Approved: 11.14.24

RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
OCTOBER 24, 2024

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:	**Staff:**
Evan Matheson, Chair	Jason Lethbridge, Development Services Director
Gary Cannon	Matt Cassel, City Engineer
Shelly Cluff	Tim Prestwich, City Planner
Crystal Keele	Brett Coombs, Assistant City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Evan Matheson called the meeting to order at approximately 6:30 PM.

2. PUBLIC HEARINGS

A. "EINKORN MAMA", PLZ-24-2031, AN APPLICATION FOR A CONDITIONAL USE – HOME OCCUPATION PERMIT TO HAVE A COTTAGE BAKERY IN A BASEMENT KITCHEN AT A HOME LOCATED AT 1984 WEST 13330 SOUTH. APPLICANT – MELANIE HANSEN.

City Planner Tim Prestwich presented the Staff Report and stated that the request is for a home occupation. He explained that the name refers to einkorn, which is an ancient grain that has only 14 chromosomes rather than 42 like modern grains. It is supposed to stop inflammation and contains fewer carbohydrates. The property is located in the R-3 zone in a built-out neighborhood. Renderings of the street and lot were presented. Mr. Prestwich stated that there is adequate parking in the driveway and on the long frontage. It was noted that a previous notice for the October 10, 2024 meeting was never sent out. Mr. Prestwich determined that the notices were sent out correctly. No comments were received from neighbors.

Mr. Prestwich indicated that baking and food preparation work will take place in the basement kitchen. Customers will come on bake days and park in the driveway or along the frontage. The applicant initially requested up to 16 customers per day. The ordinance allows for six. The Planning Commission can approve up to 12 customers per day for any use other than child daycare. Staff recommended that the applicant be allowed to have a maximum of 12 customers per day since services will take place only a few days per week and there is ample parking. The layout of the home and parking was presented.

Mr. Prestwich reported that home occupations are evaluated based on whether they are on the prohibited list. This home is not. The fixed standards are then addressed along with the qualifications. If all qualifications are met, staff can grant approval. If there are any exceptions, the request will come before the Planning Commission which will make the final decision. One trigger pertains to whether food is being prepared in the home or if they are

seeking more than six customers per day. Staff could not identify any issues with the additional requests and recommended approval with the conditions set forth in the Staff Report. Mr. Prestwich reported that the State changed the Home Food Preparation Guidelines last year and the City's Business Licensing and Planning Departments will ensure that the applicant has the appropriate licenses from the outside State agencies.

The applicant, Melanie Hansen, reported that what is proposed is a cottage bakery focused on the einkorn grain, which is an ancient grain. It is easier to digest and can be consumed by those with gluten sensitivities. She plans to sell mostly sourdough bread. Orders will be taken through an app and orders will be pre-paid. Customers will just come to pick up their orders. Chair Matheson asked if 12 orders per day would be enough to sustain her business.

Ms. Hansen stated that it would not and she would make deliveries as well. Commissioner Cannon asked about the hours of operation. Ms. Hansen stated that she would start with one day per week and increase from there. Pick-up times will only be on designated days. If the business grows she may ultimately relocate to a retail space. In response to a question raised by Commissioner Keele, Ms. Hanson clarified that pick-up times will be staggered so that there will only be one customer at a time.

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

Commissioner Cluff moved to APPROVE PLZ-24-2031 "Einkorn Mama", at 1984 West 13330 South 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. **The applicant must obtain and maintain a Riverton City Business License.**

3. **The applicant must obtain and maintain applicable State and other outside agency approvals.**

4. **The 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 applicant may use up to 50% of the basement for the business.**

6. **There shall be no visitors in conjunction with the home occupation before 7:00 a.m. or after 7:00 p.m.**

7. The number of customers per day shall be limited to twelve (12) and pick-up times must be staggered.

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

B. "SKIBIDI RIZZ SUBDIVISION," PLZ-24-1007, AN APPLICATION FOR A MINOR 2-LOT SUBDIVISION OF APPROXIMATELY 1.25-ACRES, ZONED RR-22 (SINGLE-FAMILY RESIDENTIAL, MINIMUM .5-ACRE LOTS) LOCATED AT 13441 SOUTH TRESTLE LANE. APPLICANT – KELLY CHECKETTS.

