

COUNTY OF SEVIER
CITY OF RICHFIELD

At the Planning Commission
In and For Said City
June 5, 2024

Minutes of the Richfield City Planning Commission meeting held on Wednesday, June 5, 2024, at 6:00 p.m., Chairman Josh Peterson, presiding.

1. Roll Call
2. Conditional Use Permits/Home Occupation Permits
3. Public hearings
4. Action on Public hearings
- a. Zoning Ordinance Amendment
5. Discussion Items
6. Minutes Approval
7. Other Business
8. Adjournment.

1. **Roll Call.**

Present: Josh Peterson, Blaine Breinholt, Zack Leavitt, Wayne Cowley, Branden Anderson, Wes Kirshner.

Excused: Lisa White.

2. **Conditional Use Permits/Home Occupation Permits**

- a. CESO or Representative to request a conditional use permit for a distribution/warehouse in the Richfield Commercial Park. A C-1 use in an MD zone.

Matt Fleck representing CESO addressed the commission as a representative of the project. CESO is a professional design services firm. This is a final mile delivery center. It's a modest building that measures approximately 10,000-square feet. This type of facility will have two large trucks come in, unloaded, sorted by four to six people, and then they are put into delivery vans and delivered. Vans will be parked onsite until they are ready to go out on deliveries. The facility also has parking for associate vehicles. The site is already well developed with water, sewer, road and other improvements in place. Chairman Peterson asked how many employees are anticipated. At this point it is early to speculate, as the number will be determined by demand. It depends on the county threshold for what people order. There could be between 15-40 people employed.

Commissioner Kirshner asked what kind of facility it is, is it Amazon. Mr. Fleck said the client is Amazon. These are small packages that are ordered and delivered. Had traffic engineering department look at it.

Chairman Peterson asked about a traffic study, if one had been done and what the effects were on the highway. Mr. Fleck said there have been several

meetings with the Utah Department of Transportation. He said an analysis of the traffic in the area has been completed and it satisfied the UDOT requirements. Mark Gleave and Mike Miles with UDOT have been working on the traffic study information with CESO. There are only going to get two large trucks each day. The number of vehicles that go out each day for delivery is based on each day's volume. There would be between five and ten vans based at the facility. Commissioner Kirshner asked how far the reach will be, would it be limited to the county or branch out into the region. At this point it's too early to know for sure what the exact reach is. The distance it reaches will be determined by the client. It will help bring some jobs to the area.

This is something that has been looked at by the DRC, and has completed the preliminary review. Mr. Fleck said he is happy to be able to work with Richfield and that having shovel ready sites helps fuel economic opportunity.

Motion: Approve the conditional use permit for CESO's client to operate a distribution/warehouse in the Richfield Commercial Park. **Action:** Approve, **Moved by** Blaine Breinholt, **Seconded by** Branden Anderson. **Motion passed** with a unanimous vote with commissioners Blaine Breinholt, Branden Anderson, Josh Peterson, Wes Kirshner, Zach Leavitt and Wayne Cowley voting aye. Lisa White was excused.

3. Public hearings –

- a. **Zoning Ordinance Amendment** – Consider ordinance clarifying residential density for all mixed-use developments in Richfield City. **This item was tabled.**

4. Action on Public hearings –

- a. **Zoning Ordinance Amendment** – Recommend approval of ordinance clarifying residential density for all mixed-use developments in Richfield City. **This item was tabled.**

5. Discussion Items –

- a. SITLA/ Landmark Developers – Discuss concepts for residential development of SITLA property.

Alexa Wilson from SITLA addressed the commission. She said two months ago she had approached the commission with the idea of zoning the land all RM-11. However, that same evening the RM-11 zone was being changed to have some limits on it, which would have made the proposed project ineligible. The one thing she said SITLA wants to do is find a solution for the city to achieve its goal of providing affordable housing, while also goal is to developing the land in a way that generates revenue for SITLA. She said there is a solution. She introduced Aubrey Larsen, from Landmark Design. Landmark has been working on these types of problems since the mid-80s. It is a landscape architecture firm, and has often come up with good solutions. The proposal actually covers an area larger than what is owned by SITLA, with the understanding that other property owners may not want to follow the plan. The presentation is for the purpose of presenting a vision.

