

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
JUNE 26, 2025**

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

Planning Commission Members:

Monique Beck
Gary Cannon
Crystal Keele
Evan Matheson
Troy Rushton

Staff:

Tim Prestwich, City Planner
Lisa Halversen, City Planner
Matt Cassel, City Engineer
Ryan Carter, City Attorney

1. CALL TO ORDER/ROLL CALL

In the absence of Chair Darren Park, Commissioner Monique Beck called the Planning Commission Meeting to order at 6:30 p.m. Ryan Almond led the Pledge of Allegiance.

2. PUBLIC HEARINGS

A. "SARAI GONZALEZ CUHO," PLZ-25-2021, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME BEAUTY SALON TO BE LOCATED AT 4244 WEST FREMONT PARK COURT. APPLICANT – SARAI GONZALEZ.

Planner Lisa Halversen presented the Staff Report and explained that the application is for a Conditional Use Permit ("CUP") for property located at 4244 West Fremont Park Court. The applicant is Sarai Gonzalez. The property is in the southwestern part of the City, and the zoning is RM-14. The neighboring properties in this development are single-family and multi-family residences with similar zoning. The subject property is the furthest down the court with three townhomes linked together. It is a two-story residence with an attached two-car garage. Ms. Gonzalez would like to have a hair salon in her garage. This is a straightforward application, as the applicant would work by appointment only with one client at a time. There will not be any other employees, and the proposal is to operate between 10:00 a.m. and 6:00 p.m. Off-street parking will be provided to clients in the driveway of the unit or the nearby visitor parking area. She expects to have two to three clients per day.

The plan for the garage was shared. It includes a styling chair, a cabinet, and a mirror. There is a restroom that clients can use that is located inside the home. The other 50% of the garage will be dedicated to personal use. Ms. Halversen reported that the code allows Home Occupations to be in a detached building. This application is straightforward and within the Staff approval range for a Home Occupation, but because it is the garage being proposed for the use, it needs to come to the Planning Commission for

consideration. Ms. Halversen noted that the neighborhood impact would be fairly low based on the number of clients.

A mailer was sent out to nearby residents, and one comment was received. There was a phone call from a neighbor who was concerned that the Homeowners Association ("HOA") does not allow Home Occupations. However, the applicant has spoken to the HOA and was told the use was acceptable. An email from the Parkside HOA for a different application was shared. Ms. Halversen sent that email to the HOA to ask if it was applicable other home occupations besides a home salon, but did not hear back from them. As a result, one of the proposed Conditions of Approval states: "HOA bylaws do not prohibit Home Occupations in this community." She noted that if the HOA bylaws prohibit Home Occupations, then that will take precedence.

Commissioner Troy Rushton stated that it is his understanding that the Planning Commission deals with the application itself. Any issues between the parties are left to those parties. He has never seen language in a motion like Condition of Approval #9. City Attorney, Ryan Carter, explained that, as a general rule, cities do not enforce the regulations of HOAs.

Commissioner Rushton asked if there is a prohibition on multiple home-based businesses at one location. He thought there might be another business located there. Ms. Halversen explained that there is no Code prohibition, but the request must come to the Commission.

Commissioner Beck asked the applicant to address the Planning Commission. Ms. Gonzalez explained that she is a licensed cosmetologist in Utah and wants to open a salon in her garage. She will hire a general contractor to make sure everything is up to code and is set up correctly. The plan is to use slightly less than 50% of the garage for this purpose. Commissioner Rushton asked if there is also an alteration business run out of the home. This was denied. Commissioner Evan Matheson understands that running water will be needed for a salon use, but garages do not typically have that. He wanted to know how water will be handled. Ms. Gonzalez reported that she will be hiring a plumber for that work.

