: none.

6. Adjournment:

**Motion by Director Fulgham to adjourn the meeting.** Motion seconded by consensus of the Committee. The meeting adjourned at 10:25 a.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.