



**RICHMOND CITY CORPORATION
90 SOUTH 100 WEST
RICHMOND, UTAH 84333**

AGENDA

Public Notice is given that the Richmond Planning & Zoning Commission will meet in a regularly scheduled meeting at 90 South 100 West, Richmond, Utah, on **Tuesday, November 12, 2024**. The meeting will begin at 6:30 PM.

Call to Order

1. Approval of Planning Commission Meeting Minutes from October 1, 2024.
2. Public Hearing for the purpose of discussing Ordinance 2024-14, an Ordinance amending the Richmond City Manual of Design & Construction Standards, Chapter 4.0 “Site Design”, Section 4.02 “Subdivisions”.
3. Discussion and possible vote on Ordinance 2024-14.
4. Continued discussion on Ordinance 2024-12, an Ordinance amending the Richmond City Municipal Code, Title 12-000 “Land Use, Development and Management (LUDMO)”, Chapter 12-900 “Zones” adding in its entirety Part 12-911 “Residential Multiple-Family Zone “RMF””, Sections 12-911-1 “Purpose”, 12-911-2 “Width, Density and Yard Regulations”, 12-911-3 “Height Regulations”, 12-911-4 “Modifying Regulations”, 12-911-5 “Group Dwelling Standards”, 12-911-6 “Parking, Loading and Access”, 12-911-7 “Landscaping”, 12-911-8 “Trash/Garbage”, 12-911-9 “Development in Phases” and 12-911-10 “Allowed Uses”.

Adjournment

*****Items on the agenda may be considered earlier than shown on the agenda.*****

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Office at (435) 258-2092, at least 3 days before the date of the meeting.



RICHMOND CITY PLANNING & ZONING COMMISSION

City Council Chambers
90 South 100 West
Richmond, Utah 84333

The Richmond City Planning & Zoning Commission met in a regularly scheduled meeting at 90 South 100 West Richmond, Utah, at 6:30 p.m. on Tuesday, October 1, 2024

Commission Members Present: Cindy Allen, Jay Bair, Cache Christensen, Brock Mecham, Brent Wallis

Staff Present: Justin Lewis (City Recorder), HollyJo Karren (City Administrator)

Others in Attendance: Joel Draxler, Terrie Wierenga, Bernell Kerkman, Tim & Stacey Taylor, Blake & Rhonda Davis

Chairman Brent Wallis called the meeting to order at 6:30 p.m.

Approval of the September 3, 2024 meeting minutes

*****Jay moved to approve the September 3, 2024, Planning Commission meeting minutes. Cindy seconded the motion. Motion approved 5-0.*****

Yes Vote: Allen, Bair, Christensen, Mecham, Wallis

No Vote: None

Public Hearing for the purpose of discussing Ordinance 2024-13, an Ordinance amending the Richmond City Municipal Code, Title 12-000 “Land Use, Development and Management (LUDMO)”, Chapter 12-2000 “Subdivision Regulations”, Part 12-2003-4 “Final Plat Preparation and Required Information”.

Mr. Lewis explained that this is adding the following paragraph, which was mistakenly removed earlier this year, back into the Code:

*12-2003-4 (D) **Financial Guarantee:** No site grading or construction of lots or of the public improvements required in this title shall be started unless and until the subdivider shall have furnished to the City a contractor's performance bond, an irrevocable letter of credit or funds in escrow an amount equal to at least one and one-quarter (1.25) times the reasonable value of the required public improvements, as determined by the Richmond City Engineer, to guarantee the complete and timely development of any facilities or improvements which are the subdivider's responsibility.*

6:32 p.m. Public Hearing Opened

There were not any comments or questions.

6:33 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2024-13

Brent had no objections and advised that this is relatively standard for municipalities throughout the state.

*****Cache moved to recommend approval to the City Council for Ordinance 2024-13, an Ordinance amending the Richmond City Municipal Code, Title 12-000 "Land Use, Development and Management (LUDMO)", Chapter 12-2000 "Subdivision Regulations", Part 12-2003-4 "Final Plat Preparation and Required Information. Jay seconded the motion. Motion approved 5-0.*****

Yes Vote: Allen, Bair, Christensen, Mecham, Wallis

No Vote: None

Initial discussion on Ordinance 2024-12, an Ordinance amending the Richmond City Municipal Code, Title 12-000 "Land Use, Development and Management (LUDMO)", Chapter 12-900 "Zones" adding in its entirety Part 12-911 "Multi-Family Residential Zone "MF", Sections 12-911-1 "Purpose", 12-911-2 "Width, Density and Yard Regulations", 12-911-3 "Height Regulations", 12-911-4 "Modifying Regulations", 12-911-5 "Group Dwelling Standards", 12-911-6 "Parking, Loading and Access", 12-911-7 "Landscaping", 12-911-8 "Trash/Garbage", 12-911-9 "Development in Phases" and 12-911-10 "Allowed Uses".

