

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
DECEMBER 11, 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:

Darren Park, Chair
Monique Beck
Gary Cannon
Shelly Cluff
Crystal Keele
Evan Matheson
Troy Rushton

Staff:

Jason Lethbridge, Development Services Director
Lisa Halversen, City Planner
Ryan Carter, City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Darren Park called the Planning Commission Meeting to order at 6:30 p.m. Commissioner Rushton led the Pledge of Allegiance.

Chair Park thanked Commissioner Rushton for his eight years of service to the City on the Planning Commission.

2. PUBLIC HEARINGS

- A. “READER SHORT-TERM RENTAL,” PLZ-25-2042, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO RENT THE PROPERTY AT 4851 MURDOCH PEAK CIRCLE AS A SHORT-TERM RENTAL. APPLICANT – GENE READER.**

Planner Lisa Halversen presented the Staff Report and stated that the above item was continued from a previous Planning Commission meeting. The applicant was aware of and had agreed to all Riverton City requirements for operating a short-term rental. In response to concerns raised at the October 9, 2025, meeting, staff confirmed that the applicant’s agent lives near the Reader residence and can respond within one hour. Additionally, City Attorney, Ryan Carter, reviewed all relevant records and confirmed that Mr. Reader had no criminal violations or other court actions on file that would prohibit him from operating a short-term rental.

In response to a question raised by Commissioner Rushton, Mr. Carter confirmed that any complaints received when tenants are not present would not count against the short-term rental permit. There were no criminal or civil orders on record. An incident that occurred several years previously did not result in a criminal conviction. Riverton City Code requires applicants for some uses to confirm that they have had no convictions

within the past 10 years but that did not apply to short-term rentals, and the current Applicant had nothing in his background that would be cause for concern regardless.

Commissioner Matheson stated that when the item was first considered, the availability of the owner's agent had not been verified and asked if that matter had been resolved. Ms. Halverson reported that City Planner, Tim Prestwich spoke with the agent, who assured him that they live within a short distance of the property and would be on call at all times.

The Applicant, Gene Reader, stated that his agent was also present to answer any questions. He also stated that at the earlier meeting he had been surprised by his neighbors' concerns. At that meeting, a neighbor alleged that he was prohibiting her from parking in her driveway. He disagreed with that assertion, as well as his other neighbors' complaints about trash cans and racing. He had done nothing illegal and had no plans to do so. In regard to the amount of time he would live in his home, the longest he had been away was for a three-week vacation to Mexico, and he met all residency requirements.

Chair Park asked if the Applicant understands that he cannot rent the home for more than 150 days per year. Mr. Reader stated that he believed the rental period would be a maximum of two to three weeks.

Commissioner Matheson stated that the Applicant had done something to upset his neighbors and asked what could be done to calm the situation. Mr. Reader stated that one person was canvassing the neighborhood and presenting him as a "bad apple". He does not block that neighbor's driveway, but they block his. He has blown snow from their driveway as well as the entire street. He was trying to be a neighborly neighbor and hoped that there would be no further issues.

Commissioner Rushton reported that the Planning Commission frequently considers short-term rental applications, and in many cases, they hear stories of past issues at those meetings. The City had a process in place for short-term rentals, and property owners have a right to use their properties within that ordinance.

In response to a question raised by Chair Park, Mr. Reader stated that the garage would not be available for rental. Two rooms in the basement and one upstairs will be rented beginning immediately, and a third room would be available once it was furnished. He understands that he can only rent to one family or group at a time, and he will provide off-street parking for all guests. His agent was hired for the specific purpose of managing the rental.

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

Commissioner Matheson addressed the audience. He stated that he had read all the comments that were submitted for this item, and many of those residents expressed anger over their perception that the Planning Commission does not listen to the residents' concerns. However, the commission does not make the laws. If an application meets all requirements under the law, it cannot legally be denied. He personally dislikes short-term rentals. A property near his home was a short-term rental before Riverton had rules in place and the renters often disrupted his sleep. Now there are rules in place and short-term rentals that do not follow them will be shut down.

Commissioner Rushton moved that the Planning Commission APPROVE Application PLZ-25-2042, "Reader Short-Term Rental," located at 4851 Murdoch Peak Circle, subject to 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. Short-term rental must be operated within the rules and regulations for Short-term Rentals as described in Riverton City Code 18.190.051.**
- 3. Applicant must obtain and maintain a Riverton City business license.**
- 4. Applicant shall surrender Applicant's Conditional Use Permit for short-term rental use of the subject property in the event applicant undertakes any other business activity on the subject property, or the applicant shall reapply for a Conditional Use Permit for a short-term rental in a manner which takes into account the other business activity.**
- 5. Applicant shall disclose all Applicant's advertising materials, whether provided to listing agencies or otherwise made available to potential customers and shall semi-annually update City staff of any changes to said advertising materials.**
- 6. There may be no more than eight combined renters and guests (non-permanent residents) on the property at any given time.**
- 7. There may be no more than one rental contract at any given time.**

Commissioner Cluff seconded the motion. Vote on Motion: Commissioner Beck – Aye, Commissioner Cannon – Nay, Commissioner Keele – Aye, Commissioner

Matheson – Aye, Chair Park – Aye, Commissioner Rushton – Aye. The motion passed 6-to-1.