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

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-25-2021, "Sarai Gonzalez CUHO" at 4244 West Fremont Park Court 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. **No business activity may take place before 7:00 a.m. or after 7:00 p.m.**
6. **Applicant is permitted to use up to 50% of the garage space for business activities.**
7. **Customers must be provided with off-street parking.**
8. **A maximum of 8 customers per day are allowed.**

The motion was seconded by Commissioner Rushton. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

B. “13331 TRESTLE LANE CU-PRIVATE LANE,” PLZ-25-2020, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A PRIVATE LANE TO SERVE A TWO-LOT SUBDIVISION AT 13331 TRESTLE LANE. APPLICANT – RYAN ALMOND OF JENSEN REAL ESTATE, LLC.

City Planner Tim Prestwich presented the Staff Report and explained that the application is a CUP for a private lane to serve a two-lot subdivision at 13331 Trestle Lane. The applicant is Ryan Almond of Jensen Real Estate, LLC. Mr. Prestwich shared an aerial image and pointed out the current property boundaries. He reminded Commissioners that last fall the City improved Trestle Lane with sidewalk, curb, and gutter. While in the process of working with property owners to make sure there was right-of-way and easements, there was a discussion with the property owners about what was shown on the Title and County Records. It is the understanding of Staff that the situation has since been worked out, but the County is lagging a little bit in updating their maps. He noted that the County Recorder website currently states that their software is being upgraded to improve the online maps.

The proposal is to create a single lot in the back, keep the existing home on the south, let it access Trestle Lane through the existing driveway, and then have a new private lane access Lot 1. It is a private lane because of the depth. Mr. Prestwich added that the portion that would be kept on Lot 1 is not wide enough to qualify for a full lot itself. That

is the reason this is coming before the Planning Commission as a private lane. The documents show a 20-foot private lane. There might need to be a fire turnaround, but that would be worked out with the Fire Department. He noted that there is a Condition of Approval related to that.

Mr. Prestwich reported that a comment was received earlier in the day, and it was included in the meeting materials packet. The comment expressed support for subdividing if this remains in the RR-22 Zone and the character of the neighborhood is maintained. Mr. Prestwich noted that when a decision is made about a private lane, the Commission must consider whether it qualifies and whether it can be serviced by a public street. There is nothing that suggests a road is contemplated in this area, so Staff believes this would qualify for a private lane. The 20 feet proposed is the minimum width that is required for one lot. The proposed Conditions of Approval were shared, and he clarified that though there is a reference to "up to two lots accessing the private lane," there is only one proposed, so that language can be changed. The applicant, Ryan Almond, introduced himself to the Planning Commission and clarified that the private lane is intended to access Lot 1. There were no further questions.

Commissioner Beck opened the public hearing.

Charlie Newman believed the Condition of Approval language should be changed so that it only mentions one lot. He expressed concerns about the current wording that is proposed.

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

There was discussion about the Condition of Approval language. It was determined that Condition of Approval #2 will be changed to mention one lot rather than "up to two lots."

Commissioner Keele moved that the Planning Commission APPROVE PLZ-25-2020, "13331 Trestle Private Lane" to be located at 13331 South Trestle Lane with the following conditions:

- 1. Private lane shall follow Riverton City Code for development on private lanes.**
- 2. Approval is for a private lane with one lot accessing the private lane.**
- 3. Private lane shall be at least 20 feet wide paved surface.**
- 4. Private lane shall be paved in either asphalt or concrete according to the requirements of the Unified Fire Authority and the Riverton City Standards and Specifications.**

5. **The private lane shall include a turnaround designed and installed to the standards of the Unified Fire Authority and Riverton City Standards and Specifications.**
6. **Private lane shall be named and signed according to Riverton City standards.**
7. **The subject parcel's driveways, including the private lane entrance, shall conform to Riverton City Standards for driveways, including but not limited to width, number of driveways, and separation distance between driveways.**
8. **The private lane shall be maintained by the homeowners. No City maintenance will be performed on the private lane.**
9. **Written CC&Rs or an agreement for shared access and maintenance of the private lane must be submitted with the subdivision plat.**

The motion was seconded by Commissioner Rushton. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

