

Approved October 8, 2020

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
June 25, 2020**

The Riverton City Planning Commission convened at approximately 6:30 p.m. in the Riverton City Municipal Building, 12830 South 1700 West, Riverton Utah.

Planning Commission Members:

Gary Cannon, Chair
Brian Russell
Kent Hartley
Ed James
Troy Rushton

Staff:

Tim Prestwich, Zoning Administrator
Craig Bott, Deputy City Attorney
Greg Wilson, City Engineer

Excused:

Dennis Hansen
Grant Lefgren

Chair Gary Cannon called the meeting to order at approximately 6:30 p.m. Commissioner James led the Pledge of Allegiance.

- **DECISION ITEMS**

There were no Decision Items.

- **PUBLIC HEARINGS**

1. **SUBDIVISION**, IHC HEALTH SERVICES IS REQUESTING APPROVAL OF ROSE CANYON SUBDIVISION, A THREE-LOT COMMERCIAL SUBDIVISION LOCATED AT 5541 WEST 13400 SOUTH.

Zoning Administrator, Tim Prestwich presented the staff report and stated that the above item is for the subdivision of two parcels of land owned by IHC Health Services, to create a three-lot commercial subdivision. The property is located at approximately 13400 South and 5541 West. The City of Herriman is located to the west of the parcel on 5600 West and to the north on 13400 South. To the east is a Riverton City Park and to the south is the Autumn Hills Subdivision. There is an eight-foot masonry wall along the south boundary line and a six-foot masonry wall along the east boundary line. The total acreage of the property is 7.23 acres. The proposed subdivision is in the C-G (Gateway Commercial) Zone.

Mr. Prestwich reported that the proposal is unique because IHC Health Services is asking to subdivide the parcels but a master site plan has not yet been developed. IHC Health Services wants to retain the largest lot, Lot 1, for future development. Lot 2 is a deep lot with a small amount of frontage while Lot 3 has a large amount of frontage on 5600 West.

Lots 2 and 3 will eventually be built out by commercial developers. All lots meet the minimum standards for the C-G (Gateway Commercial) Zone and are capable of being built upon.

The proposed plans show that the sidewalk, curb, and gutter will be continued. Mr. Prestwich raised questions related to power poles and the park strip along 5600 West. Riverton City ordinance requires that power and utility poles be buried with development. Mr. Prestwich questioned whether the power poles should be buried now or in the future. He also asked if the park strip should be treated now or upon further development. Mr. Prestwich noted that the benefit of addressing both issues now is that they will be fully taken care of. The downside is that it may mean that things are being dug up twice when it comes time for development. The applicant's engineer indicated to Mr. Prestwich that the park strip is within Herriman's jurisdiction rather than Riverton's.

Staff recommended approval of the above item with conditions listed in the staff report. Mr. Prestwich reported that there are outstanding redline comments in the latest plan exchange relative to technical details. However, none of the redline comments change the lot lines or significantly alter the layout from what has been presented.

Commissioner James asked about the condition relative to burying power lines. He wondered if it would be technically feasible to do that in the area. Mr. Prestwich noted that the applicant's engineer had been in closer contact with Rocky Mountain Power but the general concern related to the three transformers on the pole. Commissioner James asked if bonding would be possible so that when Lots 2 or 3 are developed, there will be funds available to handle the necessary improvements. Mr. Prestwich was not sure how a bond would work since the park strip is located in Herriman. He noted that this proposal will be seen again as a site plan, and at that point, there would be a better understanding of any potential Herriman requirements.

Commissioner Rushton asked if the power lines to the north continue overhead. Mr. Prestwich noted that there is one additional pole and the power lines drop into a transformer box. There are currently three poles in the area. There is still uncertainty with the type of configuration Rocky Mountain Power would propose. Mr. Prestwich reported that while Rocky Mountain Power employees tend to prefer that the power lines stay above ground, due to ease of access, Riverton City ordinance requires utilities to be placed underground in different developments. In response to a question, Mr. Prestwich confirmed that there are now bathrooms in the park to the east of the parcel.

