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2 **COUNTY OF SEVIER CITY OF RICHFIELD**

3 At the Planning Commission

4 In and for said City

5 March 5, 2025

6 Minutes of the Richfield City Planning Commission meeting held on Wednesday, March 5, at
7 6:00 p.m., Chairman Josh Peterson, presiding.

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| 9 1. Roll Call | 4. Ordinance Amendments |
| 10 2. Conditional Use Permits – | a. Amend 17.13.240 |
| 11 a. May Anderson | b. SITLA - amendment |
| 12 b. Veronica Vakautakakala | 5. Annexation - Annexation Petition |
| 13 3. General Plan Update – | 6. Minutes Approval |
| 14 a. Discuss any other changes to the | 7. Other Business |
| 15 General Plan. | 8. Adjournment. |

16

17 **1. Roll Call.**

18 **Present:** Josh Peterson, Blaine Breinholt, Branden Anderson, Zach Leavitt, Wayne Cowley. Also, David
19 Anderson, May Anderson, Alexa Wilson, Veronica Vakautakakala and Jodi Vakautakakala

20 **Absent:** Lisa White.

21 **Excused:** Wes Kirshner.

22 **2. Conditional Use permits**

- 23 a. May Anderson requested a conditional use to operate a day care out of her home at 643 West
24 2nd Avenue.

25 Commissioner Leavitt asked how many children she will have at the business. May said she is licensed for
26 16 children, but it will likely be capped at 12 – better to be overstaffed than overwhelmed. She
27 anticipates being open from 7 a.m. to 5:30 or 6 p.m.

28 Commissioner Leavitt asked if there would be any staff. May said there would be two staff and herself.
29 There are also two driveways for the staff to use.

30 Commissioner Brienholt said it's not a busy street.

31 **Motion:** Approve the conditional use for the day care to operate at 643 West 2nd Avenue. **Action:**
32 Approve, **Moved by** Blaine Breinholt, **Seconded by** Branden Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Blaine Breinholt, Branden Anderson, Josh Peterson, Wayne Cowley, Zach Leavitt. **Excused:** Wes Kirshner.

b. Veronica and Jodi Vakautakakala asked for a conditional use permit to operate a baked goods business at 1633 South St. Andrews Drive called Vaka Sweets. Veronika and Jodi want to do a porch pickup for baked goods – including various sweets and sourdough. This wouldn't be a large operation. Currently they are looking at operating two days a week. Jodi said she envisions the pickup location to be something like a curio cabinet that wouldn't affect the nature of the neighborhood. People could come and get it and leave.

Commissioner Anderson asked if anyone would stay, or it if would just be online order fulfillment that is picked up. Jodi said products would just be picked up, no one would stay at the business for any amount of time.

Commissioner Leavitt asked about parking. It is a corner lot, lots of on street parking. There is room to have people park in the drive-way.

Commissioner Anderson said this would only be one or two cars at a time.

Deputy Clerk Anderson asked if they have a food handler's permit. They have a food handler's permit, and have discussed with the Department of Agriculture the other regulations they will have to follow. Also, any food not sold within two days will be donated to the food bank. There will be minimal impact on garbage.

Motion: Approve Veronica and Jodi Vakautakakala's conditional use to operate a baked goods business at 1633 South St. Andrews Drive called Vaka Sweets, **Action:** Approve, **Moved by** Branden Anderson, **Seconded by** Blaine Breinholt. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Blaine Breinholt, Branden Anderson, Josh Peterson, Wayne Cowley, Zach Leavitt. **Excused:** Wes Kirshner.

3. General Plan –

This item was put on the agenda in case the Planning Commission has any more comments on the general plan prior to moving into the public hearing phase, said Deputy Clerk Anderson.

Chairman Peterson asked if the extra work sessions are complete. They are. He said the plan looks really good at this point.

Kendall Welch, planner, said the comments will stay open on the online document until March 16 or 17th. The public hearing for Planning Commission can be set for next month's regular Planning Commission meeting.

4. Ordinance Amendments

a. Amend 17.13.240 as it affects the requirement for preexisting lots to install asphalt shoulder, curb, gutter and sidewalk improvements.

Kendall Welch, planner, said a public hearing would be required at the Planning Commission and City Council levels to pass this ordinance amendment.