B. “HEALING ARTS AND MINDS,” PLZ-25-2046, AN APPLICATION FOR A CONDITIONAL USE – HOME OCCUPATION PERMIT TO PROVIDE HYPNOTHERAPY FROM A HOME LOCATED AT 12025 SOUTH DOVES LANDING DRIVE. APPLICANT – JILL BLANCHARD.

Ms. Halversen presented the Staff Report and stated that the subject property is .24 acres and is located in the north-central part of the Riverton in the R-4 Zone. It is a one-story home with a basement, attached two-car garage, and an extra-wide driveway for additional parking. The applicant would use the office in the home for hypnotherapy sessions. There would be no deliveries, business vehicles, storage, or employees. Clients would be scheduled one a time, with no more than three per day. The application was before the Planning Commission due to a request for occasional evening appointments that would end no later than 9:00 p.m.

Notice was sent to all property owners within 300 feet of the subject property, and no comments were received. Staff recommended approval subject to the conditions outlined in the Staff Report.

Commissioner Cluff asked if hypnotherapy was subject to State oversight. Ms. Halversen stated that to her knowledge, no special licensing was required.

The applicant, Jill Blanchard, stated that she was a school counselor for 16 years and has always been fascinated by the brain and neuroplasticity. She recently completed 350 hours of schooling in Rapid Transformational Therapy that consisted of online classes, tutors, and live training. Utah does not currently license hypnotherapists, but they do outline what hypnotherapists may and may not do. Her work focuses on increasing motivation, behavior modification, and lifestyle changes.

In response to a question raised by Commissioner Matheson, Ms. Blanchard stated that her focus is on helping people overcome limiting beliefs around topics of money, weight loss, and procrastination, as well as helping clients overcome anxiety and phobias. She had no safety concerns about potential clients. Her intake process helps determine whether they are a good fit for each other prior to the first appointment, and she would not bring a safety risk into her home or the neighborhood. If she is not comfortable with a particular client, she can refer them to a more experienced hypnotherapist. Clients also sign a consent waiver indicating their understanding that she is not a psychotherapist, psychologist, or medical practitioner, and that hypnotherapy should not be considered a replacement for the advice or services of those professionals.

Ms. Blanchard will continue working at her full-time job until she can establish a client base, so she plans to see clients on Tuesday and Wednesday from 5:00 p.m. to 9:00 p.m.

Commissioner Beck asked if clients would be drowsy after sessions. Ms. Blanchard stated that hypnosis creates a very relaxed state, but clients are brought back out of that state prior to the end of the session. She has never personally experienced drowsiness after a session and was not concerned about clients being unable to drive.

In response to a question raised by Chair Park, Ms. Blanchard stated that she has a master's degree in educational counseling. Her counseling credentials are specific to her work in schools, and she is not licensed to perform counseling from her home.

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

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-25-2046, "Healing Arts and Minds," located at 12025 South Doves Landing Drive, subject to 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. Applicant may offer evening appointments with no business activity after 9:00 p.m.**

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

- C. "VIVIAN'S KITCHEN," PLZ-25-2048, AN APPLICATION FOR A CONDITIONAL USE – HOME OCCUPATION PERMIT TO PROVIDE CATERING SERVICES FROM THE KITCHEN OF THE OF THE HOME LOCATED AT 11752 SOUTH 1300 WEST. APPLICANT – VIVIAN BARR.**

Ms. Halversen presented the Staff Report and stated that the applicant intends to use her home kitchen to prepare food for her catering service. The subject property is in the northeast section of the City and fronts onto 1300 West. It is .41 acres and zoned RR-22. The one-level home has a drive approach on the south side and an extra-wide driveway.

Customers will order online and occasionally come to the home to discuss menus and pricing. The applicant will either deliver orders to a venue or schedule a pick-up time, and she anticipates no more than two customers per day. There will be no deliveries to the home, and there will be no employees. Business use will be limited to the kitchen and front entryway of the home. Planning Commission approval was required for the application because it involves food or drink preparation, storage, or catering.

Ms. Halversen reported that notice was sent to neighboring property owners and no comments were received.

The applicant, Vivian Burr, stated that her former employer had requested that she register a business so they can contract with her for catering services. She had received all necessary documents from the State. She intended to provide delicious food and quality service to her customers. She caters birthdays, anniversaries, weddings, and some small family gatherings with a maximum of approximately 200 guests. No events are held in her home.

In response to a question raised by Commissioner Cluff, Ms. Burr stated that she had received a Utah Food Handlers Permit.

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

Commissioner Matheson moved that the Planning Commission APPROVE Application PLZ-25-2048, "Vivian's Kitchen," located at 11752 South 1300 West, subject to 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. **Applicant may use up to 25% of the main floor for the business.**
6. **No business activity may take place outside the home before 7:00 a.m. or after 7:00 p.m.**

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

D. "MELBA LILY DESIGNS," PLZ-25-2050, AN APPLICATION FOR A CONDITIONAL USE – HOME OCCUPATION PERMIT TO DO DESIGN, CUTTING, AND ENGRAVING IN THE GARAGE OF THE HOME LOCATED AT 3886 WEST 12380 SOUTH. APPLICANT – TENA ANDERSEN.