Brent clarified that this is the first draft of the ordinance for the Commission to review and discuss tonight. There will be no public input; however, there will be a public hearing before it is approved and/or adopted. Justin pointed out that everything is subject to change, which is information from the discussion at the last meeting. The City Council will also do an initial review when the Commission feels ready to forward it to them.

Cindy noted that 12-911-5.B (2) (Open Space) should be 40% (as indicated in section 1). In 12-911-7, she suggested changing shrubs to a 2-gallon minimum with approval and possibly having perennials as a minimum of 1-gallon. Brent was worried about enforcing some of these requirements and how specific they need to be. He agreed that 2-gallon shrubs should winter just fine.

Cindy asked if VRBO (vacation rentals) would be an allowed use in 12-911-10. Cache said Richmond City has no restrictions on short-term rentals. Brent agreed that, given the lack of any legislation restricting them, the assumption is that they would be allowed. Justin noted that there is a process that requires an application and approval.

Cache said the 45-foot height was discussed, but one of the General Plan's priorities is to keep building heights at 35 feet. If the height is increased, he would like an articulated justification on record for the decision. This zone should be designed mainly for townhomes and duplexes. Apartments with a commercial component could be added to a multi-use zone that would help provide for a more natural trajectory for growth. Brent said a multi-use zone could be developed through a similar process to this zone. Jay noted that 45 feet does allow for more latitude, especially vertical design. Brent agreed and said that a 35-foot maximum limits some floor plan designs; increased height might help reduce

outward sprawl. Having a 10 unit per acre density might justify allowing more height. He wants to ensure that the ordinance will be usable; however, he agrees that height can be a concern. Determining locations where this zone might be allowed should be considered carefully. Brent, Cache, Brock, and Jay felt that 45 feet would be appropriate, and Cindy preferred 40 feet. The Commission agreed that location will be an essential factor.

Jay suggested adding verbiage in 12-911-5B (Open Space) to include community amenities. Justin pointed out that "recreational areas" are listed in B.1. Cache said there was a previous discussion about allowances for specific amenities, especially those highly desirable (e.g., requiring less maintenance, more water-efficient, or pet areas). Jay noted most HOA's will have rules and regulations dictating what is allowed for pets.

Jay pointed out that 12-911-6D lists four (4) parking spaces, but the minutes from the last discussion indicated that it should be three (3). Justin will make that change. Jay said Item C states, "Parking spaces shall not be provided within a front yard,"; however, if they have front-loading garages that face the street with only a small area for a front door – that is essentially the "front yard." Brent said if there are parking spaces in front of the home, it would be in the garage or driveway. He did not think front-facing garages would be part of the front yard; however, perhaps the consideration would be that it would be considered a driveway as long as it exceeds 12 inches from the width of the garage. Jay suggested that it be adjusted from 12 inches to 2 feet to allow for more room. Brent said it might be good to define what the front yard should be. Jay recommended adding that if it is a rear-loading garage, the front yard cannot be used for parking unless it is along the curb. Brent asked Jay to define "front yard" for discussion at the next meeting.

Jay recommended changing 12-911-2 Frontage from 75 feet to 80 feet. When townhomes are platted, this will allow for more latitude. Brent thought the frontage was related to the parcel, not the building width. Jay said twin homes might need more width, especially for a garage. The Commission agreed to increase the frontage to 80 feet.

Brock asked if a minimum width for parking spaces should be added to 12-911.6B for in/out access. Jay said that would be more applicable for a parking lot; most townhomes have drive aisles. Brock wondered about a minimum requirement or double access to avoid a bottleneck. Brent said there are no restrictions regarding ingress or egress; a looping street could become a problem. Jay said Fire Department access requirements would regulate this. At next month's meeting, Brent asked Brock to research parking lot design standards for more consideration and discussion.

