

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
JUNE 22, 2023**

The Riverton City Planning Commission convened at approximately 6:30 p.m. in the Riverton City Hall, 12830 South Redwood Road, Riverton Utah.

Planning Commission Members:

Evan Matheson, Acting Chair
Shelly Cluff
Gary Cannon
Monique Mortensen
Darren Park
Troy Rushton

Staff:

Tim Prestwich, City Planner
Ryan Carter, City Attorney
Lisa Halversen, City Planner

1. CALL TO ORDER/ROLL CALL

In the absence of Chair Jon Gilchrist, Commissioner Evan Matheson assumed the Chair and called the meeting to order at approximately 6:38 p.m. The Pledge was led by Commissioner Cluff.

It was noted that there were some technical difficulties and the overhead display was not working. Commissioner Cannon wondered if it would be possible to approve the Meeting Minutes from May 11, 2023, while waiting for the technical issues to be resolved. City Attorney, Ryan Carter, stated that the Chair could determine whether items should be taken out of order. Since Commissioner Matheson was leading the meeting, he determined that the Meeting Minutes would be voted on before the Public Hearings occurred.

2. PUBLIC HEARINGS

A. MARDAN ROOFING, PLZ-23-2020, AN APPLICATION FOR A CONDITIONAL USE HOME OCCUPATION PERMIT FOR A ROOFING CONTRACTOR, LOCATED AT 12536 SOUTH 3600 WEST. APPLICANT – MARCO ARRIAGA.

Lisa Halversen, Planner, presented the Staff Report and reported that the above item was an application for a Conditional Use Home Occupation Permit. She noted that there were three Home Occupation items on the Planning Commission Meeting agenda this evening. The first two businesses were already in operation under Simple Business Licenses but had since outgrown that and a Conditional Use Permit was now required. Ms. Halversen explained that the first application being considered was Mardan Roofing. It was located at 12536 South 3600 West. The property is 0.92 acres in size with approximately 97 feet of frontage on 3600 West. The property is zoned RR-22 as are the surrounding properties.

The applicant asked for permission to have one employee in addition to the applicant. The applicant also asked for permission to store a van, a truck, and a dump trailer in the back of the property. Ms. Halversen reported that a mailer was distributed in the area and no public

comments were received. The Site Plan was shared with the Commission. She explained that the area marked in red would be used as an office. The street view of the home was shown. The applicant, Marco Arriaga, is a roofing contractor and has conducted business on the property for many years. It grew to include more employees and more vehicles. In the spring, the City was alerted to the increased activity in the area by neighbors. This included the on-street parking of business vehicles. The applicant was contacted and a Conditional Use Permit had since been requested.

Ms. Halversen shared an image of the front of the house. On the side of the garage, there is a driveway that continues to the back of the property. There is a barn area that is used for storage. She shared an aerial view of the property. Ms. Halverson reported that the application was before the Planning Commission because of the use of the outdoor property and the types of vehicles being stored on the lot.

Under the Fixed Standards, the property has sufficient space to accommodate all business-related vehicles. As a result, no on-street parking would be necessary. Vehicles will be screened and out of public view, employees will only be at the home between the hours of 7:00 a.m. and 7:00 p.m., and there will only be two employees (the applicant and spouse). Employee vehicles will be limited to cars, pickup trucks, vans, and SUVs. Semi-trucks and trailers, construction equipment, and other heavy equipment will not be brought to the home by employees. All business-related vehicles needed to use off-street parking. Ms. Halversen shared a sample motion that included several Conditions of Approval.

Commissioner Rushton asked if there were other home-based businesses at the applicant's address. This was denied. Commissioner Park referenced the photographs that were shared. There appeared to be a block wall along the north side of the property. He wondered how tall the wall is, how far back it goes, and what the screening is on the south side of the property. Ms. Halverson explained that the applicant could answer questions about fencing. She reported that there is fencing around the property but she was not sure what the specific fencing details were.