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

The Commissioners discussed the possibility of including proposed condition #7, related to the installation of stamped concrete on the park strip along 5600 West. Mr. Prestwich clarified the condition. He noted that the current site plans included stamped concrete. He reported that the Planning Commission does not usually see a commercial subdivision request ahead of a commercial site plan. They are typically presented together. Commissioner Rushton wondered if stamped concrete was necessary or if the concrete

could be consistent with the sidewalk. Mr. Prestwich noted that the Planning Commission typically has broad discretion of what could be approved for landscaping.

Mr. Prestwich noted that IHC Health Services already has someone lined up for development. He felt that the question was whether the Planning Commission wants stamped concrete to keep the weeds down in between potential development. Commissioner Rushton asked if the park strip is located in Herriman. The Commissioners felt that Herriman would not want to be involved with the park strip.

Consistency issues were discussed. The Commission Members felt that if the concrete was stamped on both ends, the area should be consistent with what has already been done. Mr. Prestwich noted that when a commercial developer comes in, the Planning Commission will have the opportunity to review the parking lot, building architecture, and landscaping. The Commissioners agreed to add condition #7 to the motion.

Commissioner James moved that the Planning Commission approve Application PLZ 20-8006, Rose Canyon Subdivision, to be located at 5541 West 13400 South, as shown on the accompanying plans with the following conditions:

- 1. Address any outstanding Riverton City staff redline comments on the plans and include on the recorded plat Public Utility easements as described in the civil plans.**
- 2. Storm drainage systems and accommodations comply with Riverton City Standards and ordinances, and with the recommendations of the Riverton City Engineering Division.**
- 3. The applicant shall complete a Long-Term Stormwater Management Plan or Storm Water Maintenance Plan according to Riverton City standards and ordinances.**
- 4. A Land Disturbance Permit must be issued by the City prior to any construction or grading on the site.**
- 5. The applicant must obtain any necessary approvals or permits from applicable outside agencies or jurisdictions.**
- 6. The power lines along the east side of 5600 West must be buried underground with the proposed subdivision improvements, or with the first development of a site plan on Lot 2 or Lot 3. This requirement may be waived if it is demonstrated to the City's satisfaction that the power lines cannot technically be buried.**
- 7. The park strip along 5600 West shall be installed with stamped concrete, but future commercial site plans will submit a landscape plan for the park strip as part of their commercial site plan.**

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

- **DISCUSSION ITEMS**

1. RESIDENTIAL LOT REQUIREMENTS

Mr. Prestwich discussed an item that came up during recent meetings related to residential lot requirements. The standards state that the frontage can be smaller but 30 feet back, it must meet a certain width requirement. This standard is for a cul-de-sac or wedge shape. Staff was looking to create a standard that specifies that from a set number of feet off of the rear property line, the minimum width must also be met. Peninsulas and panhandles were also discussed. Staff was looking to create a provision that notes that peninsulas and panhandles are acceptable if they already exist but cannot be created on new lots. Mr. Prestwich reported that the Sunday Drive Subdivision brought some of the issues to light.

Commissioner James asked if it would make sense to quantify numerically the relationship between the front minimum width and the other sides of the lot. He suggested using a specific percentage. Mr. Prestwich felt that using a set percentage was a good way to approach the issue. Commissioner James felt it could cut down discussions later on if a formula was set in place.

2. PRIVATE LANE REQUIREMENTS

Mr. Prestwich discussed an item that Commissioner Lefgren brought up in the last meeting about excluding the private lane area from the lot area. Between one-quarter and one-third of the City is made up of ancient lots or ancient parcels that were developed in the early 1900s through the 1950s. Frequently those lots have a very small home on the front end of the parcel with a substantial amount of property behind it. Mr. Prestwich noted that the policy decision to include the private lane in the lot area may have been an incentive to encourage redevelopment of the underutilized ground. Mr. Prestwich wondered if development would be negatively impacted if the lot area incentive was removed. Staff could create an ordinance stating that the private lane could not be included as part of the lot area, the private lane requirements could remain the same, or a set percentage could be determined.