Ms. Halversen presented the Staff Report and stated that the subject property is 0.25 acres and zoned R-4. The home is a rambler with a basement, three-car garage, and extra-wide driveway. The applicant creates and engraves small wood crafts and home décor. There are no additional employees, and only a few customers will visit the home. Sales are conducted online, and she anticipates one business delivery will be received each week. A business vehicle is parked in the driveway, but the vehicle has no logos or other advertising. Minimal noise is generated when creating the products. Tools used include carbon dioxide and fiber lasers. Business hours will be from 9:00 a.m. to 2:00 p.m. Monday through Friday. The application was before the Planning Commission due to a request to utilize the third-car garage as workspace to cut and engrave products and to store a small amount of wood.

Notice was sent to property owners within 300 feet of the subject property, and no comments were received.

In response to a question raised by Commissioner Keele, Ms. Halversen stated that the next step after approval of the Conditional Use Permit would be to obtain a business license. The Fire Marshal would then inspect the property, and any fire safety issues would be addressed at that time.

The applicant, Tena Andersen, stated that she uses a carbon dioxide laser that does not create sawdust. She has used the laser for three years without incident, but she keeps a fire blanket on site and is prepared in the event of a fire. In response to a question from Chair Park, she stated that small pieces of wood are cut off the designs and fall into a tray below the laser. The tray does not contain any water.

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

Chair Park moved that the Planning Commission APPROVE Application PLZ-25-2050, “Melba Lily Designs,” located at 3886 West 12380 South, subject to 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 outside the home 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.**

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

- E. “UTAH COLLECTIVE SD REZONE,” PLZ-25-4008, AN APPLICATION TO REZONE APPROXIMATELY 1.28 ACRES LOCATED AT 2673 WEST 11800 SOUTH. THE PROPERTY CURRENTLY OPERATES AS A PRIVATE SCHOOL IN AN RR-22 RESIDENTIAL ZONE UNDER A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT. THE APPLICANT IS REQUESTING A SPECIAL DESIGNATION ZONING OVERLAY BE CREATED FOR THE PROPERTY TO ALLOW FOR A NUMBER OF SPECIFIC EXEMPTIONS FROM THE EXISTING CODE. APPLICANT – BEN MILAR.**

Development Services Director, Jason Lethbridge, presented the Staff Report and stated that the subject property is on the southeast corner of the intersection of 2700 West and 11800 South. The Planning Commission had heard Conditional Use Permit and Site Plan applications for this property in the past. It is zoned RR-22, which is a residential designation that allows public and quasi-public buildings including meeting houses and schools. The applicant had approached the City regarding incorporating farm animals as part of the school curriculum.

The RR-22 zone grants animal rights. The zone's architectural standards for public and quasi-public buildings are similar to commercial zones and do not allow exemptions to those requirements, so the proposed greenhouse and other structures would not be permitted. Photographs of the site and proposed structures were reviewed.

The applicant requested the following deviations:

1. Fencing around animal areas would consist of four-by-four treated wood, stained black with steel panels. The fencing would be approximately 52 inches tall.
2. Animal shelters would be approximately seven feet tall and be constructed with natural cedar siding and white metal roofs.
3. Chicken coops would have natural wood siding, and the run would be enclosed with chicken wire.
4. Greenhouse would be set back ten feet from 2700 West and constructed of aluminum with clear glass or polycarbonate panels.

Mr. Lethbridge reported that the City had the authority to approve Specific Development ("SD") designation for the property, and such requests were treated like rezoning. The Planning Commission would make a recommendation to the City Council, and the Council would make the final decision.

In response to a question raised by Commissioner Cluff, Mr. Lethbridge reported that the RR-22 Zone does not limit animal rights based on use. However, it does limit the number of animals that can be kept to 20 small animals per 0.50 acre. There are also allowances for larger animals like goats and sheep. If the animals were not properly cared for, Code Enforcement would respond in the same way they would for residential properties. The request for SD designation was specific to exterior building materials and the greenhouse setback.

Commissioner Cluff asked if there were any visibility concerns related to placing the greenhouse so close to the street. Mr. Lethbridge stated that there would be sufficient visibility with the reduced setback, but the zone's 20-foot setback was intended to allow for visibility on street sides of properties.

In response to a question from Commissioner Rushton, Mr. Lethbridge stated that animal rights would only lapse if the zoning was changed. For example, if a property with animal rights is rezoned, its animal rights become legal nonconforming. Once animals are removed from the property, the animal rights will lapse. In this case, animal rights are tied to the underlying zoning and will not lapse.

Commissioner Rushton asked about potential future widening of 2700 West. Mr. Lethbridge did not believe there was a good basis to allow the reduced setback. The setback is in place for a reason, and that standard applies to residential properties in the zone as well.

Commissioner Cannon liked the idea of incorporating farm animals into the school's curriculum but was concerned about allowing reduced setbacks for the greenhouse. If the Applicant had made these requests with their initial application, he believes the Planning Commission would have considered it in detail. He asked if there was a way to allow the reduced setback but require a taller fence along 2700 West. Mr. Lethbridge stated that the Planning Commission could make that recommendation to the City Council.

In response to a question raised by Commissioner Matheson, Mr. Lethbridge reported that public schools are exempt from City oversight. Per State law, municipal zoning standards do not apply to public school properties.

