

Tremonton City Corporation
Land Use Authority Board
February 6, 2008

Members Present:

Steve Bench, Building Inspector
Chris Breinholt, City Engineer
Alyson Draper, City Attorney
Richard E. Woodworth, City Manager
Elizabeth Miller, Deputy Recorder

Members Excused:

Paul Fulgham, Public Works Director

Steve Bench called the Land Use Authority Board Meeting held February 6, 2008, in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah, to order at 9:00 a.m. Steve Bench, Chris Breinholt, Alyson Draper, Richard Woodworth, and Elizabeth Miller were in attendance. Paul Fulgham was excused from the meeting.

1. Approval of agenda

Steve Bench moved to approve the agenda. Rich Woodworth seconded the motion. Steve Bench, Chris Breinholt, and Rich Woodworth approved the motion. Alyson Draper was not present for the motion.

2. Approval of minutes: December 12, 2007; December 19, 2007; January 2, 2008; January 16, 2008

Steve Bench asked if the Board reviewed the minutes. None of the Board reviewed the minutes. **Steve Bench moved to table the minutes.** Rich Woodworth seconded the motion. Chris Breinholt, Steve Bench, Alyson Draper, and Rich Woodworth approved the motion.

3. New Business:

a. Discuss sewer line on approximately 2500 West 600 North - Craig Christensen

Steve Bench informed the Board that Craig Christensen notified him he would like to re-zone 810 North 2300 West for more dense housing. Jay Stocking has done a subdivision that connects into the sewer line on 600 North and runs the line into his 8 lot subdivision. By Jay Stocking making this into a cul-de-sac, he has limited Craig Christensen's access to the property. Craig Christensen would like to have Jay Stocking eliminate one lot in the cul-de-sac and stub the road. Rich Woodworth stated that as long as the subdivision complies with the Zoning Code, the Board has to approve it. Jay Stocking's River Valley Phase 5 has already been approved. The City does not want to do any property takings. He believes that it would be in Craig Christensen's best interest to meet with Jay Stocking and discuss the roadway. It does make sense to do the road straight through, but it is not the City's decision to restrict an already approved subdivision. Craig Christensen stated that he was never notified when Marc Allred did his subdivision on 2300 West. He was under the impression

from past experience that all property owners near the subdivision would need to be notified. Steve Bench informed Craig Christensen that regulation was changed January of 2007 when the City implemented the Land Use Authority Board. Craig Christensen stated that his two concerns are that he had to notify his neighbors when he did a subdivision and he also needs an access out of his property. The Board stated that the notification requirement changed as of January 2007, and anyone who developed after was not required to do so. The access in and out of his property is still obtainable through another area. If the Board does not know that an access is needed, they cannot plan for it. Chris Breinholt and Steve Bench measured Jay Stoking's plat to see what he would lose. Jay Stoking would lose a building lot. Chris Breinholt stated that the City has to develop traffic flow. The road in question is not a collector road. Cul-de-sacs are used in almost every development. There will not be any homes built over the sewer line in River Valley Subdivision Phase 5. There is still the main collector road that they can use to access his land. If Craig Christensen would like, he may arrange for Jay Stoking to meet with him at this Board on any Wednesday during the Land Use Authority Board Meeting.

b. Discuss zone change for 810 North 2300 West to R1-10 - Craig Christensen

To re-zone 810 North 2300 West to R1-10, Craig Christensen will need to include the two preestablished homes. The two homes are on half-acre lots with animal rights. If they do not currently have animal rights, they will lose the right within one year. The neighbors will need to be notified. This Board recommends the change to the Planning Commission for a Public Hearing. **Rich Woodworth moved to recommend the Zone Change to the Planning Commission.** Alyson Draper seconded the motion. Chris Breinholt, Steve Bench, Alyson Draper, and Rich Woodworth approved the motion.

The Board stated that it is their duty to uphold the laws, ordinances, and codes. They are not able to pick and choose what they enforce.

c. Walk ins - Concept review only

Marc Allred gave the Board a copy of the Release of Escrow for Spring Acres Phase 4. He discussed with the Board the Phase's progress and informed the Board that it had not yet been recorded with the County. Alyson Draper stated that if the Board does not feel that they can give a release at this time, they could change the escrow to a check that is held by the City. This would make it so that Marc Allred could pay his bills. Marc Allred will have Ben Johnston email the final plat to Chris Breinholt today. Chris Breinholt informed the Board and Marc Allred that Paul Fulgham did not want to release the funds because the City does not want to set a precedence that developers could start without everything being approved. Chris Breinholt does not have a problem with the sewer and does not want to do anything with the piping. Marc Allred stated that he is only asking for the release of escrow on the material. To verify that this was okay with Paul Fulgham, Rich Woodworth did a conference call with Paul Fulgham and the Board. Paul Fulgham stated that if it was approved by Ed Quinn, he would release the material's escrow. Chris Breinholt will send the release of the escrow for the materials according to Ed Quinn's approval to Marc Allred. He will hold some of the funds for the Pressure Test, video review, and all of the storm

water material.

Marc Allred asked where Rocky Mountain Power had planned to place their new power lines. The Board stated that Rocky Mountain Power has not indicated exactly where the line will be.

4. Monthly review

Steve Bench moved to table the Monthly review. Chris Breinholt seconded the motion. Chris Breinholt, Steve Bench, Alyson Draper, and Rich Woodworth approved to motion.

- a. Storm Drain Utility Assets and Projects
Tabled.
- b. Easements/Vacation and recording of
Tabled.
- c. Policy and procedures (i.e.: Storm Drain)
Tabled.
- d. Storm/Water/Sewer Impact Fees Studies
Tabled.
- e. Comprehensive review of utility and roads
Tabled.
- f. Road Bond Review/Dig Permits
Tabled.
- g. Ponds
Tabled.
- h. New water source
Tabled.
- i. Task list review
Tabled.

5. Comments/Reports:

a. Building Inspector - Steve Bench

Steve Bench had nothing further to discuss.

b. City Engineer - Chris Breinholt

Chris Breinholt gave Steve Bench the Mylar for Garfield Subdivision Phase 2. Chris Breinholt informed Marty Waterson with Hansen and Associates to have the plat reviewed by the County. The Storm Water Agreement needs to be completed by the City. They Board will not have anyone sign the Mylar until it is approved by the County.

Alyson Draper will do a resolution from the deed to Charley Taylor property on 2000 West. Rich Woodworth asked Elizabeth Miller to have Darlene Hess place this item on the next City Council agenda. It will be referenced as a resolution for a Quit Claim Access right-of-way.

Chris Breinholt informed the Board that he has the plat for Archibald Phase H in his vehicle and will give it to Steve Bench after the meeting.

c. City Attorney - Alyson Draper

Alyson Draper had nothing further to discuss.

d. Public Works Director - Paul Fulgham

Paul Fulgham was excused from the meeting.

e. City Manager - Richard E. Woodworth

Rich Woodworth had nothing further to discuss.

6. Public comments:

There were no public comments.

7. Adjournment

Alyson Draper moved to adjourn. Steve Bench seconded the motion. Chris Breinholt, Steve Bench, Alyson Draper, and Rich Woodworth approved the motion. The meeting adjourned at 10:05 a.m.

The undersigned duly acting and appointed Deputy Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Land Use Authority Board Meeting held on the above referenced date.

Dated this 12th day of March, 2008

Elizabeth Miller, DEPUTY RECORDER