- C. **“MEIDELL CU-PRIVATE LANE,” PLZ-25-2023, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO MODIFY THE CONFIGURATION AND CONDITIONS OF TWO PREVIOUSLY APPROVED PRIVATE LANES BY ADJUSTING WHICH LOTS ACCESS EACH LANE. IT WILL NOT RESULT IN ADDITIONAL LOTS BEING CREATED. THE SUBJECT PROPERTIES ARE LOCATED NEAR 3525 WEST 13400 SOUTH, AND ACCESS 3525 WEST PRIVATE LANE AND TREE HOUSE PRIVATE LANE. APPLICANT – JOSH MEIDELL.**

Mr. Prestwich presented the Staff Report and explained that the application is for a CUP to modify the configuration and conditions of two previously approved private lanes. He shared the application and public hearing notice. There are also four ownership affidavits, which is what make this application a little bit different. Two parallel private lanes are coming off of 13400 South including 3525 West and Tree House Lane. Mr. Prestwich reported that Tree House Lane came in with the Crossman Subdivision and was approved for up to three lots. 3525 West is an existing private lane, and two lots currently use that private lane.

Last year, Josh Meidell came to the Planning Commission and stated that he had an acre that he wanted to split off and then use the lane for access. The Planning Commission approved this and required that the lane be widened out to 25 feet, because that is what City Code requires if there are more than two lots. Work was done with the owners of the

lane, but there were some challenges. The subdivision approval was received for the one extra lot to access the lane, but the work eventually stalled. Mr. Meidell approached Staff about rebalancing, with some lots using 3525 West and some lots using Tree House Lane.

If the Planning Commission approves the application, Mr. Meidell would need to approach the Commission to amend the Subdivision Plat so the lane is no longer required to be 25 feet of pavement. There would also need to be some agreements signed so that all future users were aware of the expectations. Mr. Prestwich reported that there are additional presentation slides and information if there are outstanding Commissioner questions.

Commissioner Rushton asked if this item is before the Planning Commission because the applicant was unable to widen the lane enough to provide access to the total number of lots. Mr. Prestwich reported that there is approximately 18 feet of asphalt there, but an expansion to 25 feet would have been needed to allow for three users of the private lane. The right-of-way is approximately 30 feet, but because of where the lane is positioned with some of the utilities, the applicant did not feel it made the most sense to widen the lane to 25 feet.

Commissioner Matheson asked for some clarification about fire access. He wanted to know if the fire access will remain the same if the Planning Commission approves the proposal. This was confirmed. Mr. Prestwich explained that when there is 20 feet of asphalt on 3525 West, it is possible to clear a Building Permit and occupancy on Riverton Acres Lot 1. Right now, it would not be possible to approve that, even though there is still circulation.

The applicant, Josh Meidell, introduced himself to the Commission. He explained that the code states that the lane needs to be 20 feet when there are two lots, but three or more requires the lane to be 25 feet. Tree House Lane is 25 feet. Commissioner Rushton asked why it was not possible to widen the yellow lane shown in the presentation materials. Mr. Meidell explained that there are utilities on each side. The lane has worked well for the two homes, but widening it would cover some utilities that there is a preference not to cover. Tree House Lane is already 25 feet, and 3525 West has been sufficient for two homes. There is a connection, so fire trucks could do a U-turn in the event of an emergency. Commissioner Matheson assumed all parties had agreed to this proposal. This was confirmed. There have been conversations with the property owners, and there are also signed affidavits.

Commissioner Beck opened the public hearing.

Mark Kraft is one of the owners of the properties. He has lived there for approximately 30 years, and in that time, the Police Department and Fire Department have been in the area. As an example, his son had allergic reactions in the past. Before Tree House Lane was put in, emergency vehicles were able to access his home. There has never been an issue with the lane or emergency access. Now that there is Tree House Lane, there is

additional access available. Mr. Kraft reported that 3525 West is currently 18 feet wide. There are utilities running down both sides of the lane. He explained that there are concerns about additional maintenance and covering up the utilities that are already there. When the Crossman Subdivision was put in Tree House Lane, there was a stipulation written that occupants could not use 3525 West. Based on the proposal, there will be two houses using 3525 West and three houses using Tree House Lane. He is available to answer questions.