Brent said the 1,500-foot minimum requirement between multi-family zones, as listed in 12-911-1, could potentially limit areas where this type of development would fit. The purpose of this requirement is to put this type of development on the outskirts of town and not encroach into block infill; however, there may be times when this could be restrictive. For example, development on both sides of the highway might be prohibited by this requirement. There could be significant development north of town where this zone could serve as a buffer between highway commercial and single-family development. He suggested changing it to a certain distance from a main road or another type of zone. For example, the zone might only be allowed on parcels that adjoin a commercial zone or within 1,500 feet of a defined main artery/road (e.g., any road that connects to Highway 91

via a traffic signal). Jay suggested setting a demographic area where the 1,500-foot requirement would be applicable, but in specified zones which might help keep Richmond rural and allow development to spread out organically. Justin said this zone can be exempted in specific geographically defined areas. Brent likes the idea of multi-family being a buffer between highway commercial and residential development which would be the perfect application for this ordinance. Cache does not like the current 2,000-foot requirement; he thinks one of the benefits of having a Planning Commission and City Council is the ability to consider rezone proposals on a case-by-case basis where public comments can be considered. One of his concerns is developing along the highway, which adds access points, slows traffic and increases accidents and congestion. Frontage roads might help make it safer. Brock agreed with Justin's suggestion of determining where this type of zoning would be allowed or exempted. The Commission reviewed areas along the highway that are currently zoned commercial. Brent recommended leaving the 1,500-foot statement with the exception that 1,500 feet does not apply to any parcel that abuts or adjoins highway commercial, industrial, manufacturing, or school zones.

Justin said the staff would like to rename the zone from Multi-Family (MF) to Residential Multi-Family (RMF).

Brent asked the Commission what they thought of bonus density allowances. Cache likes the idea of a bonus to encourage usable amenities such as walking paths/trails that integrate into nearby communities. Jay recommended a requirement that once development reaches a certain percentage of completion or phases amenities must be put in. Brent asked Cache to look at amenities and how to tie them into a bonus density allowance. He suggested reviewing Smithfield City's ordinance and developing a simplified version.

Jay questioned whether a certain number of units could be allowed per phase. Justin said it would be best to leave that up to the developer because factors such as the lay of the land, topography, and infrastructure could affect it.

The Commission discussed permitted/prohibited uses within the zone (matrix reviewed), including the following:

Prohibited Uses: feed yards, chickens, farm buildings, dairying, livestock, fur farms, feed yards, corrals, silage pits, gravel pits, stables, business/commercial (other retail uses that could be included in a future Mixed-Use ordinance)

Allowable Uses: single-family, agriculture uses (when applicable as a project is developing), home occupations (as a conditional and approved use), household pets, accessory buildings, cemetery, country clubs, produce stands, public utilities, schools, churches, flag poles, park/playgrounds, public buildings, art museums, library, splash pad.

Brent wants an addendum where each zone references the permitted uses.

Summary of Assignments and Proposed Changes to the Ordinance:

- ✓ Change 12-911-5B. 2 – first paragraph to "At least **forty percent (40%)** ..."
- ✓ Change 12-911-7D to "...shrubs shall be a minimum of two 2-gallon size".
- ✓ Change 12-911-6D to three (3) parking spaces instead of four (4).
- ✓ Change 12-911-2 Frontage from 75 feet to 80 feet
- ✓ Change 12-911-1 to add the wording "1,500 foot rule does not apply to parcels that abut or adjoin commercial, industrial, manufacturing, and school zones.
- ✓ Permitted/Prohibited uses as discussed.
 - Jay was asked to define "front yard" for discussion at the next meeting.
 - Brock asked to research parking design standards.
 - Cache was asked to look into amenities that should be tied into density bonuses.

Next meeting: Tues. Nov. 12, 2024 (second Tuesday due to the general election being held on November 5th)

The meeting adjourned at 8:00 p.m.

Planning Commission Chairperson

**RICHMOND CITY CORPORATION
ORDINANCE 2024-14**

WHEREAS, the City Council of Richmond has the responsibility for the general welfare of the City; and

WHEREAS, such responsibility includes but is not limited to, establishment of best management practices; and

WHEREAS, management practices may evolve over the passage of time:

NOW THEREFORE, the City Council of Richmond City, County of Cache, State of Utah, hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE RICHMOND CITY MANUAL OF DESIGN & CONSTRUCTION STANDARDS, CHAPTER 4.0 “SITE DESIGN”, SECTION 4.02 “SUBDIVISIONS”.

BE IT ORDAINED BY THE CITY COUNCIL OF RICHMOND CITY, CACHE COUNTY, UTAH AS FOLLOWS:

1. Sections shall be amended such that the **highlighted** areas below shall be added and the ~~strikeout~~ areas shall be deleted.

