

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
APRIL 25, 2023**

Members Present:

Micah Capener, Chairman
Jordan Conrad, Commission Member
Penni Dennis, Commission Member
Jeffrey Seedall, Commission Member
Raulon Van Tassell, Commission Member—excused
Connie Archibald, City Councilmember
Shawn Warnke, City Manager
Cynthia Nelson, Deputy Recorder

Chairman Capener called the Planning Commission Meeting to order at 5:33 p.m. The meeting was held April 25, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Conrad (joined via Zoom), Dennis, Seedall, City Councilmember Archibald, City Manager Warnke, and Deputy Recorder Nelson were in attendance. Commission Member Van Tassell was excused.

1. Approval of agenda:

Motion by Commission Member Conrad to approve the April 25, 2023 agenda. Motion seconded by Commission Member Seedall. Vote: Chairman Capener – aye, Commission Member Conrad – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

2. Declaration of Conflict of Interest: Chairman Capener declared a conflict on item 4. a.

3. Approval of minutes—February 28, 2023

Motion by Commission Member Conrad to approve the February 28, 2023 minutes. Motion seconded by Commission Member Seedall. Vote: Chairman Capener – aye, Commission Member Conrad – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

4. New Business:

- a. Discussion and consideration of proposed rezoning of property located to the rear of 771 East Main Street, Parcel 05-042-0054, the rezone would change the parcel from residential single family R1-10 to Mixed Use (MU) zone

Chairman Capener said here is the updated concept showing what Doctor Todd Miller wants to do. We got the comments back and sent those to the engineer, who was fine with the 12-foot driveway. Other items like snow removal and

landscaping would be finalized during the site review. The neighbors do not appreciate the lights on the back of the building. Dr. Miller would want to meet the minimum code requirements that would work for that. Manager Warnke said we do not want it to be a dark place for people. Chairman Capener said this concept gives us a good idea so we can consider the rezone. It would then be reviewed with the necessary adjustments. Manager Warnke said in order to create a single-family lot with the remainder of the property, it looks like the engineer is saying it would not meet the R1-10 standards. I would propose we rezone it R1-8 to comply with the code. This would also create more flexibility in how that would layout. Chairman Capener abstained from the vote due to a conflict of interest.

Motion by Commission Member Conrad to recommend the rezone with the lot line adjustment adding seven feet to the parking lot and the remaining to the R1-8. Motion seconded by Commission Member Dennis. Vote: Chairman Capener – abstain, Commission Member Conrad – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent. Motion approved.

- b. Land Use Legislation Updates from the 2023 State of Utah Legislative Session (Watching excerpts from training provided by the Utah League of Cities and Towns: <https://www.youtube.com/watch?v=2q22HeDuF5U>)

Manager Warnke said for the subdivision process we are in more compliance with what is being proposed than other cities since we have the Development Review Committee and Planning Commission. The DRC was created in 2009 to make it more of an administrative process than legislative. It has worked well. Rather than having to write a big staff report and talk to the City Council, it is good to review it with other professionals like the engineer and public works director, who know what the issues are. It makes for quicker turn around and provides the decision makers with information. Developers desire quickness and efficiency. They need certainty through the process and with administrative decisions you are following the rules and applying those. We also meet every week.

Manager Warnke said there is a segment on development agreements. A subdivision is an administrative decision and if you comply with the rules, you get approval. We do development agreements for subdivisions to formalize the approval process and requirements, as well as special conditions and finalizing the financial guarantee. It is a really good way to wrap up and formalize what is being approved. There are also development agreements with legislative decisions. In those we have more flexibility and can negotiate.

Manager Warnke said the General Plan now requires a Water Plan. The other

elements are Land Use Plan, which we are working on, a Transportation Plan, which was done in 2019, and a Moderate-Income Housing Plan, which we do every year. There are penalties associated with non-compliance. There is a real desire by the legislature to assure affordable housing is created and to take measures to enforce that mandate. Chairman Capener asked about the accessory dwelling unit ordinance. Manager Warnke said we have had Landmark Design revisit that. It comes down to parking and the size of lots we have in the City. They are relatively small and adding an additional dwelling unit could cause parking issues. This is a preferred solution by the State. We have approved three strategies for affordable housing, which are an accessory dwelling unit ordinance, mortgage assistance and use of some RDA funds for infrastructure. Alleyways could support the accessory dwelling units, with funds being used to improve those. This would provide two frontages, so parking becomes less of an issue. The issue would be snow plowing and how many people could actually spend the money to construct those units. Once we have the formal notice and their new legislation that is easy to read, we will start working through it.

Commission Members listened to the General Plan segment of the training. Manager Warnke said we have to report in August and the Department of Workforce Services is tasked with overseeing the reporting. They will look at the code and it will be black and white, either you complied or did not. There are penalties for non-compliance, including fees that would go to a fund used to create affordable housing.

Manager Warnke said once we get through the Land Use Plan, we will need to start on a Water Preservation Plan. Councilmember Archibald said I had the opportunity to meet with the Governor at Box Elder High School. He spoke to the students about why it is wonderful to live in Utah. He discussed what Utah has to offer and encouraged them that things will be okay. This was encouraging.

c. Discussion and consideration of changing the starting time of Planning Commission Meetings

The Commission discussed a possible change to the time that the Planning Commission starts, but agreed to continue at 5: 30 p.m.

Motion by Commission Member Seedall to leave the time as is, at 5:30 p.m.
Motion seconded by Commission Member Dennis. Vote: Chairman Capener – aye, Commission Member Conrad – aye, Commission Member Dennis – aye, Commission Member Seedall – aye, Commission Member Van Tassell – absent.
Motion approved.

5. Planning commission comments/reports:

Planning Commission

April 25, 2023

Commission Member Dennis said I went to Willard Park on Sunday where they have fishing. Our kids need something like that in Tremonton.

6. Adjournment

Motion by Commission Member Conrad to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 6:37 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 11th day of July, 2023.

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.