Commissioner Gary Cannon expressed support for private lanes in Riverton. There is a positive relationship with the current neighbors as far as maintenance, but he encouraged there to be some type of recorded document to handle the maintenance of that private lane. If someone moves away, then it will be useful to have the expectations documented so that they will carry over. It was confirmed that there will be an agreement between the parties related to overall maintenance and snow removal. That will happen and will be done legally.

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

Commissioner Rushton asked if there is a mechanism in the ordinances to allow for a variance on a private lane width in a case like this. Mr. Prestwich explained that there is no exception that the Planning Commission can grant for a private lane width, but a variance request through the Board of Adjustment is an option. Once the Planning Commission decides something qualifies for a private lane, there are set minimums. The Commission can require more with justification, but it is not possible to require less.

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-25-2023, "Meidell Private Lane," to be located at 3546 West 13400 South, with the following conditions:

- 1. Previous conditional uses for private lane known as Crossman Private Lane (PLZ-22-2005) and Riverton Acres Private Lane (23-2033) are hereby amended.**
- 2. Private lane shall follow Riverton City Code for development on private lanes.**
- 3. The private lane 3525 West shall have only two (2) users and shall be constructed with a minimum of 20 feet of pavement.**
- 4. The private lane, "Tree House Lane," shall have only three (3) users and shall be constructed with a minimum of 25-feet paved surface.**
- 5. Private lanes shall be paved in either asphalt or concrete according to the requirements of the Unified Fire Authority and the Riverton City Standards and Specifications.**

6. **The private lanes shall include a turnaround designed and installed to the standards of the Unified Fire Authority and Riverton City Standards and Specifications.**
7. **Private lanes shall be named and signed according to Riverton City standards.**
8. **The subject parcel's driveways, including the private lane entrance, shall conform to Riverton City Standards for driveways, including but not limited to width, number of driveways, and separation distance between driveways.**
9. **The private lanes shall be maintained by the homeowners. No City maintenance will be performed on the private lanes.**
10. **A written agreement for shared access and maintenance of the private lanes must be submitted with the Subdivision Amendment.**

The motion was seconded by Commissioner Keele. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

D. “MYERS COVE,” PLZ-25-1003, THE PRELIMINARY PLAN FOR A RESIDENTIAL SUBDIVISION WITH FOUR (4) SINGLE-FAMILY RESIDENCES TO BE BUILT ON 1.08 ACRES LOCATED NEAR 3807 WEST 11800 SOUTH. APPLICANT – THOM BELCHAK.

Mr. Prestwich presented the Staff Report and explained that the application is for a Residential Subdivision with four single-family residences. He explained that Myers Cove is an application that the Planning Commission has seen previously for a rezone and private lane. This is the last step in the approvals process before building can start. The application and ownership affidavit were shared. Notices were sent out to property owners within 300 feet. There were some inquiries received about the application, but no formal comments. There are nine houses that touch on this lot, and all of them have been interested in this area over the years, as multiple development applications and possibilities have been talked about. Mr. Prestwich explained that there were some questions and concerns about what this development would look like and whether it would meet the zoning requirements.

The Zoning Map was shared. Mr. Prestwich reported that the underlying zoning is R-4, but the crosshatch shown indicates there was an SD put on it during the City Council approval. He explained that this means the property would be limited to four lots with one unit per lot. The lots would be configured as close to 10,000 square feet as possible, and

the lots would need to comply with all of the other standards of the R-4 Zone, including setbacks with the three exceptions listed. The idea was that setbacks between neighbors would be the same, but the internal setbacks could be shrunk down to five feet. He explained that those details will be enforced during the Building Permit process when the Building Official reviews the plans.