Chair Matheson moved that the Planning Commission CONTINUE PLZ-24-1007 for the Skibidi Rizz Subdivision to the November 14, 2024, Planning Commission Meeting. Commissioner Cluff 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. "ROCK RIDGE PHASE 1," PLZ-24-8016, AN APPLICATION FOR A FINAL COMMERCIAL SITE PLAN AND SUBDIVISION, ON APPROXIMATELY 6.7 ACRES ON THE SOUTHEAST CORNER OF 12600 SOUTH AND 3600 WEST. APPLICANT – AWA ENGINEERING.

Mr. Prestwich presented the Staff Report and stated that the review tonight will be of the underground pipes. The property is located on the America First Credit Union ("AFCU") corner. The Master Site Plan for the 7.9-acre site was approved by the Planning Commission in August of this year. The Phasing Plan was presented along with the plat. The Phasing Plan included the plan, which was already under construction and nearly complete. The area shown in blue identified future pads and the area in green was the backbone infrastructure that has to be done first. Tonight's focus was on the green areas. The applicant intends to subdivide and sell individual pads. The demolition limits were identified as well as the areas they will be working in. They plan to connect the road to go to the north and connect east and west with the major backbone shared driveway. The Utility Plan shows water lines and storm drains connecting out to 12600 South. Staff recommended approval with limited conditions.

Commissioner Cluff asked if the utilities going into the road have already been done. Mr. Prestwich's understanding was that they still need to be done and have not yet been approved. City Engineer, Matt Cassel reported that the island work at 12600 South is complete and the work is now focused on the approach on 3600 West. The utilities have been stubbed into the public right-of-way and will be continued within the development itself.

Rick Magnus from AWA Engineering was present on behalf of the applicant. They anticipate with the improvements reflected in Phase 1 to have all of the underground infrastructure installed. They, however, will likely not make the asphalt pour until the first quarter of next year. They are completing their off-site connections and anticipate the access to be completed and improved within one week. Mr. Magnus referred to Lot 5 and stated they do not yet have an end user. They have entered into an agreement with the coffee shop to share access. They have not finalized Lot 5 because the end user may design the access slightly differently. Mr. Magnus reported that Lot 8 will be ready once everything is recorded. He agreed with the staff recommendations and was present to answer questions.

Commissioner Cannon asked what other businesses are looking to locate here. Mr. Magnus stated that Lot 4 will be a Jack in the Box. Other potential tenants have not been solidified. He reported that there has been a lot of interest now that the infrastructure is being completed. He noted that AFCU always does a quality job and is looking forward to finishing up and being open in December.

Chair Matheson commented that until the infrastructure is in, AFCU is the only business that can be open for business. Mr. Magnus confirmed that was the case and stated that once the other lots are recorded, staff can begin to address the other applications because they will be legal parcels. He explained that their Infrastructure Plan is well ahead of any of the other developments that want to come in and get approved. The timing is perfect for the other uses to come in by the end of the first quarter of next year.

Commissioner Keele moved to APPROVE PZ-24-8016, Rock Ridge Phase 1 Site Plan and Subdivision to be located at 12653 South 3600 West with the following conditions:

1. **The first phase Final Plan must include the shared infrastructure and the proposed subdivision plat. The subdivision must be recorded before construction work may commence on the other phases.**

2. **Shared Access or Cross Access Agreements for all internal properties shall be formalized and recorded with the first Final Plat.**

3. **Storm drainage systems and accommodations shall comply with the Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineer.**

4. **The site, utilities, and structures shall comply with any and all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.**

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

B. "MOUNTAIN RIDGE EAST BSP," PLZ-24-8005, AN APPLICATION FOR A BLOCK-SCALE PLAN CONSISTING OF APPROXIMATELY 61.9 ACRES OF RESIDENTIAL DEVELOPMENT IN THE SLR ZONE ON PROPERTY IN THE GENERAL AREA OF 13400 SOUTH AND MOUNTAIN VIEW CORRIDOR. APPLICANT – BRANDON PARR, EDGE HOMES.

