

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
February 12, 2013**

Members Present:

Richard Seamons, Chairman
Jared Summers, Commission Member
Brian Mickelson, Commission Member
Troy Forrest, Commission Member
Micah Capener, Commission Member
David Deakin, City Councilmember
Linsey Nessen, Deputy Recorder

Chairman Richard Seamons called the Planning Commission Meeting to order at 5:34 p.m. The meeting was held February 12, 2013, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Richard Seamons, Commission Member Jared Summers, Commission Member Brian Mickelson (arrived at 5:37 p.m.), Commission Member Troy Forrest, Commission Member Micah Capener, City Councilmember David Deakin, Zoning Administrator Steve Bench, and Deputy Recorder Linsey Nessen were in attendance. Commission Member Rosa Gonzales and Commission Member Robert Anderson were excused.

1. Approval of agenda:

Motion by Commission Member Forrest to approve the February 12, 2013 agenda. Motion seconded by Commission Member Summers. Vote: Chairman Seamons – aye, Commission Member Summers – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

2. Approval of minutes: January 22, 2013

Motion by Commission Member Forrest to approve the minutes of January 22, 2013. Motion seconded by Commission Member Capener. Vote: Chairman Seamons – aye, Commission Member Summers – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

3. New Business

- a. Discussion and consideration of a temporary parking lot at 50 South 650 West – Coby Reese.

Zoning Administrator Bench stated that the current City ordinance for parking talks about all parking lots and doesn't separate out sales lots. The Code requires all parking lots to have screening, lighting, and hard surface if they are near a residential area. The City is interested in protecting residential areas from

commercial businesses, but to screen off a car dealers car lot doesn't make much sense.

Zoning Administrator Bench stated that Crumps Motor Company is trying to consolidate and move all of their automobiles out of the Murdock location and have them all together at the Crump's location while they work on their future endeavors. Mr. Coby Reese stated that seventy-five percent of their problems stem from having two locations. It will be better if they can have all of their automobiles and staff in one location.

Crumps is considering leasing a ½ acre of property near their car lot for a temporary gravel parking lot. Commission Member Mickelson asked who owns the property. Mr. Reese stated that the owner is Gary Bywater. City Councilmember Deakin asked about the horse corral that is currently on the property. Mr. Reese stated that Mr. Bywater allows the homeowners near the property to use the property for their horses to graze in an effort to keep the weeds down. Commission Member Mickelson asked how long Crumps plans to use the temporary parking lot. Mr. Reese stated that it will be at least two years.

Commission Member Mickelson asked if Crumps needs to notify the neighbors of the property of their intent to turn it into a temporary car sales lot. Zoning Administrator Bench stated that they have asked Crumps to do so, but there is nothing in the Code requiring them to.

Zoning Administrator Bench stated that he has written a temporary ordinance, which is good for six months and is allowed by State Law, for use while the Planning Commission sorts the car sales lot issue out.

Motion by Commission Member Mickelson to recommend to the City Council that they approve a temporary parking lot at 50 South 650 West. Motion seconded by Commission Member Forrest. Vote: Chairman Seamons – aye, Commission Member Summers – aye, Commission Member Mickelson – aye, Commission Member Forrest – aye, and Commission Member Capener – aye. Motion approved.

4. Unfinished Business:

- a. Continued discussion and review of Title I Zoning Ordinance, Chapters 4 and 5.

The Planning Commission began reviewing Chapter 4 Land Use and Appeal Authorities. City Councilmember Deakin asked about the language that was removed on 1.04.050 that allows the City Council to authorize an individual to sit on the Land Use Authority Board and wondered why it would be removed as it seemed like a benefit. Zoning Administrator Bench stated that he would speak with City Manager Shawn Warnke to get clarification why that is proposed to be

removed. City Councilmember Deakin asked about appeals and if the City can really make a person go through the appeal process first before going to court. Zoning Administrator Bench stated that they can require them to go through the appropriate process. City Councilmember Deakin asked about 1.04.100B and if the Public Hearing required for appeals is the same standard public hearing as others done by the City. Zoning Administrator Bench stated that it is.

The Planning Commission then reviewed Chapter 5 Constitutional Takings. Zoning Administrator Bench stated that the City Attorney is currently reviewing this chapter. Takings are listed in the Zoning Code but any takings would be done by the City Council. Zoning Administrator Bench stated that he will let the Planning Commission know if the City Attorney makes any changes to the chapter.

Commission Member Capener asked what the process is for the Zoning Ordinance now that the Planning Commission is done with their review. Zoning Administrator Bench stated that the Planning Commission will hold a public hearing on the entirety of the Ordinance and then after the hearing, it will be sent on to the City Council for their review.

5. Adjournment:

Motion by Commission Member Forrest to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 6:35 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 Linsey Nessen.

Dated this 12 day of March, 2013



Darlene S. Hess, 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.