Mr. Prestwich shared the subdivision plans and pointed out the four lots. Three of the lots have the private lane and private lane turnaround shown. All of the lots exceed 10,000 square feet, as required, and the necessary dedication was obtained. The Site Plan was reviewed. Mr. Prestwich mentioned the lane and the fire turnaround area and reviewed the contemplated setbacks. It was noted that there is compatible zoning, which means there is no fencing requirement. All of the existing lots are fenced with vinyl fencing, so the conditions language for Condition of Approval #12 notes that existing fencing may remain. He explained that additional fencing discussions can be handled between neighbors.

The sample motion language was shared. If the Planning Commission approves this application, the Final Site Plan application will come back to Staff. Mr. Prestwich explained that final plans need to be approved by City Staff, and the final plat needs to be recorded with Salt Lake County. There is nothing in the motion language that would waive or alter the SD designation. Neither the Commission nor Staff can alter that, as it was set by the City Council. He read Condition of Approval #12 and explained that an application does not need to come back to the Commission if the neighbors want to change the fencing.

The applicant, Thomas Belchak, introduced himself to the Commission and offered to answer questions. Commissioner Rushton asked how the applicant felt about reaching this point. Mr. Belchak believes the development process is on the right track. The idea is to make something nice for Riverton. He reported that the lane is called Myers Sun Cove. Commissioner Rushton acknowledged that it has been quite a process to reach this point. Commissioner Cannon asked if the house would be demolished, which was confirmed.

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

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-25-1003, "Myers Cove Subdivision," to be located at 3807 West 11800 South, with the following conditions:

- 1. Subdivision lots and private lane layout shall follow the previous approvals for the SD Designations in Ordinance 24-11 and with the Conditions of Approval for the Private Lane, as approved by the Planning Commission on August 8, 2024.**

2. Subdivision lots and private lane construction shall be consistent with the plans presented to the Planning Commission, except where otherwise noted in this approval.
3. Applicant must apply for Final Plan approval.
4. Final Plan and Plat to be reviewed and approved by City Staff.
5. Final Plat must be recorded with Salt Lake County.
6. Applicant must fix any outstanding Riverton City Staff redline comments on the plat and plans.
7. Storm drainage systems shall comply with the Riverton City Standards and Ordinances and with the recommendations of the Riverton City Engineering Division.
8. The applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City Standards and Ordinances.
9. A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.
10. The site and structures shall comply with all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.
11. The private lane and utilities in the private lane are to be owned and maintained by the property owners. No City maintenance will take place on infrastructure outside the public right-of-way or outside an established City easement.
12. Existing fencing may remain in place. Fencing shared with adjoining neighbors may be replaced, following Riverton City Code.

The motion was seconded by Commissioner Cannon. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

E. "MYERS PARK PHASE 2," PLZ-25-1002, THE PRELIMINARY PLAN OF THE SECOND PHASE OF A RESIDENTIAL SUBDIVISION WITH FIFTEEN (15) SINGLE-FAMILY RESIDENCES TO BE BUILT ON APPROXIMATELY 4.2 ACRES LOCATED AT 2400 WEST 11800 SOUTH. APPLICANT – RANDY MOORE OF MOORE HOMES.

Mr. Prestwich presented the Staff Report and explained that the application is for a Preliminary Plan for Myers Park Phase 2. Though this is called Phase 2, it is a different developer and has different underlying ownership than Phase 1. When Phase 1 came in, it was clear that there would be a connection to this subdivision. As a result, the Planning Commission, City Council, and Staff required certain items in Phase 1 to enable the second phase of development. The owners of Phase 1 and the owners of Phase 2 worked out an agreement that allowed for shared access and some shared utilities. Mr. Prestwich reported that in Phase 1, there are homes being built, and there are homes that are occupied. Those new owners are becoming aware of the agreements and the work that was done previously.