Mr. Prestwich presented the Staff Report and stated that the property is located on the west side of the City in an area zoned SLR. An area map was displayed. Mountain Ridge West is currently building from the north to south. The Mountain Ridge Apartments were approved with construction set to begin soon. The area on the east is Mountain Ridge East and is part of the Community Scale Plan ("CSP") known as Mountain Ridge. At one point it covered everything south of the channel to 13800 South. They left a part out and will do only a portion of it.

Mr. Prestwich next addressed CSP and Block Scale Plan ("BSP"), which are terms that differ from the Suburban Land Reserve ("SLR") Specific Development District ("SDD"). It follows a specific approval process, CSP, high-level basic street network, and moves on to the BSP which has increased detail showing feasibility. The public meeting was held previously with the CSP, however, public meetings are no longer required in each subsequent stage. Mr. Prestwich reported on the Master Development Agreement ("MDA") and the SLR SDD. The SDD is the zoning while the MDA is the legal agreement. He explained that SLR had to grant approval before staff could accept the application. Photos were taken from 13800 South looking east. The CSP approval took place in October of 2022 with a few changes taking place since. For example, an extra bridge crossing is anticipated on the north off of Sentinel Drive. They were eliminated when looking at final plans and block scale plans on the west side. The angle and proximity made those difficult. They have since been removed. There are now only crossings where the apartment is on the far west with space set aside for a potential one on the east.

Mr. Prestwich reported that a couple of church sites were set aside. Once work on some of the phases was underway, it was determined that the Master Developer anticipated putting an LDS Church house there, which was no longer desired. The area was replatted with Planning Commission approval into additional lots and housing units. On the East Block Scale Plan there is a church meetinghouse. The corner has been removed and become a future BSP. There is now a clearly defined boundary. Other than the bridge crossing, what is proposed looks very similar to the CSP that was approved. A 10-acre regional park is proposed on the far east side with townhomes on the north side with the grid road pattern. The SLR approval and application were presented.

A photo taken looking north to the Mountain View Village was shown with the skyline in the distance. Mr. Prestwich stated that from the southwest to the northeast corner there is over

50 feet of fall on the property. What is proposed are 196 townhomes and 132 single lots ranging in size from 6,000 to 8,000 square feet.

Along the Welby Jacob Canal will be a Regional Park with a trail and a private clubhouse that will serve the homeowners in the area. There is separation from the City Park. Mr. Prestwich pointed out that Templar Drive is the main road that comes off of Sentinel and has a 60-inch storm drain pond from the Utah Department of Transportation ("UDOT") and is where the water that drains off of the Mountain View Corridor will go. He commended the engineer for putting the pieces together in a way that meets City standards and makes it possible for them to achieve their goals. The pond to the south of the clubhouse will be maintained by the City. The park is its own phase and the City Council will ultimately decide the amenities and layout. The City Council through the MDA has to grant approval.

Mr. Prestwich reported that Edge Homes and their engineers have done a clever job of laying out the project. They want to begin building houses and recouping some of their costs. Templar Drive will be part of the first phase. They will be limited to 30 units per Fire Code before a second access point is required. Phase 26B is Greenford Lane and could be built independently with the park coming later. Once the two roads are in, the developer will have flexibility with the other phases.

The road network was presented. The roads shown in blue are publicly maintained roads and will meet current City standards for a public street and be publicly maintained with public utilities. The roads shown in orange and purple are private and will be privately maintained. Staff recommended approval.