1 As far as commercial properties go, there are two options for those that don't wish to install the
2 required improvements. The first would be to require a fee in lieu using a table included in the
3 proposed ordinance. The table shows a lineal square foot pricing for curb and gutter, sidewalk,
4 asphalt, untreated base course and granular barrow. The calculation of the costs would be
5 increased by 3 percent each year to account for inflation.

6 Option two would also have a fee in lieu arrangement, but it would be calculated on an
7 individual basis.

8 Chairman Peterson said he prefers the first option because it provides consistency. It gives the
9 applicant an idea of what they are going to pay upfront.

10 Deputy Clerk Anderson said the second option would work similar to how bonding is handled by
11 the City. There would have to be a bid prepared, and then double checked by the engineers, and
12 then determined. It would create more steps.

13 Chairman Peterson said the goal is to simplify the process. He asked what the action is to be
14 taken on this tonight.

15 Tonight's session is a work session on the new section of code, next month a public hearing
16 could be hosted. After the public hearing, the new section of code can be recommended to the
17 council for final approval.

18 The new ordinance would still require anything above a standard single-family home to install
19 the curb, gutter and sidewalk, as well as a small sump to deal with drainage along the frontage
20 of the property.

21 Single family home developments could apply for the modified standard, which would allow
22 them to be excluded from installing the curb, gutter and asphalt shoulder. Sidewalk would be
23 required regardless. They have to meet specific criteria. For instance, if there is already curb
24 and gutter on an abutting property, the improvements would still be required up to the standard
25 that already exist.

26 Another item included is the covering of ditches along with a sidewalk. While the single-family
27 homes may not be required to install in curb and gutter, they could be required to install a
28 barrow ditch. Essentially, they'll have to create a grade to move the water away from the
29 roadway edge and the sidewalk – channeling the water into the gravel, said Micklane Farmer,
30 engineer. He explained the requirements for the barrow ditch.

31 If there is an irrigation ditch, the city will install the pipe if the home builder will purchase the
32 pipe. The barrow ditch would be handled through the grading.

33 Commissioner Brienholt asked if the city is on board with taking on the cost of pipe installation.
34 Deputy Clerk Anderson said the public works director would prefer the city to install it to keep it
35 consistent through town.

36 Chairman Peterson said the ditch adds a new dimension to it, because the first storm could just
37 fill it in.

38 Farmer said the goal is just to keep the water off of the edge of the road or sidewalk and
39 preserve them.

40 Chairman Peterson asked if the requirement is that the City installs the pipe, then the public
41 works director could make sure the grading is what it needed to keep the water where it needs
42 to be.

43 Commissioner Breinholt said in his case, the sidewalk actually becomes the ditch.

44 Farmer said this is for cases where the pipe is installed.

1 Commissioner Cowley asked if this is adopted, who is responsible for erosion underneath the
2 sidewalk.

3 Farmer explained the grades he proposed would help prevent the water being against the
4 sidewalk, which should prevent erosion.

5 Chairman Peterson asked if there is anything in the proposed code that would mandate that the
6 City engineer set the grade on the sidewalk.

7 Welch said that requirement is not specifically in the proposal, but could be added.

8 Chairman Peterson said it is very important for the City to designate the grade of the sidewalk,
9 because if it doesn't, everything else is sacrificial.

10 Chairman Peterson said he would like to see the code prior to the public hearing. Have the public
11 hearing next meeting, and make any other changes at that time.

12
13 b. SITLA- Utah State Trust Lands to discuss proposed ordinance amendment for
14 development of property located north and east of Eagle View.

15
16 Alexa Wilson, representing SILTA, attended in person as Aubrey Larsen and Mark Vlasic attended
17 via Zoom. Vlasic and Larsen gave a recap of previous meetings. In summary, the Utah State Trust
18 Lands owns 22 acres on the east side of Richfield that it would like to develop. The goal is to
19 develop the land in a that guides future development to be inline with Richfield's plans, needs
20 and vision – including addressing what has been called the missing middle.

21 The proposal creates an east central neighborhood, Larsen said. She described the missing
22 middle as including duplexes, multiplexes, townhomes. The missing middle overlay zone would
23 be created with this ordinance. The overlay ordinance gives the option of providing some more
24 affordable housing options in the east central area outlined in the plan.