4.02 SUBDIVISIONS

B. Lot Design and Location:

~~5. Each lot shall have frontage on a public street dedicated by the development plan or an existing publicly dedicated street, or on a street which has become public by right of use.~~

5. Each lot shall have frontage on a public street dedicated by the development plan or an existing publicly dedicated street, or on a street which has become public by right of use.

Notwithstanding the foregoing, the city council may approve lots that have frontage on a privately owned street so long as the following conditions are met:

a. There are covenants recorded on title to the properties with frontage along the private street that place financial responsibility on the property owners to maintain the private street at the minimum standards that would apply to a public street and that cannot be amended or altered without the approval and signature of the City; and

b. An easement and right-of-way over the private street is dedicated to the City for the purpose of ingress and egress of emergency vehicles, and if applicable, public utilities.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.

3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearing and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Richmond City Municipal Code above referred to.

ADOPTED AND PASSED by the Richmond City Council on this 21st day of November, 2024.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

**RICHMOND CITY CORPORATION
ORDINANCE 2024-12**

WHEREAS, the City Council of Richmond has the responsibility for the general welfare of the City; and

WHEREAS, such responsibility includes but is not limited to, establishment of best management practices;
and

WHEREAS, management practices may evolve over the passage of time:

NOW THEREFORE, the City Council of Richmond City, County of Cache, State of Utah, hereby adopts,
passes and publishes the following:

**AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 12-000
“LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-900 “ZONES”
ADDING IN ITS ENTIRETY PART 12-911 “RESIDENTIAL MULTIPLE-FAMILY ZONE
“RMF””, SECTIONS 12-911-1 “PURPOSE”, 12-911-2 “WIDTH, DENSITY AND YARD
REGULATIONS”, 12-911-3 “HEIGHT REGULATIONS”, 12-911-4 “MODIFYING
REGULATIONS”, 12-911-5 “GROUP DWELLING STANDARDS”, 12-911-6 “PARKING,
LOADING AND ACCESS”, 12-911-7 “LANDSCAPING”, 12-911-8 “TRASH/GARBAGE”, 12-911-9
“DEVELOPMENT IN PHASES” AND 12-911-10 “ALLOWED USES”.**

BE IT ORDAINED BY THE CITY COUNCIL OF RICHMOND CITY, CACHE COUNTY, UTAH AS
FOLLOWS:

1. Sections below shall be added in their entirety.

PART 12-911 RESIDENTIAL MULTIPLE-FAMILY ZONE “RMF”.
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12-911-1 PURPOSE

The purpose of the Residential Multiple-Family Zone (RMF) is to provide areas throughout the community which shall be characterized by low rise multiple-family and apartment development. This zone is intended to provide an attractive setting for multiple-family apartments, townhomes, and dwelling units which will be harmoniously blended together.

In keeping with the most recent General Plan update there shall be a minimum of fifteen hundred (1,500) feet between lots as measured by following the shortest route of vehicular travel along public thoroughfares, from the nearest point on the boundary line of the property on which a multiple-family dwelling is proposed to the nearest point on the boundary line of any other parcel or lot on which a multiple-family dwelling exists or is proposed for construction.

The fifteen-hundred-foot distance requirement is not applicable to any parcel which abuts a parcel(s) which have the following zoning classification: Highway Commercial Zone (HC), Manufacturing/Light Industrial Zone (MLI), Planned Industrial Commercial Overlay Zone (PIC) or next to a public school.

12-911-2 WIDTH, DENSITY AND YARD REGULATIONS

Minimum Yard Requirements (In Feet):

Frontage: 80

Setback Requirements (In Feet):

Front: 30
Side: 20
Rear: 20

12-911-3 HEIGHT REGULATIONS

No building or structure shall be erected to a height greater than forty-five feet (45'), to be measured from the threshold of the main entrance at street level to the highest point of the roof. Accessory buildings and other buildings shall not be erected to a height greater than the dwelling, but in no case shall it exceed twenty feet (20') in height.

12-911-4 MODIFYING REGULATIONS

Modifying regulations in the Residential Multiple-Family Zone (RMF) are as follows:

- A. **Front Yards:** On corner lots, the least of the two (2) front yards shall be a minimum of twenty feet (20') and the combination of the two (2) together shall total a minimum of fifty feet (50').
- B. **Side Yards:** Main buildings other than dwellings shall have a minimum side yard of twenty feet (20'). Private garages and other accessory buildings located at least ten feet (10') behind the main building may have a side yard of ten feet (10'), except that the street side yard on a corner lot shall be a minimum of twenty feet (20') for main and accessory buildings.
- C. **Rear Yards:** Unsheltered decks, supported by posts and which are less than thirty inches (30") above the ground or greater than eighty-four inches (84") above the ground but, not greater than the uppermost floor level, shall be allowed to project into the required rear yard a maximum of ten feet (10').