Commissioner Matheson noted that the applicant was asking to park a dump trailer on the property. There appeared to be plenty of room for it but the guidelines do not permit that use. Ms. Halversen clarified that the guidelines specify no semi-trucks with trailers, which is a different category of trailer. Mr. Carter explained that the City routinely allows small utility trailers for home-based businesses. However, if it is a tractor-trailer, which is much larger, it would not be permitted for a home occupation. Ms. Halverson noted that Condition of Approval #5 states that the trailer is under 24 feet. City Code mentions that vehicles over 24 feet are prohibited. Commissioner Matheson asked if the screening was from lot to lot. Ms. Halverson reported that there may be screening from lot to lot but the screening that she is primarily considered with is from the street. Since the lot is long and narrow, it provides that screening.

Mr. Carter reported that there is evidence that the proposed vehicles are not out of character for the area. The main issue came down to the type of storage and screening on the property. The reason the application was triggered was because employees are parking in front of the home. The City cannot allow vehicles associated with the business to be stored

out front. The ordinances require that they remain in the back. The Planning Commission needs to determine whether the lot has adequate storage space and screening for the business-related vehicles that will be parked on the property.

The applicants, Rocio Zavala and Marco Arriaga were present at the meeting. Ms. Zavala reported that they are looking to obtain a Home Occupation Permit. She clarified that it is a roofing business, so most of the work is done outside of the home. The only work taking place on the property is office work, which includes sending emails and submitting bids. There was a desire to store a few work-related vehicles on the property as well. This included the previously mentioned van, truck, and trailer.

Commissioner Park asked about the fencing around the property. Ms. Zavala explained that the brick shown is only half of the home and is approximately six feet. On the other side, there is vinyl fencing that is also six feet. It goes on half of the property, which means it goes back to the barn area. Commissioner Park asked about the height of the dump trailer. Ms. Zavala reported that it is approximately nine feet. Commissioner Park wondered whether the Home Occupation Permit application was the result of increased traffic or if there was a dispute between neighbors. Ms. Zavala explained that they recently moved from West Valley. That was the reason for the permit application.

Commissioner Cluff believed what initially brought the use to the attention of the City was the fact that employees are parking on the street or in front of the house. She wondered where those employees will park in the future. Ms. Zavala explained that the employees will always park in the back of the house. Only one employee comes to the house with one vehicle. Commissioner Cluff asked if the truck and van mentioned included the employee vehicle. This was denied. Ms. Zavala clarified that the employee has one personal vehicle. The van and the truck are business vehicles. The employee drops his vehicle off and takes the van or truck to the work site. Commissioner Cluff wondered if there were other locations where materials would be stored. Ms. Zavala reported that most of the business is new construction and the remaining portion is tear off. All of the roofing materials were delivered to the customers' homes and not to their property.

Commissioner Cannon asked to review the aerial image of the site. It appeared that the north access to the property was fairly narrow and would limit the ability to move larger equipment into the back. That meant that only certain items can be stored on the site. The aerial showed that the property was set up well for equestrian or livestock use. He wondered if that use was occurring. Ms. Zavala confirmed that there are horses on the property.

Commissioner Matheson opened the public hearing.

Gary White identified himself as the next-door neighbor. He has known the applicants since they moved into the home. A lot of improvements had been made to the site in the past and he did not see an issue with the proposed Home Occupation Permit. As for the dump trailers, he believed they were fairly common in the area. In terms of parking out front, he did not believe anyone had ever parked on 3600 West because there is no room.

There were no further public comments. The public hearing was closed.

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-23-2020, “Mardan Roofing,” at 12536 South 3600 West with the following conditions:

- 1. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.**
- 2. Applicant must obtain and maintain a Riverton City Business License.**
- 3. Applicant must obtain and maintain applicable State and other outside agency approvals.**
- 4. Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions, as outlined in the Home Occupation Ordinance and with this approval.**
- 5. Business vehicles consist of one truck, one van, and one trailer under 24 feet, and must be kept in the back of the home or inside the garage.**
- 6. The business may have one full-time equivalent employee besides the applicant to work at the home, according to the rules of 18.190.060(4).**
- 7. No business activity may take place outside the home before 7:00 a.m. or after 7:00 p.m.**

Commissioner Park seconded the motion. The motion passed with the unanimous consent of the Commission.

B. VARIETY VENDING, PLZ-23-2022, A CONDITIONAL USE HOME OCCUPATION APPLICATION FOR VENDING SERVICES, LOCATED AT 4142 WEST RED TAIL DRIVE. APPLICANT - KAREN CHRISTENSEN.