The application and ownership affidavit were shared, as well as the notice provided and the zoning information. Mr. Prestwich reported that the underlying zoning is R-4 with an SD designation. The northernmost two lots need to be a third-acre for compatibility, while the rest can be quarter-acre lots. He noted that the lot sizes include the lane. A map of the area was reviewed with the Planning Commission. There is a stub road that connects, and there is one access point shared with Phase 1 that comes out to 11800 South. Earlier in the process, there were discussions about whether it made sense to pull another access, but the Planning Commission evaluated that and determined that one access point was acceptable here. Between the lot count of Phase 1 and Phase 2, they are just under the 30-unit threshold set by the Fire Department. When there are 30 or more units, there has to be a second access provided. The Fire Department has looked at the plans and is supportive of the proposal.

Mr. Prestwich reported that Lot 201 will access directly onto 11800 South, as there was no way for it to be on a separate private lane due to the layout. It was better for the developer to have it face out. The water lines that service this neighborhood were accounted for and will tie into the second phase. Additional maps of the area were shared with the Commission. Mr. Prestwich reported that there will be a 6-foot masonry wall along Midas Creek. There is an existing wall shown on the plans, but he is uncertain whether that is all masonry. However, it needs to be all masonry per City Code due to the incompatible zoning.

The Conditions of Approval were reviewed. Mr. Prestwich read the language for Condition of Approval #10: "Developer shall coordinate with downstream users for the continuation and relocation of existing irrigation turnouts and supply ditches." Being right against the canal, there is a turnout. It is shown on the plans that the turnout is being put in, and there is a pipe that comes down along the frontage and connects to the easement that was put in with the Phase 1 lots. Staff will make sure that continues to work, and the

requirement is that there be coordination with the irrigation users as well. City Engineer, Matt Cassel reported that water flows both directions out of there. He is available to provide additional clarification.

Commissioner Cannon expressed appreciation for the work that has been done on this. He shared an example scenario where a developer develops property to the standards, the builder builds the home to the standards, but eventually, water comes up in the basement as a result of the canal. He suggested that an acknowledgement be added so there is awareness that building is taking place next to a canal, and there might be groundwater in the future. He asked the City Attorney if the City can add that reminder. Mr. Carter explained that there is nothing in the City Code that would require any added regulations due to proximity to a canal. Legally speaking, the expectation is that the canal will be able to retain the water within the bounds of the canal. If there is a high water table at the Building Permit phase, then the Building Inspector can require that designs be provided to show the water is adequately addressed. If something were discovered during the course of excavation, it would be handled during the Building Permit phase of the process.

Commissioner Rushton asked about the fencing requirement. Mr. Prestwich believes there have been three exceptions granted by the Board of Adjustment on the canal. The footings required on the masonry fences are going so deep and the weight is so much that it can be a danger to the canal in some instances. There were a few examples where that was found to be true, so the Board of Adjustment granted those exceptions. That being said, most of the time, the 6-foot masonry fence is considered appropriate. Commissioner Matheson noted that there is a couple in attendance at the Planning Commission Meeting who lives to the east of this and own a small farm. He knows there are some concerns about the impacts. It was noted that there is a Condition of Approval about coordination with the downstream users.

The applicant, Randy Moore, introduced himself to the Commission. He explained that the water comes in and splits in two different directions. Mr. Moore has met with the users multiple times, and he believes there is a level of satisfaction. He feels what is being provided will help them in terms of their water use, because right now, there are some open ditches that are in fairly poor condition that will be completely piped. As for the canal, it does show the canal clearly on the plat. He is not sure how else to address that. Outside of this meeting, there could be something put into the agreements with the homeowners that would make them aware of any concerns. Mr. Moore explained that the only issue he has with this project is the fencing. He does not understand the need for that in the back of the homes. While he is not opposed to the fencing if there is a benefit, it is a very expensive component.