Mr. Prestwich stated that Sentinel Ridge has been a challenge in that Templar Drive extends on both sides and serves the denser parts of the development. Where it interacts with Sentinel is a bit of a challenge. Sentinel going north and south has two lanes in each direction with a light at 13800 South that extends to Mountain Ridge, connects onto the Mountain Ridge Frontage Road, and goes east over the canal and connects to the back side of Walmart.

Traffic Studies were conducted before the connections were made and there was uncertainty about the impacts. Staff's concern was that the residents lining up on Templar would not get a break to get onto Sentinel. The developer presented a partial island to limit movements. Staff recommended that the City reserve the right to look at it again on the Phase 26A plan and have the developer bring back updated traffic studies showing the impacts of the current layout.

Commissioner Cannon referenced the colored map and questioned why the bridge was not shown on 13800 South. Mr. Prestwich stated that the bridges were outside of the CSP and were not the responsibility of Edge Homes to build. For that reason, it was left off. Commissioner Cannon mentioned that the park that was built far exceeded all expectations. He also informed the new Commissioners of the area on 13800 South near Fall Ridge and Pillar Ridge and stated that what they have done is ingenious. It will be one of the few east-west roads on the south end of the City and will be a huge traffic corridor. He expected there

to be very little impact on 13400 South and the residents on the north and south sides of 13800 South. Mr. Prestwich mentioned that the road and bridge bring Herriman, Bluffdale, and Riverton together.

Chair Matheson asked what determines which roads are public and private. Mr. Prestwich stated that typically when a developer wants to develop multi-family or narrower street widths, they want to do a private road section. There are advantages to the developer and the City in doing so. In this case, the City has water connections and utilities and is satisfied with how the project is laid out. He noted that the townhomes allow them to have an income stream through the Homeowners Association ("HOA") to maintain that.

The applicant, Paxton Guyman, identified himself as General Counsel for Edge Homes, located in Draper. He commended Mr. Prestwich for the staff presentation. Mr. Guyman stated that this community is a hallmark example of what can happen when you have a master developer and a very talented staff who are working toward the same goal which is to have a functional, nice community that the residents want to live in. You start with a CSP and as market conditions change and development occurs, adjustments need to be made. What is being presented is the result of adjustments and input from all parties. The applicant was supportive of the proposed conditions. Mr. Guymon pointed out that a great deal of work has gone into getting to this point. He noted that it is a great project and the demand is there. He appreciated the relationship he has with staff and for being able to work amicably together.

Commissioner Keele moved to APPROVE PZ-24-8005, "Mountain Ridge East" Block Scale Plan to be located near 13600 South Sentinel Ridge Boulevard, with the following conditions:

1. **The Block Scale Plan shall comply with the Master Development Agreement ("MDA"), Suburban Land Reserve Specific Development District, the approved Mountain Ridge SCP, and the approval of the Master Developer ("SLR").**

2. **Final approval of engineering systems, including stormwater and culinary/secondary water systems shall be with each Detail Plan approval.**

3. **Fencing will be constructed as shown in the approved plan, with amendments only as approved by the City.**

4. **Ownership and maintenance of infrastructure and open space shall follow the plan presented on the Public vs. Private Roadway Plan (Sheet C-102).**

5. **Phasing of Detailed Plans and construction shall follow the Overall Phasing Plan (C-101).**

6. **No more than 30 units may be occupied in Phase 26A before a second access into the phase is made connecting Sentinel Ridge or 13800 South.**

7. **The Detailed Plan application for Phase 26A shall include additional traffic studies and recommended solutions to address traffic on Sentinel Ridge Boulevard or Templar Drive. Traffic mitigation proposals are to be approved by the Planning Commission with the Phase 26A Detailed Plan.**

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

Development Services Director, Jason Lethbridge clarified that the Commission will have an opportunity to see the final park design. The City Council makes the final decision because it involves budgetary commitments. The installation will be through Edge Homes with the funding source being Park Impact Fees that are collected within the project area.