25 Objectives for the overlay zone? Make sure it aligns with Richfield City goals and objectives. 

26 Housing affordability is a big issue and concern, and Richfield wants to be able to serve a large
27 swath of life stage needs. Other objectives include making an inviting place to live, creating
28 targeted local services, and avoiding environmentally sensitive land issues, such as the known
29 high-water table.

30 Vlasic focused on changes made to the proposed ordinance. It included some minor editing, as
31 well as to make sure it met the needs and the direction given by the city. Two major changes
32 that were made. First, graphics were included, showing different types of units. There are now
33 four new building types, doubled the number of unit types in the previous draft.

34 Next the required number of each type of unit was revised. There was a concern that developers
35 were going to do what is most profitable and easiest for them. The updated proposal breaks it
36 down in into three categories. First, those that are under the two-acre size are allowed no more
37 than 60 percent of one building type. The rest of the development has to be made up of at least
38 one of the types of structures.

39 Projects larger than two acres but under five acres have to have a mix that includes no more
40 than 40 percent of one type of building at least two other types included.

41 Projects that are larger than five acres, have a limit of 50 percent of one type of structure, with
42 10 percent each of the different types included. The goal is to avoid big swaths of all the same
43 type of homes, and create more interesting neighborhoods. This approach is new, and Richfield
44 could be the first in the state to use it.

1 Wilson asked for thoughts from the Commission.

2 Commissioner Leavitt said he likes the plan, but there are a few things that need to be ironed
3 out before it's adopted. He would like a little more time to iron out the details.

4 Commissioner Cowley said he likes the idea of not a generic building. It could make it look
5 classier. He asked if there a breakdown of how much of the development is owner occupied, and
6 how many are rentals?

7 Vlasic said there isn't any language addressing ownership at this time.

8 Chairman Peterson said one of the city's most pressing needs is owner occupied units. The city is
9 lacking inventory of owner-occupied homes.

10 Vlasic said some cities put some percentage of rentals, others disallow it. Can look and see what
11 they can do it. He asked if there is a certain percentage that would work.

12 Chairman Peterson said he would like to see more discussion on how much should be owner
13 occupied, perhaps the City Council would like some input into that as well. He said he likes the
14 idea of forcing different building types. He likes the overall direction of the concept, but can't
15 over emphasize the importance of owner-occupied homes.

16 Commissioner Breinholt said he likes the diversity of it, but doesn't know if there is a need four
17 types of buildings. He said while there is a need for owner occupied units, there is also a need
18 for rentals. The rentals in the City do fill up. Don't think it all has to be owner-occupied.

19 Commissioner Peterson agrees there should be a percentage of rentals vs. owner-occupied.

20 Commissioner Anderson said this project has public streets, and then alleyways. Alleys are
21 usually maintained as more of a private thing. How much would be run through HOA, and how
22 much would be turned over to the city?

23 Vlasic said the plan does establish places for trails, open spaces and parks. Many times it is
24 easier to turn those areas over to the city for maintenance. Ultimately, it would be up to the
25 individual development group to determine how to approach that.

26 Commissioner Anderson asked if the City wants to maintain alleyways. A lot of these areas, the
27 alleyway and the garage are right on the property line.

28 Vlasic said alleys are potentially where they would also pickup trash.

29 Chairman Peterson said the City Council is going to need to have some input into the issue of
30 how much additional infrastructure will be allowed to be included as the SITLA property
31 develops. He said there will need a work meeting to go over what the City Council wants.

32 Commissioner Anderson said he like the mix of buildings. He just didn't want to see the exact
33 same structure repeated time and again in the development. Breaking it up is important. The
34 height is just the regular height of buildings allowed in Richfield City.

35 Wilson said she's isn't  visualizing how there would be an HOA in that area. It's possible to
36 roll all of them into one HOA, but it's difficult to visualize.

37 Commissioner Anderson said he didn't bring it up with the purpose of advocating for an HOA,
38 but he is concerned about the extra infrastructure burden it could cause the city.

39 Deputy Clerk Anderson said in Richfield City, the budget lives and dies on sales tax revenue. The
40 amount of property tax it gets is very small, especially in comparison to what the county and the
41 school district receive. What it receives from this project may not be enough to offset the cost of
42 maintaining the extra infrastructure. It is something to consider when a street and a public
43 alleyway are both expected to be maintained by the city, in a way that's doubling up on the

costs. There are Class C road funds the city can access to maintain the street, but the alleyway may not be eligible for them.