In response to a question from Chair Park, Mr. Lethbridge confirmed that the Applicant could have animals on the property and construct enclosures for them without the SD designation as long as the enclosures meet existing architectural standards. Chair Park stated that he understood residents' objections to having animals on the property, but the property already had vested animal rights.

Chair Park stated that the property currently has a three-rail fence and asked if there was precedent for requiring solid fencing to screen the enclosures and animal activity. Mr. Lethbridge stated that the Planning Commission could recommend that more substantial or solid fencing be required.

In response to a follow-up question from Chair Park, Mr. Lethbridge stated that no outside play structures were originally proposed. The Applicant initially intended to have animals and animal structures in the area, but that was pulled from the original Site Plan due to the architectural requirements. Mr. Lethbridge then displayed a photograph of the proposed fencing and indicated that it was not included in the Staff Report.

The Applicant, Ben Milar, loved the idea of children working with animals. The area had always been intended to house animals, but it was removed from the original Site Plan due to the architectural standards and the expedited construction schedule. The greenhouse and animal structures will not have foundations, and the greenhouse side

walls will be shorter than the current fencing along 2700 West. Their intention in placing the greenhouse on that frontage is to better screen the animals, and they requested a decreased setback due to safety concerns. All structures could be picked up and moved at any time. They believe that adding animals to their curriculum fits with the Riverton farming community.

Commissioner Rushton stated that the City has latitude because the property operates as a school, but animal rights were based on someone residing at the property to care for the animals. He asked about the hours someone will be on site, as well as security. Mr. Milar stated that gates will be installed to close off the parking lot, and there will be fencing and cameras around the animal areas. Full-time staff will care for the animals daily, including in summer, but no one lives on the property.

Commissioner Rushton stated that Utah State University's Bastian Agricultural Center is five minutes from the school. He understands that children can learn a lot from working with animals, but there is a difference between pets and livestock. He believes children learn from the responsibility of caring for animals, not from seeing animals at school. He was concerned that the property was not a residence and someone could gain access to the animals when no one is on site.

Chair Park indicated that many of the comments regarding the application expressed concern about odors and rodents and asked how Mr. Milar would mitigate those issues.

Mr. Milar first addressed Commissioner Rushton's comment and stated that the animals would not be kept as pets. They would be raised and taken care of as part of an animal science course. Commissioner Rushton stated that being in the presence of animals for a portion of the day is different from caring for them at home. Regarding Chair Park's concern, Mr. Milar stated that he had spoken with a licensed pest control company regarding ongoing mitigation. Students enrolled in the class will maintain the enclosures, including daily cleaning. His application was in reference to architectural standards, not animal maintenance, but the animals would be taken care of.

Mr. Lethbridge clarified that any gates that prevent access to the property from the main roadways would require approval prior to installation.

Commissioner Rushton explained that a public comment referred to events at the school and asked if for-hire events like weddings were being held on the property. Mr. Milar stated that no such events had taken place.

Commissioner Matheson stated that he tried to keep chickens, but there were hundreds of mice on his property within days. In his experience that can only be mitigated by keeping the chickens in a sealed structure. He asked how that issue could be mitigated and if the property was the appropriate place for children to learn about livestock. He understood that the City could not prevent the property owner from keeping chickens, but believed the structure needs to be mouse-proof. Mr. Milar stated that he keeps several

dozen chickens at his home. He contracts with a pest control service, and as a result he has no issues with mice. In response to a follow-up question from Commissioner Matheson, Mr. Milar stated that the pest control service placed boxes in his yard that catch the mice prior to entering the chicken coop.

Chair Park asked Mr. Milar to explain his statement regarding safety concerns with placing the greenhouse at the required 20-foot setback. Mr. Milar stated that someone can enter the property from the sidewalk and hide behind the greenhouse.

Commissioner Cluff asked if other types of animals would be kept on the property. Mr. Milar stated that they were evaluating the idea of having larger animals than rabbits and chickens and may have one or two goats on the property.

Chair Park opened the public hearing.

Ben Mabbutt agreed that animals are great for children, but he was concerned about allowing an aluminum greenhouse within 10 feet of the 7,200-volt power cable at the property line. He believed that Rocky Mountain Power should be consulted to confirm that there was adequate clearance.

Kathy Whitenight lives in the neighborhood. Her understanding was that the school would provide classes on different topics, but she was concerned about the agricultural classes. The area has other resources for agricultural training, and the Applicant did not include that intention in their original request. She was also concerned about other uses the school may propose in the future.

Richard Keeler stated that his home is adjacent to the subject property. Many things had happened on the property, and some things that were promised had not been delivered. When he moved to Riverton, there was a farm on the other side of his property that contained 127 dogs. It took him and his neighbor one-and-a-half years to get rid of the dogs. Riverton City did not assist in that effort, and he had to speak with three people at Salt Lake County Animal Control before they investigated the problem. He was concerned about what would happen in the future. The elevations differed considerably from his expectations. His sunroom faces the front door of the school, and he listens to loud children all day. He asked what would stop the school from keeping horses and cows.

Zenas Herdegen does not live in the area. His understanding was that the school had the right to keep animals, and their request was in regard to materials and the greenhouse setback. The Staff Report seemed to indicate that the property could have small or medium animals, not both, and he asked for clarification on that point.

Mr. Lethbridge commented that City Code includes ratios that allow a mixture of small, medium and large animals, and that ratio is overseen and enforced by Animal Control.

