

COUNTY OF SEVIER

CITY OF RICHFIELD

At the Planning Commission

In and for said city
October 11, 2023

Minutes of the Richfield City Planning Commission meeting held on Wednesday, October 11, 2023, at 6:00 p.m., Chairman Josh Peterson, presiding.

1. Roll Call
2. Conditional Use Permits/Home Occupation Permits
 - a. James and Susan Porter to request approval to operate an antique store at 451 N. 400 West (the former Little Brown Store). C1 use, R1-10 zone.
 - b. Conrad Stewart – Conrad Stewart to request approval to allow tattoo application as a home occupancy business, or a zoning amendment to allow such. C1 use R1-6 zone.
3. Short term rentals
 - a. Sawyer Phelps to request approval to operate an STR at 911 W 1080 S, C1 Use in an RI-11 zone, #11 of 39 in STR Zone 3
 - b. Morgan Shaver to request approval to operate a short-term rental at 358 E. Center. C1 Use in an R1-11 Zone, #9 of 38 in STR Zone 2
 - c. Eric Rasmussen – to request approval to operate a short-term rental at 555 E. 400 North. C1 use in an RM-11 Zone, #10 of 38 in STR Zone 2
 - d. Tyson Jewkes to request approval to operate a short-term rental at 856 Upland Drive. C1 Use in an R1-10 Zone, #13 of 45 in STR Zone 1
4. Information Item – 823 N Main Street parking agreement.
5. Minutes Approval
 - i. Consider approving minutes of Sept. 6, 2023.
6. Other Business
7. Adjournment.

1. Roll Call. Present: Josh Peterson, Blaine Breinholt, Susan Jensen, Lisa White, Wayne Cowley, Wes Kirshner.

Excused: Zack Leavitt.

Others present: Conrad Stewart, Jim Porter, Sue Porter, Robyn Jewkes, Eric Rasmussen and Deputy Recorder David Anderson.

2. Conditional Use Permits/Home Occupation Permits

- a. James and Susan Porter to request approval to operate an antique store called Crow and Hen Antiques, Collectables and Oddities at 451 N. 400 West (the former Little Brown Store). C1 use, R1-10 zone.

James said initially they had a license to operate the store, but it was connected to one of their downtown offices. He said when they bought the property the understanding was that it was commercial, but that got changed. He said they were not notified it had been changed. The goal was to have an antique internet store operating out of that location. The

Porters' home is just through the block, and the backyards of their residence and the store are contiguous.

Susan said the initial intent was to just do internet sales, but the collecting got to furniture size. Now she would like the store to be open to the public, but not on a consistent basis – perhaps just on Saturdays. The store has already had three estate sales. Other than that, the store has done just internet sales. However, there is a number people can call to make an appointment to come browse the store.

It would not ever be a Monday through Friday operation. The Porters also own the home next door to the store where their son lives. Susan said her son is going to make it possible to be more intensive. The business sells a wide range of things.

The three people working in the business are within walking distance.

A previous owner generally had up to six clients and three employees when the building was used as a hair salon.

Signs would have to be approved by the city and fit within the sign restrictions, according to Commissioner White.

Property was run down when the Porters purchased it. They cleaned it up, about \$17 G in a new roof.

Commissioner White motioned to approve the use of the property as an antique store.

Commissioner Breinholt seconded the motion. The motion carried with Josh Peterson, Blaine Breinholt, Susan Jensen, Lisa White, Wayne Cowley and Wes Kirshner voting aye. Excused: Zack Leavitt.

b. Conrad Stewart – Conrad Stewart requested approval to allow a tattoo studio as a home occupancy business, or a zoning amendment to allow such. C1 use R1-6 zone.

Stewart came to commission meeting seeking approval for a home occupation permit for a private tattoo shop, which would operate out of a converted spare room in he and his wife's home. His wife, Cayleigh Stewart, would be the artist. The couple have established an LLC, and met the Central Utah Public Health Department requirements.

Stewart said there had been some confusion as to whether the studio would be allowed in the R1-6 zone or not, and hopes to have it rectified with a home occupation permit. Tattoos have become very popular and mainstream, Stewart said. He said they would provide a safe place, operated by a local married people with good values. It would be a private and professional experience for clients. The business would have no visible signs or other things that would affect the neighborhood negatively. The tattoos would be by appointment only. Cayleigh would be the only person working at the studio.