Commissioner Peterson said usually it's the HOA that maintains them.

Vlasic the City could designate the alley as a standard city street. It would probably need to develop a standard for them 24-26 feet to accommodate it.

Chairman Peterson said they can't make a recommendation based on the information they have at this moment. He said he would like to have a working session with the Planning Commission and the City Council to go through this.

The commission will host a work session on March 26th have a joint work session.

This would be a limited scope meeting discussing how much public vs. private infrastructure should be included in this development, and the rental/ownership issue, Deputy Clerk Anderson said.

It could also help get their thoughts on what's revised on the mixed use.

Wilson said the transaction would be likely be with one developer. Sometimes the contractor will provide the lots and find different builders for them. This is a fairly small project, so it will most likely be one. 

Commissioner Anderson said for SITLA, this is a small project, for Richfield it's large.

Vlasic said the best thing about the proposed code update is that they could have a few bigger projects, but also provides an opportunity for smaller developers come in and fill in where needed. That could also add to the diversity and uniqueness to the neighborhood.

Wilson said she has worked on developments where she doesn't know how the children find their way home, because block after block has the same houses, same colors and even the same gravel. She said she is excited about this as it does bring some diversity to the table.

Commissioner Peterson said SITLA has done a vision plan of what a full buildout of the area could be, but SITLA's portion is one small part.

In this case SITLA would have the missing middle overlay, said Vlasic. There would be a masterplan approved. Each application that wanted to apply the overlay zone, would have to go through the masterplan process. Without the overlay, they function as the standard R1-10 zone. If a developer were to just use the R1-10 zone, that would also add to the diversity.

Deputy Clerk Anderson said essentially what this proposal is doing is creating a frame work and the building blocks that can be used within it. Each developer can use those building blocks in the way they see fit as long as they fit in the framework.

Wilson said that is correct, but it will add more work to the City's side of things.

Chairman Peterson said when there are these types of developments, the City really should be involved.

There is a date of March 26, at 6 p.m. tentatively set for the meeting with the City Council and the Planning Commission.

5. Review of annexation petition filed by Chet Thompson for property located at approximately 2300 South and 1600 West.

Commissioner Cowley asked for clarification of which property is included in the annexation.

Commissioner Breinholt explained its location in relation to the golf course and the neighborhood to the west of it. He said it makes sense because there is sewer and water in the area.

Chairman Peterson said there was some issues with an easement and John Schena. Deputy Clerk Anderson said those issues have been worked out between Schena and Thompson.

1 Chairman Peterson said there is a lot of history behind it, there was a lawsuit. He said when the
2 City annexes property, it has to apply a zone to it.

3 Deputy Clerk Anderson said the zone Thompson is requesting is the R1-10 – he would like to
4 eventually build his own home in the planned development.

5 Chairman Peterson asked about the waterline that Chris Fullmer put across the City easement
6 without permission.

7 Commissioner Breinholt said there is a line that runs from the west along the south end of the
8 golf course and is used in the irrigation of the Fullmer property.

9 The City is also planning to install a watermain that will run through the development and to the
10 east, hooking up with a waterline on Airport Road – looping the entire area, Deputy Clerk
11 Anderson said.

12 Commissioner Breinholt asked about the sewer connection.

13 Deputy Clerk Anderson said there is a manhole at the intersection of 2300 South and 1600 West,
14 but that the development would have to install a pump station in order to access it. He said the
15 City has no interest in participating in a lift station.

16 Commissioner Breinholt asked how deep the sewer is at the manhole. Deputy Clerk Anderson
17 said he was unsure.

18 Deputy Clerk Anderson said the lawsuit was due to the city cutting off John's access to a small
19 parcel of land during its golf course expansion. In order to resolve it, the City ask Chris Fullmer to
20 provide the needed access. He did so and the land was deeded over for \$10 back in 1998. The
21 Fullmers have since purchased back some of that right-of-way at the current market rate in order
22 to make this annexation happen.

23 Thompson purchased the piece of Schena's property to resolve that issue and help make the
24 annexation and eventual development happen, negating the need for the easement to be in
25 place, Deputy Clerk Anderson said.