Dan Milton experienced some of these same issues in building a school in Sandy in the 1990s. They also had an agriculture curriculum, and raising animals was an amazing experience for the children. He is at the Utah Collective School campus frequently, and Mr. Milar is one of the most honest and forthright people he has met.

Joshua Green participates in the school. The students start each day with a prayer and the Pledge of Allegiance. They are God honoring, family focused, and honor the building, their leaders, and each other through their attitudes and actions. The children are required to live up to a high standard of excellence. He did pest control for eight years, and in his experience rodents in residential areas are due to improper mitigation. The standard in Utah is one rodent bait box every 20 feet, but he recommends placing them every 10 to 15 feet across the property to mitigate all rodent issues.

Dan Hawkins stated that he lives across the street from the school. Neighbors on all sides of his property have goats and chickens, and rodents are a real problem. He cannot use a shipping container as a shed, but the school was allowed to bring noise and traffic to a quiet residential area and continued to receive allowances and variances. He asked why the matter was not brought up initially and how many times Mr. Milar would come back requesting more allowances. The property is only 1.28 acres, and a lot of it is taken up with the large, poorly painted building.

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

In response to a question from Commissioner Cannon, Mr. Lethbridge confirmed that Mr. Milar and his team initially indicated that they wished to keep animals on the property but decided to wait to move forward until construction was completed.

Commissioner Rushton stated that the City has two very clear types of zoning, residential and commercial, and residential zones have certain rights. There is no residence at the school, but a zoning provision allows those types of buildings in residential zones. He does not believe there is a premise that supports allowing animals at a commercial building or that commercial buildings should be afforded the same rights as residences. It is not an agricultural setting, and there are various local programs like 4H and the Bastion Center that teach on this topic. Rabbits and chickens are pets, and children can keep them at their homes. He did not believe the school should have animal rights just because it is in a residential zone. He was not opposed to the greenhouse location.

Chair Park stated that the zoning provides animal rights. The question before the Commission was what the buildings they are housed in look like. He agrees that it is unfortunate the zone allows animals at a commercial property, but those rights were vested.

In response to a question from Commissioner Rushton, Mr. Carter stated that it is a legislative decision. Commissioner Rushton stated that if the Planning Commission could demonstrate that the use is noncompliant with established uses in the City, they could

recommend denial. Mr. Carter stated that as long as there is a reasonable reason for denial, any decision would not be overturned by the courts. However, the application was not for animal rights. Chair Park was correct that it is a foregone conclusion that they will keep animals on the property. The SD designation would alter the architectural standards for the zone, and the Planning Commission's recommendation should be related to the architectural standards.

Mr. Carter noted that concerns had been expressed by the public regarding sanitary conditions and the impact to the surrounding community. If they could conclude that the exterior surfacing standards for the primary structure would be better suited to maintaining a sanitary environment, that would be a factual basis for a recommendation of denial. If the Commission forwarded a recommendation of denial based on their belief that animal rights should not be allowed on the property, the City Council could not consider that as a basis for denying the application.

Commissioner Rushton stated that residential zoning is predicated on there being a residence. Mr. Carter clarified that animal rights are granted based on the zoning, not the SD designation. All residential zones include educational institutions as an allowed use. Some residential uses also afford animal rights, and those rights are not disallowed for educational institutions. Animal husbandry may be a unique curriculum in the traditional education landscape, but he did not believe it was counter to the intent of the use.

Chair Park asked if denial would require the property owner to install fully enclosed structures for the animals or if the surfaces would simply need to match other buildings on the property. Mr. Lethbridge stated that if the Planning Commission recommended denial and the City Council subsequently denied the application, the property owner would have the option of building the structures in compliance with the architectural standards for public and quasi-public buildings. A recommendation of denial would not lead to construction of sealed structures.

Commissioner Cluff stated that the photographs of the animal enclosures and chicken coop did not match the recommended conditions of approval and asked for clarification on what the applicant intended to build. Mr. Lethbridge stated that the language in the motion was provided by the applicant, and the photographs were submitted as exhibits. The metal enclosures shown in the exhibits would not comply with the recommended language. The small enclosures will not require a building permit, but one will be required for the greenhouse. Proximity to the power lines will be reviewed as part of that process.

Commissioner Cluff remarked that the Bastion Center is also a commercial facility, but it is utilized for agricultural purposes. She did not see a reason to exclude this entity based on the use of the subject property.

In response to a question from Commissioner Keele, it was confirmed that the animal enclosure will be fully fenced. Fencing was not listed in the motion because it is not a deviation from current RR-22 zoning regulations.

Commissioner Matheson stated that he was in favor of recommending denial of the special designation and keeping the architectural standards intact. If the Applicant wanted to build a compliant chicken coop, they could do so. He likes the idea of a greenhouse but believes it should be constructed at the required 20-foot setback.

Commissioner Cannon stated that the subject property was undeveloped for a long period of time, but it could have been developed with two homes with animal rights. Families did not purchase the property. He asked if the City should have rezoned the property when the original application was received. Mr. Lethbridge stated that the use was allowed in the RR-22 Zone and complied with the General Plan, so there was no basis to require rezoning.

Commissioner Cluff asked if the fencing would be addressed as a Site Plan change. Mr. Lethbridge reported that, depending on how the SD was structured, the item may be handled administratively. However, the Site Plan would need to be updated.