C. "AMENDED SITE PLAN - CITY BUILDINGS," PLZ-24-8017, AN APPLICATION FOR AMENDING SITE PLANS FOR CITY HALL, OLD DOME MEETING HALL, AND THE POLICE DEPARTMENT BUILDING TO ADD OUTDOOR HOLIDAY LIGHTING, INITIATED BY RIVERTON CITY.

Mr. Lethbridge reported that the application is to amend a couple of site plans. Recently, time was spent formulating and adopting an ordinance regulating holiday lighting. One of the stipulations was that those looking to install permanent lighting to be used in that way amend their site plan. There is language within the Code that allows for some exceptions for civic events in the way lighting is used but site plan approval was done for City Hall and a couple of other City buildings. In 2013, the City processed site plans that included the Police Department Building as part of the Civic Center Campus and the Domed Meeting Hall as part of the overall park. The City has installed temporary lighting on these buildings consistently since they began being used but the City is looking to install permanent lighting to be used as lighting for holidays and civic events. The areas were shown where the lighting would be installed. All areas fall well outside of the distance limitations relative to residential properties.

Chair Matheson moved that the Planning Commission APPROVE Application PLZ-22-8017, Riverton City Lighting Amendments for the Riverton Civic Center, and Domed Meeting Hall Site Plans. The motion was seconded by Commissioner Cannon. The motion passed with the unanimous consent of the Commission.

D. "STORAGE CONTAINERS," PLZ-24-5003, A CONTINUED DISCUSSION ABOUT AMENDING THE CITY CODE REGARDING STORAGE CONTAINERS, INITIATED BY RIVERTON CITY.

Mr. Lethbridge presented the Staff Report and stated that the issue pertains to cargo containers. Currently, the City ordinance prohibits the use of storage and freight containers on property. Staff has seen an increasing number of cargo containers being purchased and

utilized on property within the City and more are being brought to the attention of Code Enforcement. After reviewing the Code, the interpretation was that if the storage container is the internal structure of an accessory building, it can be allowed. An example was shown of an existing cargo container being enclosed in siding to be compliant with the City Code. In terms of setbacks, it still has to meet the same requirements for size and the distance from property lines provided that the exterior materials are consistent with the Accessory Building Ordinance. It would be treated the same way as a shed or other accessory structure and is then no longer considered a cargo container and can be classified as an accessory structure and remain on the property. The proposed language has been posted on the City's web page and made available to the public. It has been a way to address the use of cargo containers and the desire for residents to have them and hold them to the same standard as any other accessory building.

Staff reviewed the proposed amendment and found that the interpretation of the Code is being utilized to an extent that they need to consider codifying the Code. The proposed amendment takes the existing Code that prohibits storage containers and includes language that describes how they may be used. It was clarified that someone can have a cargo container as long it is treated as any other accessory building.

During a previous discussion with the Planning Commission, a Commissioner shared photos and raised concerns. Mr. Lethbridge looked at other cities and found that many allow them while others do not. They looked at the most common requirements or criteria that are used by other cities that allow them. If the desire of the Commission was to forward a recommendation to the City Council that they be allowed, there were conditions provided as a starting point. They are the most common and most cities that allow them have very similar requirements. There were requirements that they be placed in certain areas of the property, meet setback requirements, be painted a single color that is consistent with the color of the main dwelling, and be free of any logos and alphanumeric characters. He explained that because they are cargo containers they have quite a bit of information on them. That requirement would stipulate that they be painted and remain free from any of those things. They must also be maintained without visible rust or damage.

Mr. Lethbridge explained that there is also a section in the Code that addresses temporary containers such as pods, which are allowed. The current language specifies that they may be used during a move but have to be placed on private property. There have been issues with individuals putting them in the street where they create problems. It was clarified that that is prohibited. There is a seven-day limitation that is part of the Code. Currently, storage containers may not be used as living space. Mr. Lethbridge stated that there are cities that allow them and they are extremely difficult to configure and construct in a manner that meets all of the requirements for living space. Generally, it is rarely cost-effective to convert them to living space and bring them up to Code. It is usually cheaper to build a structure.