26 According to the county plats, Kevin Fulmer still owns the piece the city sold back. However, this
27 will eventually be sold to Chet because the eventual goal is to have the backyards on the
28 development abut the golf course, Deputy Clerk Anderson said.

29 Chairman Peterson said if Chet doesn't have that sliver, he won't have access to the property. The
30 road to the west is owned by Eric Torgerson – it's private property.

31 Commissioner Breinholt said there are lots of different issues at play.

32 Chairman Peterson said there are too many unknowns. The Planning Commission is guessing at
33 who owns what, and what's going to happen. No one is against the annexation, but the City
34 needs more information

35 Deputy Clerk Anderson said the Planning Commission actually doesn't have to approve it, but
36 they have been brought to the Planning Commission out of habit.

37 Commissioner Breinholt asked if the Planning Commission can make a recommendation with the
38 stipulation that there has to be access to the property.

39 Chairman Peterson said there can be a motion made with the stipulation that Thompson's
40 property abuts the city right-of-way for access.

41
42 Commissioner Anderson said there is buffer all the way around the property as it currently sets.

43 Commissioner Breinholt said Eric Torgerson has purchased some of the neighboring land,
44 including the property where the road to the west is. His goal would likely be to annex it in at
45 some point to bring his subdivision into the city.

46 **Motion:** Recommend approval based on the stipulation that access be provided to the property,

47 **Action:** Approve, **Moved by** Branden Anderson, **Seconded by** Wayne Cowley.

1 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

2 **Yes:** Blaine Breinholt, Branden Anderson, Josh Peterson, Wayne Cowley, Zach Leavitt.

3 **Excused:** Wes Kirshner.

4
5 6. Minutes approval

- 6 a. Consider approving minutes of meeting hosted January 22, 2025 **Motion:** Approve the
7 minutes from the meeting hosted January 22, 2025, **Action:** Approve, **Moved by** Blaine
8 Breinholt, **Seconded by** Branden Anderson.

9 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

10 **Yes:** Blaine Breinholt, Branden Anderson, Josh Peterson, Wayne Cowley, Zach Leavitt.

11 **Excused:** Wes Kirshner.

- 12 b. Consider approving minutes of meeting hosted February 5, 2025.

13 **Motion:** Approving minutes of meeting hosted February 5, 2025, **Action:** Approve,
14 **Moved by** Blaine Breinholt, **Seconded by** Zach Leavitt. **Vote:** Motion carried by

15 unanimous roll call vote (**summary:** Yes = 5).

16 **Yes:** Blaine Breinholt, Branden Anderson, Josh Peterson, Wayne Cowley, Zach Leavitt.

17 **Excused:** Wes Kirshner.

18
19 7. Other business –

20 Chairman Peterson asked about the Cottonwood Corner subdivision. It has been purchased by
21 John Draper and Mitch Dickinson. He asked what's going on with the subdivision.

22 Deputy Clerk Anderson said the development is basically the same, except two lots have been
23 eliminated to make each remaining lot a little larger. It will be completed in two phases, with the
24 first one starting within a week.

25 Chairman Peterson said a comment was given to him that what the City approved shows two
26 culverts on the north end. The box under I-70 is a six-foot by 10-foot structure, so those two 30-
27 inch pipes will not handle the flow of six-foot box culvert under the freeway. It won't cause
28 problems for UDOT, but could be a problem for the home owners. Need to be aware, that those
29 homes will flood.

30 Chairman Peterson asked about the sizing of the new lots. They range from approximately 8,000
31 to 14,000 square feet.

32 Chairman Peterson asked about the other high-profile development by the golf course, owned
33 by Brad Garfield. Is he moving forward?

34 Deputy Clerk Anderson said it has gone beyond the initial approval status, so it needs to be
35 reapproved. However, they've made some changes to it, so it is currently in the technical review
36 phase. Once the preliminary review is complete, it will come to the Planning Commission for
37 review – hopefully during April's meeting.

38 Chairman Peterson asked what it was zoned. It was zoned RM-11. It's essentially the same
39 concept, just with more duplex/triplexes in it. The zoning issue is already settled – it's just the
40 project that needs to be reapproved.

41
42 8. **Motion:** Adjourn the meeting, **Action:** Adjourn, **Moved by** Wayne Cowley, **Seconded by** Blaine
43 Breinholt.