In response to a question raised by Commissioner Rushton, Mr. Lethbridge confirmed that the Planning Commission would review architectural renderings of the greenhouse if the SD designation were not approved. In response to a follow-up question from Chair Park, Mr. Lethbridge clarified that approval of the setback deviation did not automatically approve the greenhouse. Minimum setbacks are subject to and superseded by building and fire codes. If any issues were found during building permit review, the structure would need to be moved to a safe distance from the power line.

Commissioner Matheson suggested that the Planning Commission recommend denial of Conditions 1 and 2 and approval of Conditions 3 and 4. Commissioner Rushton stated that he believes all structures should comply with the current standards. Mr. Lethbridge noted that a greenhouse cannot comply with the current standards because they require masonry and other solid materials, and no exclusions or exceptions are allowed for public and quasi-public uses. Mr. Carter stated that Condition 3 was important for that reason.

In response to a question, Mr. Lethbridge clarified that City ordinance includes an exception allowing greenhouses on residential properties, but quasi-public uses like the school are not entitled to that exception.

Commissioner Cluff asked if the City's greenhouse ordinance is more restrictive than what was proposed for the SD designation. Mr. Lethbridge stated that the current ordinance is broader than Condition 3 because it allows for opaque glass and plastic. Commissioner Cluff stated that she lives near the subject property. Her neighbors have chickens and goats, and that is part of life in an agricultural community. She did not see logic in disallowing this entity from keeping chickens as well.

Chair Park stated that the issue was what the structures would look like. Fencing would be addressed in the Site Plan.

Commissioner Matheson disagreed with Commissioner Cluff. He was inclined to deny the architectural deviations for all structures except the greenhouse and to maintain the current setback. He believes the structures should be fully enclosed. Chair Park clarified that the structures would not be required to be fully enclosed.

Commissioner Cluff moved that the Planning Commission recommend APPROVAL of Application PLZ-24-4008, "Utah Collective Rezone," adding the following Specific Development Designations to the current RR-22 Zone on property located at 2673 West 11800 South:

Conditions:

- 1. Animal shelters may be built with "natural cedar siding" and white metal roof.**
- 2. Chicken coops may be built from natural wood siding and chicken wire enclosure for a chicken run.**
- 3. A greenhouse may be built with aluminum and glass/polycarbonate clear panels.**
- 4. A greenhouse may be built with a 10 ft setback from property line adjacent to 2700 West.**

Commissioner Cannon seconded the motion. Vote on Motion: Commissioner Cannon-Aye, Commissioner Keele – Nay, Commissioner Cluff – Aye, Chair Park – Aye, Commissioner Rushton – Nay, Commissioner Beck – Aye, Commissioner Matheson– Nay. The motion passed 4-to-3.

Mr. Lethbridge reported that new notices would be sent out prior to the public City Council hearing on this item.

- F. "TIMBERLINE DEVELOPMENT AGREEMENT," PLZ-25-4009, AN APPLICATION FOR A DEVELOPMENT AGREEMENT FOR APPROXIMATELY 4.24 ACRES LOCATED AT 13518 AND 13506 SOUTH REDWOOD ROAD. THE PROPOSED DEVELOPMENT AGREEMENT WOULD CHANGE THE ZONING TO RM-8 (MULTI-FAMILY WITH 8 UNITS PER ACRE), WHILE LIMITING THE PROJECT TO DETACHED SINGLE-FAMILY UNITS ON INDIVIDUAL LOTS. THE PROPOSED AGREEMENT WOULD ALSO AMEND THE GENERAL PLAN TO "MEDIUM-HIGH DENSITY RESIDENTIAL," APPROVE A PRELIMINARY SUBDIVISION LAYOUT, AND ESTABLISH ARCHITECTURAL AND**

**DEVELOPMENT STANDARDS, INCLUDING PRIVATE ROAD WIDTHS.
APPLICANT – RANDY SMITH WITH FIELDSTONE HOMES.**

Mr. Lethbridge presented the Staff Report and displayed photographs of the subject property. The existing zoning is primarily Neighborhood Commercial (“C-N”), with a small portion of the property in the RR-22 Zone. The C-N Zone was approved in response to a previous application for a proposed large animal veterinary clinic, but that applicant did not move forward with the project. The proposed Development Agreement would rezone the entire property to R-8. The current General Plan designations for the property were Medium Density Residential with a minimum of 0.25-acre lots and Estate Density Residential with a 0.50-acre minimum.

Mr. Lethbridge reported that the Development Agreement process differs from the typical approval process. The Development Agreement would change the zoning and General Plan designation as well as approve the conceptual layout, density, road widths, and architectural standards. Without a Development Agreement, the Planning Commission and City Council would review the project several times through the rezoning and Site Plan processes.

Staff recommended that the Planning Commission take public comment, hear from the Applicant and Staff, and then table the item. The City Council would then review the application and offer additional guidance and feedback prior to a recommendation from the Planning Commission. The City Council would be the final decision-making body on the Development Agreement.