Larsen presented at three-part agenda –

1. Introduction and overview

2. Aligning the future of SITLA with Richfield's vision.

3. Next steps

Larsen said she has been with Landmark for two years and previously worked for the state of Utah. She is originally from Cache County. She said she also enjoys the mountain bike trails Richfield offers. One of her firm's goals is to work with small towns and communities.

The first thing she did was dig into the general plan. From the general plan, she took the following points –

- Keeping the small-town community feel is a high priority.
- Richfield is the service and retail hub for central Utah.
- Overall, the City has a diversified economy.
- Housing affordability is a critical issue.
- The city wants to be proactive.

She said in meeting with city staff, the following points were discussed –

- Density favorable codes have largely benefited developers.
- Income-restricted housing is used to make a profit.
- Most Richfield residents do not qualify.
- Want housing options that kids and grandkids can afford.
- Water, agricultural lands, and open space are important.

One of the slides she presented showed an aerial view of how the town has changed from the 1990 to today. One thing she pointed out is there hasn't been a lot of development on the east side of Richfield, in the vicinity of the SITLA property.

She also presented a slide that illustrating a concept for how Richfield could continue to grow in the future, noting a west core, north core, southwest edge and east edge, which is where the SITLA land is. Larsen said Richfield has not developed much along its eastern edge. Commissioner Breinholt said this is because of the water table in the area. Due to the high-water level, it's not a desirable area to build. He said Eagle View is on the edge of where the water level becomes much higher.

The SITLA project has little more than 21 acres of land. Using Richfield's current and future zoning maps, Larsen said the goal of SITLA is to make a development compatible with Richfield's vision for the future. How to align the hypothetical future with Richfield's community vision – *Enhance the rich heritage and beauty of our community as a great place to live while building Richfield into a regional service center, encouraging sustainable growth, and maintaining small town character.*

Larsen presented a couple of concepts. The first is the business as usual with 10,000-square-foot residential lots. The second concept is based on the idea of addressing the Missing middle – House scaled homes with multiple units – such as duplexes, triplexes. There is a mismatch between what the market wants and what is being provided.

1 Part of the goal would be to address the needs of different demographics. One
2 thing the second concept would bring to the table is a variety of choices at a
3 variety of price points. The key to understanding it is that it is house scale
4 buildings – not huge apartment sized buildings. If applied to the SITLA property,
5 it could include duplexes, triplexes and even small lot homes. The concept Larsen
6 presented also included some traditional single-family homes, as well as an
7 agricultural transition. Some of the types of buildings include side by side
8 duplexes, stacked duplexes and even stacked fourplexes that look like homes
9 instead of apartment buildings.

10 Chairman Peterson said the smaller, affordable houses are what the city would
11 like to see. What it doesn't want to see is a bunch of units stacked up on top of
12 each other like in the Eagle View development.

13 Commissioner Cowley said it really depends on how affordable it is. There are
14 already bigger lots available in the city, Chairman Peterson said. Middle class
15 families can't find anything.

16 One example of building units that were too expensive is the condominiums by
17 Black Bear Diner. There are maybe four or five people living in all of those units
18 at this point, and its due to the price point. Breinholt said they are beautiful, but
19 too expensive.

20 Chairman Peterson said what's really needed are homes that are two to three
21 bedrooms. Commissioner Cowley said his son-in-law and daughter both have
22 good jobs, and would be stretching it at \$250,000.

23 Commissioner Leavitt said maybe there is a way in this plan to keep the density
24 high enough that the prices are at \$250,000. Deputy Clerk Anderson said there
25 have been some innovations in design of fourplexes – buildings that look like a
26 large home, but have four separate units inside.

27 Commissioner Anderson said he likes the idea of providing a transition from
28 commercial to residential to agriculture.

29 The concept would also include some open and green space.

30 The water table will be a continuing issue, Commissioner Breinholt said. He said
31 his recommendation is that no basements be built.