Ms. Halversen presented the Staff Report and reported that the applicants have been conducting business for 11 years under a Simple Business License. When attempting to renew the license, the application was flagged because a detached garage was used for the business. As a result, a Conditional Use Home Occupation Permit was needed. She noted that the subject property is located at 4142 West Red Tail Drive and is a 0.5-acre lot in Deer Mountain Estates in the southwestern quadrant of the City. It is zoned RR-22.

The applicant provides vending services and refills pre-packaged snack foods and drinks. Ms. Halversen reported that a detached garage is used for the business. Two employees come to the property and work in the garage. She shared the mailer that was distributed. No public comments were received. The applicant’s home has two stories and is approximately 2,160 square feet above ground with a basement. An image of the detached garage was shared. It is an apartment and workshop that is 3,580 square feet in size. The

area used for the business in the detached garage is 865 square feet. The property has a drive approach on the south side of the home and the drive continues north to the detached garage. Ms. Halversen shared additional images of the home.

The reason the application was before the Planning Commission was because the business is conducted in the detached garage. Additionally, any home occupation involving food or drink preparation or storage requires a Conditional Use Permit. Ms. Halversen reported that the applicant requested permission to continue to have two employees come to the home. The employees will not use on-street parking and will be out of public view. The employees will only be at the home between the hours of 7:00 a.m. and 7:00 p.m. No signage is associated with the business on the property. She noted that the business vehicle is a pickup truck with a cargo trailer that will be parked off-street in the detached garage. Staff recommended approval with the Conditions of Approval set forth in the Staff Report.

The applicants, Blake and Karen Christensen introduced themselves. Mr. Christensen reported that the business pertains to snack and soda vending for businesses in the Salt Lake Valley. It is something they have been doing for 11 years. Everything is contained in the detached garage and not visible from the street. There is only one truck that comes onto the site as one employee brings the other with him. The employees that come to the site load and pack the trailer that is parked in the detached garage. In the morning, he leaves to service the various machines throughout the day.

Commissioner Cluff asked how long the employees are on site. Mr. Christensen explained that the employees are normally there for four or five hours. Commissioner Park wanted to know how many trips were made on and off the property per day to service the machines. Mr. Christensen explained that he leaves in the morning to service the machines. Commissioner Matheson wanted additional details about the role of the employees who are on the site for four or five hours. Mr. Christensen informs the employees of what needs to be packed for each machine. Commissioner Mortensen asked about the number of deliveries to the subject property. Ms. Christensen reported that Coke is delivered once a week and all other items are normally picked up and brought back.

Commissioner Matheson opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-23-2022, "Variety Vending," at 4142 West Red Tail Drive with the following conditions:

- 1. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.**
- 2. Applicant must obtain and maintain a Riverton City Business License.**
- 3. Applicant must obtain and maintain applicable State and other outside agency approvals.**

4. **Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions, as outlined in the Home Occupation Ordinance and with this approval.**
5. **The Home Occupation may use up to 50% of the floor space of the garage and workshop for business-related storage.**
6. **The business may have two (2) full-time equivalent employees work at the home. Employees must use off-street parking.**
7. **Business activities may take place only between 7:00 a.m. or after 7:00 p.m.**

Commissioner Matheson seconded the motion. The motion passed with the unanimous consent of the Commission.

C. VOYAGERS IN LEARNING, PLZ-23-2023, A CONDITIONAL USE HOME OCCUPATION APPLICATION FOR AN IN-HOME KINDERGARTEN, LOCATED AT 2363 WEST FRONTIER STREET. APPLICANT - STEPHANIE CHASE.

Ms. Halversen presented the Staff Report and reported that this application is for a new in-home kindergarten business. The applicant is a certified teacher, has a license, and has several years of teaching experience. The intention was to have children come to the home Monday through Thursday for an all-day kindergarten program. It will take place at the applicant's home located at 2363 West Frontier Street. The property is 0.27 acres in size on the southernmost portion of the City. The subdivision is Homestead Estates and the property is zoned R-4, as are surrounding properties.