Mr. Moore does not know whether the Planning Commission has the ability to allow for a 6-foot vinyl fence rather than a 6-foot masonry fence, but if so, he would like to request that along the canal. It is still possible to do a pre-cast along Midas Creek. Mr. Moore reiterated that his question has to do with fencing and if it is possible to do pre-cast along

Midas Creek with vinyl fences along the canal. He also asked if there is a need for the pre-cast against the existing home that is there. Mr. Moore offered to answer Commission questions.

Commissioner Rushton explained that the Planning Commission is unable to change the fencing requirements that apply to this application. He shared some history about the rationale for the fencing type. Many years ago, there was a child who drowned, so the fencing requirements were put in place by the City Council at the time. There are some areas where exceptions have been made, so that would be something to work through with Staff. He understands that the fencing requirement here is a major cost for the developer.

Commissioner Beck opened the public hearing.

Brad Lifferth explained that he is a resident in the Myers Park Phase 1 area. His family was the first that purchased and built in that subdivision and neighborhood. Seeing the plans in person, he has some concerns about what is contemplated. In the Myers Park Phase 1 development, some were not interested because of the size of the lots and the easements. He pointed out that the easements have restricted the square footage that can be built on. One of his questions is about the price point of the homes that will be going in, because if they are intended to be \$1.2 million or more, he would suggest that the lot sizes be revisited.

Mr. Lifferth had questions about the entrance and expressed concerns about the creation of blind spots. As more homes are built, it seems like that will become a congested point, especially if there is street parking taking place. He asked if there is any flexibility with the entrance of the subdivision. There are concerns that it will become too congested in that area. Mr. Lifferth is also concerned about the overall construction period and the cleanup process. As for fencing, he believes there is value in having something that is sturdier for safety.

Ryan Almond believed the drowning mentioned earlier occurred in 2011, and it was in a park. He wanted to understand why homeowners are required to have this kind of fence as a result of that situation. Mr. Almond also had questions about when the fences are required.

Mr. Carter explained that there are often walking trails along the sides of canals, and there is no liability exposure to a canal company in the event that someone comes off a trail, winds up in the canal, and drowns. The situation is trickier when there is a fence, and the fence is something that people rely on as a safety barrier between the property and the adjacent canal. That means people might let their children run free in the backyard areas.

When it comes to vinyl fences, it is easy to pop out the rails that are inside the panels to get through, or there may be minor, unnoticed fractures. This creates a false sense of safety that people rely on when they allow their children to play in proximity to them in a

backyard. The City Council is focused on protecting the health, safety, and welfare of the community. All subdivisions have some sort of fencing requirement, which is standard. However, if fences are built to a flimsy standard in canal areas, it is a matter of time before there are drownings or other issues. In the case of Donaven Lopez, the child drowned after passing through a vinyl fence slat that was open. It was between one of the parks and the canal. A policy decision was made that if there is fencing put up adjacent to a canal, it needs to be built to a certain standard so it will not deteriorate or create a false sense of safety.

Ken Higgins has met with Mr. Moore, and several of the drawings were reviewed. He noticed that during the Staff presentation, the materials did not show the weir with two pipes. It showed that it will go south and east, but it also needs to split and go north and east. There was discussion had about the presentation materials. With the new box going in, he asked that there be two controls on it. He would also ask that the two pipes be at the same elevation. Mr. Higgins suggested that the two pipes be controlled from the new box.

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

Commissioner Rushton asked whether there should be a discussion between the developer and the canal company about what the valves and pipes look like or if each individual user should participate in that discussion. Commissioner Cannon reported that the minute the water leaves the canal, it is the responsibility of all the users of that ditch. The canal is only responsible for liability, maintenance, and the safety of water going from the Jordan River to where it ends. When it leaves the canal, it is no longer the responsibility of the canal company. Commissioner Rushton asked for a Staff comment about how the water gets from the canal, across what is developed, and to the user. Mr. Cassel explained that there is a determination that the water supply continues through a development. Technical items, such as the type of valve or the size of the pipe is not determined. The City is essentially looking at it to ensure the downstream user can still access water.