32 Wilson asked if this is something that can be explored more.

33 Chairman Peterson said it would be good to see a couple possible layouts.

34 However, he cautioned the SITLA representatives about "creative zoning." He
35 said the city is not going to create a new zone or modify its zones. The city has
36 been taken advantage of way too much. He said at the request of developers,
37 the RM-24 zone was created with the promise that it would help affordable
38 housing in the area. Instead it brought people from outside the area because
39 local people with jobs who needed it couldn't qualify. What has occurred is a
40 huge burden has been put upon emergency services, police, charities, the food
41 bank and other community resources. It's become a burden. The city has
42 changed RM-24 and RM-11 a lot. The city zoning for single residential allows for
43 duplexes and triplexes. Peterson said he would like to see a mix of R1-6. The
44 cottage courtyard would be very good idea. The City is open to whatever, but it

1 doesn't want to make a new zone or make modifications to existing ones.

2 Development agreements can negate city protections.

3 Wilson said while the city has had some past experiences that are bad, but there
4 are places to find solutions. There is a direction that protects the city, but still
5 solves SITLA and the city's problems. In between the two there has to be a
6 solution.

7 Chairman Peterson said what was presented tonight is what the city is looking for
8 and it does fit in the zoning. When it comes to the zoning, it could be done in
9 smaller parts allowing some RM-11, some R1-6, some R1-8, Deputy Clerk
10 Anderson said. Use the tools that are already on the book.

11 Larsen asked if cottage courts are allowed, which they would be determined on
12 density.

13 Chairman Peterson said one thing he would like to see is owner occupied units.
14 Through deed restrictions, it can be required to have owners living in the spaces
15 created. Commissioner Kirshner said that idea is what's needed. Something
16 where people can afford to buy into something and start to build their life
17 around that.

18 The affordable housing plan for Richfield City is part of the update of its general
19 plan. Deputy Clerk Anderson said the Mayor is committed to doing a complete
20 update of the general plan, along with zoning code upgrades, and has set aside
21 money for that purpose in the current 2024-25 budget to achieve this goal. The
22 idea is for the city to get caught up instead of always playing catchup in a
23 piecemeal manner.

24 Larsen said she would like to come back and workshop the concept with the
25 commission. Deputy Clerk Anderson will speak with the city administrator and
26 see if she would also like to participate in the next meeting.

27 Commissioner Breinholt asked if there even is such a thing as affordable housing
28 in the current climate. When you have to make \$160,000 a year to afford a
29 home, it's very difficult.

- 30
31 b. **Downtown zone** - Discuss future of Tattoo shops in Downtown zone. Currently
32 tattoo shops are allowed in downtown, commercial shopping and general
33 commercial. Chairman Peterson said he doesn't want what the City once had
34 when it came to a tattoo shop. You can have a clean store front, but there should
35 not be run-down, narcotic looking buildings in downtown. It raises the question
36 of how does the city control and enforce that?

37 Commissioner Kirshner said it raises a good question, as there are already
38 businesses that fit that description of not being well maintained and becoming
39 eyesores. For example, the Premium is an eyesore, everyone who comes through
40 sees it. It hasn't been maintaining its landscaping and hasn't fixed the tipped over
41 light pole for years. It shouldn't be allowed on the Main Street of the community.
42 If you're going to have a business on Main Street, it should be landscaped and
43 kept up or dry-scaped and kept up.

1 Commissioner Breinholt asked how it's supposed to be policed. For instance, the
2 beauty shop by the Verizon Store has a knocked over cinderblock wall for years.

3 Commissioner Cowley asked if there is a way to require beautification
4 requirements. He said set the standard high enough so that legitimate
5 businesses come in and can afford to maintain it.

6 There needs to be a discussion of eyesores and property maintenance,
7 Commissioner Leavitt said.

8 Deputy Clerk Anderson said during the R6 conference, he attended the workshop
9 on property maintenance. He said the individual who performed that duty for
10 Richfield was mentioned, and everyone in the room said they missed him as he
11 provided the same service for several communities. He said there will not be help
12 from law enforcement as it is considered civil. It's a difficult job, especially in a
13 community where people feel they should be allowed to do whatever they want
14 with the property they have. It's a job that no one wants.