Mr. Lethbridge reported that 13550 South terminates at the subject property. Public comments had been received indicating that the road is a cul-de-sac, not a through street. However, when the older subdivision was approved in 1973, it was specified that this was a temporary turnaround. Were the road to be completed, some changes would be required to the right-of-way. The stub road to the north does not have a temporary turnaround. The Concept Plan indicates that the public roadway will connect to Redwood Road, with a potential future connection to 13550 South. The proposed interior private roadway would be 20 feet wide. Mr. Lethbridge noted that City Code did not specify a width for private lanes that serve more than two lots.

Mr. Lethbridge indicated that the proposed architectural standards and concept renderings would be discussed in more detail at a future meeting. The City Council will hold a public hearing on the item following the Commission’s recommendation, so there will be many opportunities for public input prior to the final decision.

In response to a question raised by Chair Park, Mr. Lethbridge confirmed that after the Planning Commission tabled the item, the City Council would provide further guidance prior to the Commission taking action on the application. There had been some discussion regarding the existing public roadways and sidewalks, and the Council would

like to provide additional feedback on those issues before the Planning Commission moves forward with a recommendation. That would also provide time for the Commission to consider any concerns raised by the public.

Chair Park asked if the proposed public roadway would comply with City standards. Mr. Lethbridge stated that there was no language in the Development Agreement that would exempt the roadway from standard requirements for public rights-of-way. Chair Park stated that there had been a cul-de-sac on 13550 South for 50 years. Mr. Lethbridge stated that how the roadway would be addressed was one of the external issues that required more discussion.

Commissioner Matheson stated that the subject property is a unique parcel. He would like to see the developer work something out with the Nokes family regarding the second access.

Commissioner Rushton stated that there were several projects with similar density in the City that had the Elderly Housing Overlay.

Jared Payne spoke on behalf of Fieldstone Homes and stated that he was eager to hear what the neighbors thought about the project. The property was purchased with commercial zoning, and they met with Mayor Staggs and the City Council multiple times to determine its best use. A traffic study was conducted that indicated commercial use would generate approximately 3,400 trips per day. The proposed project will generate 300 trips per day, most of which will enter and exit the property from Redwood Road. Fieldstone Homes has infill developments throughout the Salt Lake Valley. When they purchase commercial properties with the opportunity for lower intensity, they usually build townhomes. They originally planned to build townhomes in the development, but the City Council believed there was a greater need for single-family detached homes in this area. If instructed to do so, they could close off the other access point and only have access from Redwood Road.

In response to a question from Commissioner Rushton, Mr. Payne reported that they had a similar project in the Independence area of Bluffdale.

Commissioner Matheson asked for Staff input on the option of having one access point into the property. Mr. Lethbridge stated that fire code limits the number of homes that can be serviced by a single access point, but the development falls below that limit. However, City ordinance expresses a strong preference for interconnectivity between neighborhoods for east-west mobility and providing alternate ways to access their properties. Staff could review the option of the development only being accessed via Redwood Road, but there was a strong preference for an alternative access point. They could also explore an alternate connection to the south.

Chair Park expressed concern about residents making left turns from Redwood Road into the property. The secondary entrance at 13550 South would allow residents to turn at a traffic signal on 13400 South, which would be a much safer option.

Commissioner Cluff raised the issue of having R-8 zoning beside RR-22 and asked if larger lot zoning such as R-4 had been discussed. Mr. Payne stated that in their initial discussions, approximately half of the City Council approved of the townhome proposal. The current land use was commercial, not agricultural, and a commercial project would have been more practical than larger lot residential. The estimated 3,000 trips per day was based on a multiple-lot commercial project.

Chair Park opened the public hearing.

Zenas Herdegen stated that he lives in the neighborhood to the north of the proposed project. He was concerned about traffic if 13550 South were not connected as it would raise a safety issue and drive traffic into his neighborhood via 1835 West and Hamilton Drive. The neighborhood is very small with narrow roads, no sidewalks, and sharp turns.

Mr. Lethbridge clarified that Hamilton Drive does not connect to Redwood Road.

Bob Ford stated that he was a member of the Riverton Heritage Group, which consists primarily of residents on the east side of Redwood Road that had been very vocal about maintaining RR-22 zoning. The group supported rezoning the property commercial due to the proposed use as a large animal veterinary clinic, but now they were stuck with a commercial property in the middle of Riverton's only remaining rural area. They agree with Council Member McDougal that the City does not need high-density housing, and they do not believe the proposed density fits with the area.

Janen Christenson stated that he lives near the farm to the south of the subject property. He moved to Riverton because it was a farming area, and many people in his generation would love to own homes with land. He understands that there is a housing shortage but does not believe high-density properties help the problem. The developers bought the home for \$2.4 million and will likely make \$15 million in profit. The project would not be good for the community or improve the surrounding neighborhoods.

Wyoma Darlington stated that she had lived in Riverton for 50 years. She opposes the project because the density is too high, and she does not believe the lots should be smaller than 0.25 acres. Traffic on Redwood Road and 13400 South is already a nightmare and there are many accidents.

Donna Kessler stated that when the property was rezoned for the proposed veterinary clinic, they indicated that 13550 South would not be a through road. She did not believe the estimated number of trips included people who would cut through the neighborhood to access Redwood Road. High-density apartments were constructed near Domino's

Pizza, but there is no access from that development to the neighborhoods behind it. She believed the proposed subdivision should only be accessed from Redwood Road.

Dan Peebles stated that he lives on the cul-de-sac at 13550 South. He believes that houses should have a minimum of 0.33-acre lots and is against allowing eight houses per acre. The cul-de-sac was the main reason he purchased his home, and he believes it should stay intact.