Commissioner James felt that a private lane should be looked at like a road since it was for vehicular traffic. He was concerned that there was not enough consistency with what was required in terms of front, side, and rear yard setbacks. Commissioner James felt the Planning Commission needed to be careful about the issue of private lane requirements. He thought it was important to take into consideration the net area for a structure and the open space around it. Potential suggestions were to limit the size of the footprint or reduce the number of lots that a developer could get from a project.

Commissioner Rushton mentioned the Affordable Housing Act and stated that it was important to determine strategies that will create more affordable housing and utilize these

types of parcels. Commissioner Rushton asked if it would be possible to have a narrower lane on these types of developments. Mr. Prestwich stated that new developments require 20-feet, according to the Fire Code, and there are often requirements for fire hydrants as well. Commissioner Rushton mentioned a historic preservation district as a way to allow historic homes to remain while permitting developments behind them.

Commissioner Russell asked if the width requirements are related to the number of users. Mr. Prestwich reported that there are three width categories in the ordinance: 15-feet for one, 20-feet for two, and 25-feet for three and four. However, the Fire Code had been updated but the City ordinance had not. The Fire Code specifies that 20 feet is the starting point. Commissioner Rushton wondered why 15 feet was acceptable for one user, according to the ordinance, but not for three, since the size of the fire truck would not change. Mr. Prestwich had not asked the Fire Department if the width increase was due to the Fire Code or because of the City ordinance.

The Commission Members discussed whether or not the private lane should be included in the calculation of the square footage of the lot. Commissioner Rushton felt it would be acceptable to include it if the lot was one-third or one-half acre but suggested that Mr. Prestwich looked at how it could impact larger lots in terms of the percentage of buildable space. Chair Cannon believed that including the private lane gives each individual a sense of ownership. People will properly maintain the road. Mr. Prestwich stated that there were questions in the past about who needs to do what with regard to the private lanes. However, there were not as many issues now where people were asking the City to step in or to take over the lane.

Commissioner Russell wondered who would be responsible for the private lanes if they were excluded from the lot area. Mr. Prestwich stated that if the private lane was created as an individual parcel and several people had ownership, a Maintenance Agreement would be needed. All of the lot owners would need to enter into an agreement to handle maintenance. Commissioner Russell asked if that was the way things were handled when the private lane was part of the lot area. Mr. Prestwich confirmed this was the case. Commissioner Russell believed it would be best to leave the ordinance as it was, where the private lane was part of the lot. Commissioner Rushton agreed.

3. ACCESSORY STRUCTURE SIZE

Mr. Prestwich discussed issues related to accessory structure sizes. The Riverton City ordinance limits a detached garage to 25% of the rear yard. However, on ancient lots or parcels with a lot of acreage, this could lead to plans and proposals for very large detached garages. Mr. Prestwich asked if the Commission would like to limit the maximum size of an accessory structure or be more specific than 25% of the rear yard.

Chair Cannon reported that he was also on the Architectural Control Committee at Timber Lakes. They recently set a limitation for exterior dwelling units that were tied into the square footage of the main home or the main dwelling rather than the size of the lot. Commissioner Russell felt that the limitation may work in some places but many of the homes on ancient lots are 1,500 square feet or less. There needs to be a happy medium with respect to size

limits. 1,500 square feet would be a fairly small garage but 4,000 to 6,000 square feet would be large and not necessarily appropriate.

Chair Cannon asked for a more detailed definition of an accessory structure. Mr. Prestwich reported that the accessory structure ordinance includes several different types of structures, including an agricultural building, which has different rules than an accessory structure for residential use. The current ordinance specifies that there can be many different types of accessory structures on one property as long as they do not exceed 25% of the rear yard. Placing a 25% limit on a one-quarter acre lot or a one-third acre lot could be limiting whereas a 25% limit on a five-acre lot could lead to very large accessory structures.

- **MINUTES**

1. **MAY 28, 2020**

Commissioner Russell moved that the Planning Commission approve the Minutes for the Planning Commission Meeting of May 28, 2020, as reflected in the meeting packet. The motion was seconded by Commissioner Hartley. The motion passed with the unanimous consent of the Commission.

- **ADJOURNMENT**

The meeting adjourned at approximately 7:21 p.m.