Commissioner White asked if it would work as a home occupation major, or if it needed to be a separate zoning issue.

Deputy Clerk Anderson said the question arose from the fact that tattoo parlors are only allowed in certain zones in town. However, he felt this situation could fit more as a home occupation permit, so it was brought before the planning commission to approve.

Commissioner White said it could fit as a minor, which wouldn't even need to have planning commission approval.

Commissioner Cowley asked if it would serve more than one client a day, to which Stewart said the plan was to have one per day. There is enough off-street parking for the anticipated client load.

Commissioner Breinholt, motioned to approve the business. Commissioner Cowley seconded the motion. **The motion carried with Josh Peterson, Blaine Breinholt, Susan Jensen, Lisa White, Wayne Cowley and Wes Kirshner voting aye. Excused:** Zack Leavitt.

3. Short term rentals

a. Sawyer Phelps to request approval to operate an STR at 911 W 1080 S, C1 Use in an RI-11 zone, #11 of 39 in STR Zone 3. This item was tabled.

b. Morgan Shaver to request approval to operate a short-term rental at 358 E. Center. C1 Use in an R1-11 Zone, #9 of 38 in STR Zone 2

It's a 3-bedroom, one bath home. There is parking along the side of the home with ample room for vehicles. Morgan said he anticipates not more than seven people at a time ever using the unit. Commissioner White motioned to approve the conditional use. Commissioner Jensen seconded the motion. The motioned carried with Blaine Breinholt, Josh Peterson, Lisa White, Susan Jensen, Wayne Cowley, Wes Kirshner voting aye.

Excused: Zach Leavitt.

c. Eric Rasmussen – to request approval to operate a short-term rental at 555 E. 400 North. C1 use in an RM-11 Zone, #10 of 38 in STR Zone 2

It is a three bed two bath house, intended to do long term, but Rasmussen said it is really nice and so he and his wife wanted to use it for themselves. There is 7,500-square feet available for parking. The house sits on the frontage of a lot that is nearly an acre. Rasmussen said he'd like to rent it out a couple times a month to help offset the mortgage on it. **Motion:** Commissioner White motioned to approve the short term rental. Commissioner Kirschner seconded the motion. The motioned carried with Blaine Breinholt, Josh Peterson, Lisa White, Susan Jensen, Wayne Cowley, Wes Kirshner voting aye.

Excused: Zach Leavitt.

d. Tyson Jewkes to request approval to operate a short-term rental at 856 Upland Drive. C1 Use in an R1-10 Zone, #13 of 45 in STR Zone 1.

Robin Jewkes, Tyson's wife, spoke to the commission. She said the property is their home. Their plan is to move into her parents' home while they are on a mission. While her parents are gone, her and Tyson plan to AirBNB their own home. 5 bed, three bath, with a two-car garage, with gravel along the side.

Commissioner Breinholt moved to approve the short term rental. Commissioner White seconded the motion, which passed with Blaine Breinholt, Josh Peterson, Lisa White, Susan Jensen, Wayne Cowley, Wes Kirshner voting aye.

Excused: Zach Leavitt.

(5.) Minutes approval: Commissioner White wanted to clarify the intent of the storage unit portion of the city ordinances. She said it was modified with some constraints designed to limit the use of storage units in the downtown zone. With that noted clarification, Commissioner White motioned to approve the minutes. The motioned passed with Blaine Breinholt, Josh Peterson, Lisa White, Susan Jensen, Wayne Cowley, Wes Kirshner voting aye.

e. **Excused:** Zach Leavitt.

4. **Information Item** – Deputy Clerk Anderson said this was added to the agenda just to let the planning commissioners know what’s going on with the property at 823 N Main Street. The clinic located in that area is going to lose a few parking spots due to some red curbing slated to be completed along Main Street for traffic safety.
The business asked the property owner to the south, Jon Ogden, if they could lay down some road base to use the lot for temporary parking until such a time as Ogden wants to develop his property. Ogden agree, and if someone sees parking on that lot now, they will know why.
5. Accelerated to before item 4.
6. **Other business – No other business was brought up.**
7. **Adjournment – Commissioner Breinholt made the motion to adjourn. Commissioner Jensen seconded the motion. The motion passed with** passed with Blaine Breinholt, Josh Peterson, Lisa White, Susan Jensen, Wayne Cowley, Wes Kirshner voting aye. **Excused:** Zach Leavitt.