Simon Raubenheimer stated that he lives on 1775 West adjacent to the subject property. He understands that property owners can develop their land, but he does not believe the proposed development fits with the area. It is already hard to get out of his neighborhood onto 13400 South. If the project moves forward, he believes the secondary access from 13550 South will be necessary. He noted that the proposal did not include any parks so there would be nowhere for children to play. His preference was for a minimum of 0.25-acre lots and no public streets in the neighborhood. Red-tailed hawks and bald eagles have nested on the subject property, and it is also home to foxes and raccoons. He opposes the development and believes approving it would be irresponsible.

Chair Park stated that 18 written comments had been received and reviewed by the Planning Commission prior to the meeting.

Dave Kennedy stated that he lives near the proposed entrance to the development. His living room and bedroom are on that side of the house. He was concerned about cars crashing into his home, as well as the density. If the homes have two stories, one will look directly into his property. He was also concerned about fencing height and materials.

Christopher Dobson stated that he lives in the cul-de-sac on 13550 South. He and his wife purchased their home 24 years ago. He was concerned about safety and crime in a higher-density development. There had been more police activity on 13550 South in the last 60 days than in the past several years. He now has to lock his work truck. He and his neighbors were opposed to connecting the road.

Robert Clayton stated that he lives on 13550 South. He believes the proposed development embodies everything that is wrong with modern-day capitalism. They want to squeeze as many lots as possible into what was agricultural land. He understands that progress cannot be stopped, but Riverton was built on agriculture and farming, and allowing such high density would change the dynamic of the neighborhood. The infrastructure cannot handle 300 new traffic stops per day. The residents of his neighborhood were relying on the Planning Commission to take their comments to heart and understand how many lives their decision would affect.

Michelle Dobson agreed with Chair Park's statement that it would be dangerous to turn left from Redwood Road into the proposed development. However, it would also be dangerous for residents of 13550 South if the road were connected. It would be a straight through road, and people speeding could endanger neighborhood children. Riverton has

grown since she moved there, but it had not lost its small-town feel. Allowing developments like the one proposed would mean losing everything that Riverton is about.

Robert Kessler stated that the area used to be farmland. He understood that the development would be lower high density, but it was still high density. He attended the meeting when the property was rezoned commercial, and everyone present knew this would happen. He was in favor of allowing 0.50- or 0.33-acre lots. When high-density housing is built, riff raff moves in. He did not believe they should be allowed to build 28 homes on four acres of land.

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

Chair Park stated that it is the Planning Commission's responsibility to consider quality of life and the best use for properties within the City.

In response to a question from Commissioner Rushton, Mr. Payne indicated that the lot width would be 50 feet. Commissioner Rushton stated that there are similar projects throughout Riverton. Property owners have the right to develop their property in a reasonable manner for its highest and best use, and the subject property was originally purchased for commercial development. There is a housing crisis, and this type of project will provide young people the opportunity to have a home on a small parcel of land. He believes Riverton should embrace these types of projects.

Chair Park reminded members of the public that the public comment period was closed.

Commissioner Rushton stated that access issues needed to be worked out, but this was an appropriate infill development, and he would recommend that the City Council approve the Development Agreement.

Chair Park addressed the public comment regarding the project behind Domino's Pizza and noted that the difference was that left turns could not be made into or out of that project. He asked if the Utah Department of Transportation ("UDOT") had any plans to install a median on Redwood Road to prevent left turns at the proposed development. Mr. Lethbridge stated that UDOT currently had no such plans. The City has no control over that roadway, but UDOT would review the access plan to determine if a median is required. He agreed that it would be difficult to make left turns to and from the development and indicated that the issue was why a secondary access point was proposed. In response to a follow-up question, Mr. Lethbridge clarified that UDOT controls whether full access is granted to state roads.

Chair Park stated that residents' concerns were on the record and would be considered by the City Council. If the development were approved either as proposed or with larger lots, safety issues would be addressed in the development process. Mr. Lethbridge added that Staff would review all comments and incorporate the Commission's and citizens' concerns into the materials presented at the next meeting.

Commissioner Matheson stated that the City needs more housing. However, he did not believe the proposed secondary access was appropriate, and too many homes were proposed. He was in favor of requiring slightly larger lots.

Commissioner Cluff agreed that Riverton needs more housing, but the density should make sense for the area of the City it is in. She believes that 0.25-acre lots would be more appropriate, as allowing such a high contrast in density would disjoint the community.

Chair Park stated that there are many opinions on whether higher density makes housing more or less affordable. The application would come back to the Planning Commission prior to being heard by the City Council, and the Council would consider all comments and recommendations prior to making its decision. All decision-makers understand the concerns of both residents and the property owner. He noted that 0.25-acre lots were once considered high density.

Commissioner Cannon moved that the Planning Commission TABLE the proposed Timberline Development Agreement for property located at 13518 and 13506 South Redwood Road pending input from the City Council, including on adjacent road connections. Commissioner Beck seconded the motion. The motion passed with unanimous consent of the Commission.

3. DECISION ITEMS

A. NONE.

4. DISCUSSION ITEMS

A. NONE.

5. ADJOURNMENT

The meeting adjourned at approximately 10:23 PM.