15 Some of it could fall within a safety issue. Commissioner Leavitt said there is an
16 way to use some federal money to incentivize and help with property
17 maintenance issues. It's more of a one-time thing, but part of that is the
18 community needs to have buy in.

19 There are some business owners that for whatever reason don't care about the
20 image or reputation of their property.

21 Commissioner Kirshner said if there is incentive money, it shouldn't be given to
22 the businesses directly. Instead the city should hire a contractor to fix the issues
23 using incentive money.

24 It's important to provide something more than just a stick, and help build pride,
25 Commissioner Leavitt said. He said the hotel across from the park is an example
26 of a property owner who has worked to rehabilitate a property and make it
27 attractive again.

28 Commissioner Breinholt said the hotel had a bad reputation for a long time, so it
29 takes time to rebuild a positive one.

30 Chairman Peterson said it is a conditional use, and they need to set conditions
31 upfront.

32 Commissioner Anderson said the city should have some standard conditions set
33 for what it wants to apply to businesses on Main Street.

34 Commissioner Cowley said its unfortunate, but it's the way things are going. He
35 said going to a small town like Moab, it's all eateries or nothing. There are not
36 clothing shops or anything. Towns like Richfield, Cortez, Colorado; Evanston,
37 Wyoming; are stuck with eateries or nothing.

38 Commissioner Leavitt said there are cases where there may be a small store
39 front, but the bulk of the business is being conducted online.

40
41 Chairman Peterson said there may be some pushback on the RM-11 limitations,
42 but once the changes to it are finalized, he would like to stick with the zoning the
43 way it is.
44

1 6. Minutes Approval –

2 Minutes of May 1 Planning Commission Meeting. Lisa had one xeriscape spelling
3 change for the minutes. **Motion:** Approve the minutes with the noted change,
4 **Action:** Approve, **Moved by** Wayne Cowley, **Seconded by** Wes Kirshner. **Motion**
5 **passed** with a unanimous vote with commissioners Blaine Breinholt, Branden
6 Anderson, Josh Peterson, Wes Kirshner, Zach Leavitt and Wayne Cowley voting
7 aye. Lisa White was excused.

8 7. Other Business – Chairman Peterson went to the R6 regional growth conference. He said
9 no one wanted to commit to an answer about how to control low income housing. One
10 issue that was brought up was project development agreements is that once entered
11 into, the protections the city has are negated. Also, anything that is not in the
12 agreement becomes what the project is held to instead of what is required by
13 ordinance.

14
15 Commissioner Breinholt said he didn't find a lot of value in the classes he went to.

16
17 Commissioner Anderson asked how does the city restrict the developments to owner
18 occupied. He said in HOAs he's seen it, but not elsewhere.

19 Chairman Peterson said it can be done through a project development agreement that
20 requires a deed restriction on the property. Project development agreements can be a
21 great thing, but they can have a terrible side to them as well.

22 Another interesting thing Brett Bateman said is that the city doesn't have to allow Air
23 BnBs [short-term rentals], so that is something to look into. It's nice to know that there
24 can be limits on it.

25 The ordinance can't be made retroactive, Commissioner Anderson said. He said he likes
26 short term rentals, but he understands the challenge they can become.

27 One of the issues that been created is that people purchase the smaller two- or three-
28 bedroom homes with the intent of flipping them into short-term rentals, said Deputy
29 Clerk Anderson. Those homes are then taken out of the inventory available for
30 affordable housing in the town.

31 Commissioner Cowley suggested lowering the existing cap.

32 The market for short-term rentals does seem to be slowing, said Commissioner Kirshner.
33 He said for a trip with extended family, a short-term rental is awesome, but if it's just a
34 trip with one's wife and kids, it's hotel all day long.

35
36 Deputy Clerk Anderson asked if the July meeting should be moved to the 10th, instead of
37 the eve of Independence Day. The commission agreed this is a good idea.

38 Adjournment.

39 Commissioner Anderson **motioned** to adjourn. Commissioner Kirshner **seconded**
40 the motion. **Motion passed** with a unanimous vote with commissioners Blaine
41 Breinholt, Branden Anderson, Josh Peterson, Wes Kirshner, Zach Leavitt and
42 Wayne Cowley voting aye. Lisa White was excused.
43