Originally, there was a desire to have 14 to 16 children but State and City Codes allow for a maximum of 12 children per session. As a result, there was a request to have 12 children per day rather than holding multiple sessions. The hours of operation will be from 9:00 a.m. to 3:00 p.m. The drop-off and pick-up times will be staggered with a 15-minute window to address the traffic and parking concerns. There is a fenced backyard on the property for outdoor play. Ms. Halversen reported that a mailer was distributed but no public comments were received. A letter of permission from the property owners, her parents, was shared. The Traffic Plan, Parking Plan, and Site Plan were also shared. With the staggered times and arrivals from one direction, Staff did not believe there was a problem utilizing the sidewalk for drop-offs and pickups. As for parking, there is a two-car garage with an extra wide driveway that could be used.

An aerial view of the lot was shared. Ms. Halversen noted that the backyard could be utilized as a play area. The street view of the home was shown. City Code, which corresponds with State Code, was discussed. It specifies that there can be a maximum of 12 students per session or 24 students per day. The applicant chose to have 12 students all day rather than two separate sessions. The language states that all sessions combined cannot generate

more than 24 vehicle trips per day. With 12 students, this would account for the 24 vehicle trips per day that are permitted. Ms. Halversen reported that child group activities allow for more visitors per day and more vehicle trips than typical home occupations. The item was before the Planning Commission because it exceeds eight children per day, which could be Staff approved. Staff recommended approval of the application with the Conditions of Approval listed.

Commissioner Park referenced the street view image included in the packet. He noted that it did not look the same as the street view image on Google. Ms. Halversen acknowledged that the image included in the packet was not correct but confirmed that all of the updated information was accurate.

The applicant, Stephanie Chase, reported that she taught for 11 years in the public education system. She loves teaching and has a Masters' Degree. Ms. Chase decided to step away from the public education system and start her own private school. She wants to start with kindergarten-aged students for now. She has tried to find different commercial buildings but that had not worked out, and her parents had allowed her to use their home.

Commissioner Matheson wondered where Ms. Chase's kindergarten students will attend school next year. Ms. Chase reported that they will move to either a public school, a charter school, or another private school. Commissioner Cluff asked about the methodology behind her teaching. Ms. Chase reported that she wants to incorporate different teaching styles. She spent time in Finland to learn about the education system there. In Finland, there is a focus on both university and trade. She wanted to bring trade teaching back into school. Tradespeople could come in to share information about the fields they work in. It was also her desire to teach students life skills, communication, problem-solving, character development, and kindness, in addition to other essentials such as math, reading, writing, and so on.

Commissioner Matheson opened the public hearing.

Abraham Fox lives nearby and believed the kindergarten will be well run.

Matthew Chase identified himself as the brother of the applicant. He believed in her dream.

Kim Cram was the next-door neighbor and believed Ms. Chase would do an excellent job.

Aaron Cram also lived nearby and believed Ms. Chase would do a great job. He has lived next door to the Chase family his entire life and they have been like a second family to him. Based on his experiences, he was supportive of the kindergarten use on the property.

There were no further comments. The public hearing was closed.

Commissioner Cannon moved that the Planning Commission APPROVE PLZ-23-2023, "Voyagers in Learning," at 2363 West Frontier Street, with the following conditions:

1. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.
2. Applicant must obtain and maintain a Riverton City Business License.
3. Applicant must obtain and maintain applicable State and Health Department approvals.
4. Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions, as outlined in the Home Occupation Ordinance and with this approval.
5. The Home Occupation may have up to 12 children per day.
6. The Home Occupation may have up to 24 vehicle trips per day by customers/parents.
7. Customers must use the driveway or off-street parking for drop-off and pick-up.

Commissioner Park seconded the motion. The motion passed with the unanimous consent of the Commission.

3. **DECISION ITEMS**

- A. None.

4. **DISCUSSION ITEMS**

- A. None.

5. **MINUTES**

- A. Planning Commission Meeting Minutes of May 11, 2023.

Commissioner Cannon moved to APPROVE the Meeting Minutes of May 11, 2023. Commissioner Rushton seconded the motion. The motion passed with the unanimous consent of the Commission.

6. **ADJOURNMENT**

The meeting adjourned at approximately 7:26 p.m.