Commissioner Cannon asked for guidance from the City's legal counsel and stated that he is President of the South Jordan Canal Company which has 24 miles of canal that runs along the Salt Lake Valley. Adjacent to Riverton Park they have a container that is used for storage that is very inconspicuous. It is used to store records and water treatment in 55-gallon

drums. Occasionally there is vandalism, however, the canal is patrolled daily. He asked that a provision be added for them or other water facilities that provide water to the City to leave the container where it is currently.

Mr. Lethbridge reported that the proposed amendment only addresses the residential use of cargo containers. The next step in the process will involve addressing commercial and non-residential properties. Assistant City Attorney, Brett Coombs, stated that the uses as described would not fall under the auspices of what is proposed as it is directed to residential use. Mr. Lethbridge stated that this is an issue the City Council has discussed but there is no consensus and it is an issue they are grappling with.

Commissioner Cluff asked if they allow the storage containers to just be painted if it would make it illogical for the City to restrict other structures such as aluminum garages. Mr. Lethbridge stated that it introduces that question. He explained that State Code no longer allows the City to regulate what materials go on a home and it does not say that cities can have the restrictions that the City does on accessory structures. It would, however, be easy for someone to introduce metal siding on an accessory building and in their home. He explained that the Code allows the City to treat cargo containers differently.

Commissioner Keele asked if applicants would still have to go through the permitting process to locate a cargo container on their property. Mr. Prestwich stated that they would not for the most part. The State adjusted its threshold for square footage that would require a Building Permit for any structure over 200 square feet in size. That number was adjusted to increase it so that most cargo containers do not require a Building Permit or foundation. No permit is required unless plumbing or utilities are run to it.

Commissioner Keele asked how the situation would be policed if they are allowed. Mr. Lethbridge stated that it would be much as it is now through Code Enforcement. He explained that if the proposed language were forwarded to the City Council and adopted, there would no longer be a requirement for them to attach siding or material to a cargo container. This option would simply say that they are allowed and they would need to be painted. The other option would require materials that are consistent with the primary dwelling.

Chair Matheson asked about storage containers being used as living space and if that would be eliminated as an option. Mr. Prestwich stated that they could be based on the language put forward by the Commission. The two tracks were identified as allowing them provided that they are surfaced similar to an accessory structure or allow cargo containers as cargo containers provided they are painted and maintained. Mr. Prestwich stated that the issue has been that when they enforce one, many more appear. The Commission should recommend to the City Council which direction they would like to pursue.

Commissioner Cluff was of the opinion that if someone wants to go through the expense of converting a cargo container into a living space they should be allowed to. She asked if staff saw any harm in allowing that. Mr. Prestwich had no objection to them and stated that the cost may be prohibitive.

Chair Matheson asked if it would be possible to allow verbiage to specify that they can be used as living space or an accessory dwelling unit only after going through Code Enforcement and obtaining the required permits.

The possibility of removing condition number 6 was discussed. Paint and trim issues were discussed. The decision of the Commission was to eliminate condition number six.

Commissioner Cluff moved to recommend APPROVAL of an amendment to Section 18.225, Accessory Structures, with the following substitution language:

Storage containers, freight containers, box cars, and similar storage equipment may be used as accessory structures with the following requirements:

1. **All applicable requirements of this section, and any other relevant sections of this Code, must be met, including setback and coverage limitations.**

2. **The container must be painted a single color consistent with the general coloring of the main dwelling.**

3. **The container must be free from any logos or alpha-numeric characters.**

4. **The container must be maintained without visible rust or damage.**

5. **Temporary storage containers may be used only for move-in/move-out purposes, provided they are only placed within the private property area. Temporary containers may not be present on the property for more than seven days.**

The motion was seconded by Commissioner Keele. The motion passed with the unanimous consent of the Commission.

6. MINUTES

A. None.

7. ADJOURNMENT

The meeting adjourned at approximately 7:47 PM.