Mr. Moore asked to respond to some of the comments made during the public hearing. There was a meeting with Mr. Higgins, and he worked to accommodate his concerns. Initially, there was going to be one pipe from the canal up, and then it would split. Mr. Higgins was concerned that he would need to open it at the canal, drive around to the private road, and then open it on the other side. He agreed that two pipes would be run instead. There have been accommodations made to be considerate of those impacted. As far as the other comments, this project has gone on for a number of years. The road layout was something set in motion many years ago. The first street coming in was widened until the split. Phase 1 and Phase 2 are virtually mirrors of one another, where both split and go into cul-de-sacs. There is a similar size between the two phases and a similar layout overall. There was work with the developer in Phase 1 to connect and stub some of the utilities in the area.

Commissioner Rushton asked whether Mr. Moore is responsible for Phase 1, which was denied. Mr. Moore reported that Phase 1 was handled by different developers, and those developers sold the lots. Moore Homes is developing Phase 2, and at this point, it is anticipated that they will also be building the homes. Work will be done to keep the construction areas clean and maintained. Commissioner Rushton asked about rerouting the street configurations to direct access onto 11800 South. Mr. Moore clarified that this was something that was looked at previously, but it left a number of remnant pieces.

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-25-1002, "Myers Park Phase 2 Subdivision," to be located at 2400 West 11800 South, with the following conditions:

- 1. Subdivision lots and private lane layout shall follow the previous approvals for the SD Designations in Ordinance 24-12 and with the Conditions of Approval for the Private Lane, as approved by the Planning Commission on October 10, 2024, as PLZ-24-2030.**
- 2. Subdivision lots and private lane construction shall be consistent with the plans presented to the Planning Commission except where otherwise noted in this approval.**
- 3. Applicant must apply for Final Plan approval.**
- 4. Final Plan and Plat to be reviewed and approved by City Staff.**
- 5. Final Plat must be recorded with Salt Lake County.**
- 6. Applicant must fix any outstanding Riverton City Staff redline comments on the plat and plans.**
- 7. Storm drainage systems shall comply with the Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division.**
- 8. The applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and Ordinances.**
- 9. A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
- 10. Developer shall coordinate with downstream users for the continuation and relocation of existing irrigation turnouts and supply ditches.**

11. The site and structures shall comply with all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.
12. The private lane and utilities in the private lane are to be owned and maintained by the property owners. No City maintenance will take place on infrastructure outside the public right of way or outside an established City easement.
13. A 6-foot masonry fence is required along the canal and along Midas Creek.

The motion was seconded by Commissioner Rushton. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

3. **DECISION ITEMS**

- A. NONE.

4. **DISCUSSION ITEMS**

- A. NONE.

5. **MINUTES**

- A. MAY 22, 2025.

Commissioner Keele moved that the Planning Commission **APPROVE** the Minutes from the Planning Commission Meeting held on May 22, 2025. The motion was seconded by Commissioner Matheson. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

After the vote was conducted, it was clarified that the May 22, 2025, Meeting Minutes were not included in the Meeting Materials Packet. Two sets of the same Meeting Minutes were included by mistake. As a result, a vote would be taken to unapprove the May 22, 2025, Meeting Minutes. That set of Meeting Minutes will be voted on at a future meeting.

Commissioner Beck moved that the Planning Commission **UNAPPROVE** the Minutes from the Planning Commission Meeting held on May 22, 2025. The motion was seconded by Commissioner Matheson. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes,

Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

B. JUNE 12, 2025.

Commissioner Beck moved that the Planning Commission APPROVE the Minutes from the Planning Commission Meeting held on June 12, 2025. The motion was seconded by Commissioner Keele. Vote on Motion: Commissioner Cannon – Yes, Commissioner Beck – Yes, Commissioner Keele – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes. The motion passed unanimously.

6. ADJOURNMENT

The meeting adjourned at approximately 8:04 p.m.