12-911-5 GROUP DWELLING STANDARDS

The following provisions shall apply to the development of group dwellings as defined in this title:

- A. **Group Dwellings:** Group dwellings can be divided and sold as individual buildings/units.
- B. **Open Space:**
 - 1. Open space shall be provided and shall not cover less than forty percent (40%) of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, streets or alleys. Said open space shall be devoted to landscaping, preservation of natural features, patios and recreational areas.
 - 2. At least fifty percent (50%) of the required open space shall be designated for use as common open space for common enjoyment and use for all residents of the development. Private open space (that provided for each dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of that dwelling unit. Landscaped roof areas or decks attached to individual units may not be calculated as part of the required common open space.
 - 3. Open space needs to be identified as an area to facilitate snow retention during the winter months.
 - 4. Detention and retention basins may be counted toward meeting the minimum open space requirement.
- C. **Building Orientation:** No residential building shall face the rear of another building on the development site.
- D. **Side By Side Buildings:** A separation of at least twenty feet (20') shall be maintained between buildings which are located side by side.
- E. **Maximum Number of Units per Building:** The maximum number of dwelling units per building will not be greater than six (6).
- F. **Maximum Density:** The maximum number of units per acre will not be greater than ten (10).
- G. **Additional Conditions:** The planning commission or city council may impose other reasonable conditions as may be necessary to accomplish the purpose of this title.

12-911-6 PARKING, LOADING AND ACCESS

- A. Each lot or parcel in the Residential Multi-Family Zone (RMF) shall provide minimum ten foot by twenty-four-foot (10' x 24') parking stalls located and in numbers as described below.
- B. All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street.
- C. Parking spaces shall not be provided within a required front yard.
- D. Each dwelling unit shall be provided with at least three (3) parking spaces. A single car attached garage will be considered one (1) parking stall. A two-car attached garage will be considered two (2) parking stalls.

12-911-7 LANDSCAPING

The following landscaping provisions shall apply in all multiple housing developments within the Residential Multi-Family Zone (RMF):

- A. All open space shall be maintained with suitable landscaping of plants, shrubs, trees, grass and similar natural landscaping materials.
- B. Initial landscaping shall include at least one tree per two (2) units.
- C. There shall be provided a minimum of three feet (3') of landscaped area around the front foundation of all buildings dedicated to foundation planting, ground covers or natural landscaping such as lava rock or bark. In areas where natural landscaping is used a weed barrier or block shall be used to prevent the encroachment of weeds or grass into the landscaped area.
- D. In required landscaped areas, all trees shall be a minimum two-inch (2") caliper trunk, and all shrubs shall be a minimum of two (2) gallon size.
- E. All areas to be landscaped with grass shall have sprinklers and/or irrigation systems. All other landscaped areas shall be provided with drip or other approved irrigation systems as approved by the planning commission or city council.
- F. The area between the curb or street line and the public sidewalk shall be landscaped and maintained by the owner of the property fronting the street.
- G. All landscaped areas shall be kept free of weeds and be maintained in a healthy condition. All required vegetation that dies shall be promptly replaced during the current growing season.
- H. A perimeter fence around the outside of the overall development boundary shall be installed as part of the development process. The fence shall be a six-foot (6') sight proof fence. Wood and chain link are not allowed.

12-911-8 TRASH/GARBAGE

Trash/garbage shall not be stored in an open area. All trash containers shall be screened from public streets and adjacent properties with a six-foot (6') sight proof fence or wall. Openings of trash enclosures shall be oriented away from public view or screen with sturdy gates wide enough to allow easy access for trash collection. No trash containers or trash enclosures may be located within a required front yard or street side yard setback.

12-911-9 DEVELOPMENT IN PHASES

If the Residential Multiple-Family (RMF) Development is to be developed in phases, each phase shall be of such size, composition, and arrangement that its construction, marketing, and operation is feasible as a unit independent of any subsequent phases. Final approval shall be given only to one (1) phase at a time. No construction of any kind shall begin in the second or subsequent phases until sixty-five (65) percent of the total development of the preceding phase has been substantially completed.

12-911-10 ALLOWED USES

Xxx under construction xxx

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearing and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Richmond City Municipal Code above referred to.

ADOPTED AND PASSED by the Richmond City Council on this xx day of xx, 2024.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder