



**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, December 3, 2024**. The meeting will begin at 6:30 PM.

Call to Order

1. Approval of Planning Commission Meeting Minutes from November 12, 2024.
2. 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, November 12, 2024

Commission Members Present: Jay Bair, Brock Meacham, Brent Wallis

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

Others in Attendance: Joel Draxler (City Council), Amber Ervin (City Council), Bernell Kerkman, Robert Jones, Marian & Vern Fielding, Paul & Rebecca Hammond.

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

Approval of the October 1, 2024 meeting minutes

Jay moved to approve the October 1, 2024, Planning Commission meeting minutes. Brock seconded the motion. Motion approved 3-0.

Yes Vote: Bair, Meacham, Wallis

Absent: Allen, Christensen

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".

Justin explained that this is a housekeeping ordinance. The way the Code is currently written is that roads within a commercial development would need to be public streets. This was not the City's intent when the commercial development on the northwest of town was approved. Legal Counsel and engineering brought this to the staff and suggested the following wording changes.

Proposed added language to Chapter 4.02 5:

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 that 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 the 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.

6:34 p.m. Public Hearing Opened

There were not any comments or questions.

6:35 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2024-14

Jay said the changes seem straightforward, they make sense, will help make the best use of the space, and will help with future development.

Brent agrees and supports this, especially if legal counsel recommends it. He noted how the median recently built along the highway by the Lee's Marketplace in Smithfield changed that area and how traffic flow has changed from what was originally intended. Traffic has now increased along some of the adjacent roads. He likes the idea of developers having the ability to own the streets within their development and help determine access.

Jay moved to recommend approval to the City Council for Ordinance 2024-14, an Ordinance amending the Richmond City Manual of Design & Construction Standards, Chapter 4.0 "Site Design", Section 4.02 "Subdivisions". Brock seconded the motion. Motion approved 3-0.

**Yes Vote: Bair, Meacham, Wallis
Absent: Allen, Christensen**

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 "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 presented the draft proposal to the City Council at their last meeting. He provided the Commission with their feedback. Overall, they are supportive and appreciate the Commission's work. They recognize this is not an easy task. They asked for more consideration and discussion about the maximum height, incentives, and ideas for homeownership versus rentals and when amenities will be required and completed.

Brock was asked to research parking (12-911-6 in the proposed ordinance). A vehicle's standard width is 6 feet, and an SUV is 6 ½ to 7 feet. The standard parking space ranges between 8 ½ - 9 feet wide by 18 -20 feet long. Larger spots are often found in agricultural communities, which typically have larger vehicles. The width for a two-way access/drive is 30 feet; areas with more traffic volume (e.g., shopping centers) generally are 36 feet. The 2019 Association of State Highway and Transportation recommends that two (2) lane

roads be 9-12 feet per lane, excluding landscaping and sidewalks, or an 18-24 foot width for emergency access. If street parking is allowed, an additional 8 feet is recommended. Much of this consideration will be based on how it will be designed and laid out. Brent said one of the concerns is not having a narrow entrance lead to a sprawling development. Brock agreed that adequate distances to enter/exit complexes safely need to be arranged. Snow removal should also be considered. Brent pointed out that the City is only in charge of snow removal on public roads, and the HOA or developer will handle private roads. This ordinance should be crafted to work for many types of development (e.g., a duplex to a larger complex). Jay noted that the proposal requires three (3) parking spaces per unit (Section 12-911-6 D) as currently written. Roads should be designed for traffic; a code already prohibits overnight parking during winter months for snow removal purposes. Developers often create a few extra/guest parking spaces. If a developer has to maintain all roads, other than main arterials, they may have to raise HOA fees, which might affect housing affordability – which is one of the reasons this ordinance is being drafted.

HollyJo answered for the Commission that the City's snowplows are 13 feet wide and dump trucks are 12 feet. Jay said 18-24 feet is reasonable if there will be no on-street parking. Brent is concerned about how street parking will be enforced. Jay suggested wider roads in areas with amenities or large gathering areas. Brock suggested requiring additional parking in those areas as well. Brent questioned how detailed the Commission needs to be within this section. Jay said a standard 9x20 foot stall seems adequate.

Justin (as asked by the Commission) said local streets generally have a minimum right-of-way width of 66 feet. In extreme circumstances, the City may allow a 51-foot right-of-way with curb and gutter incorporated.

Brent asked if a minimum ingress/egress size should be calculated based on the number of units proposed. Brock said egress needs to be at least 20 feet minimum for emergency access (10 feet per lane). Jay noted that 20 feet is more than adequate and that specific requirements fall within the Fire Department standards and may not need to be spelled out specifically within this ordinance. Final plans require approval from the Fire Department.

The Commission decided to change the parking stall size in 12-911-6 A from 10x24 feet to 9x20 feet.

Brent would like a restriction added in Section 12-911-9 that amenities cannot be pushed to the end of construction. It may not be cost-effective to require that they be included within the first phase, but it is suggested that a percentage or a bond be considered. Justin said one concern is that phases can take years to complete, so residents who move in early may have to wait years for amenities to be put in. Brent said if a phase relies on amenities within the development scope, they must be completed. He suggested allowing bonus densities if the amenities are met. Jay said that can be difficult to codify. Brent suggested that phases be approved one at a time and that amenities must be done to receive occupancy of the last percentage of units. Brock wondered whether bonding was the safest way. Brent said the problem is that bonds are typically for projects dedicated to the City, and it may be challenging to enforce bonding for private improvements. Brent said it might be wise to rely on the fact that each phase must be independent of future phases to ensure completion. Justin suggested changing it to "total development and amenities if

applicable to the preceding phase." Joel likes that because it will "hold a developer's feet to the fire" rather than trying to go back and attempt to get something completed. The Commission recommends adding the word amenities into the last paragraph of the section. "No construction of any kind shall begin in the second or subsequent phases until sixty-five (65) percent of the total development and amenities of the preceding phase has been substantially completed."

Jay said that deed restrictions regarding ownership can be difficult to enforce. An individual can purchase and rent a unit, and he does not think the City can control that. Brent agreed it would be challenging to enforce. Joel said the push by the state is to offer affordable housing so more people can have home ownership, and he is looking for suggestions to ensure that this goal will be met and how best to prevent all units from becoming rentals even if they are individually platted. Brent typically believes that the market will dictate this; however, that does not give the City the mechanism to manage it. He suggested offering incentives for density bonuses rather than mandating them because they can be challenging to enforce. He will look into some rural housing programs and other market factors that might incentivize developers to sell rather than rent. This can be discussed next month with Cache's research on density bonuses.

Jay questioned how the 45-foot maximum height would be measured. Section 12-911-3 says it shall be calculated from the threshold of the street level's main entrance to the roof's highest point. He questioned what would happen if the foundation was raised a few feet from the ground. He asked if there would be different ways to interpret this requirement. HollyJo said site plans are reviewed, and height is measured from the final grade to the peak of the home. Once the City approves the construction drawings, Cache County has the final review/approval. Developers will push what is allowable, maximum, based on how they interpret the Code. Brock said the wording says, "street level." The Commission decided to leave the height at 45 feet maximum and receive feedback at the public hearing.

Jay was tasked with putting together information on a front yard. The definition he presented is below:

"Front Yard definition: A multi-family front yard extends from the front lot line to the foundation of the main building of a multi-family structure. Multi-family structures contain multiple housing units, such as apartment buildings and condominiums. The front facade of a multi-family building should face the street, and the primary entrance should be located on the front facade, with the exception(s) of corner lots allowing the main entrance to be on the side of the building or in a multi-building development the main entrance can be on the side of the building while maintaining proper side setbacks. Parking is only allowed in driveways that access from the street and have a garage that is part of the front facade. If no garage is in the front facade, parking is not allowed in the front yard." The Commission agreed this definition should be added to Section 12-911-4.

Jay asked about specifying the width of the driveway. Brock said he thought the previous discussion was adding 6 inches beyond the width of a garage. Justin asked if parking regulations would take care of this. Jay said if parking stalls are 9 feet wide, driveways could be as narrow as 18 feet. Brock suggested defining a driveway differently than a

parking stall. Jay suggested the driveway's width should exceed the garage's width by 2 feet on each side.

****Commissioner Cindy Allen arrived at the meeting at 7:44 P.M.****

Brent briefed Cindy on the discussion. There will be further discussion at next month's meeting. A public hearing at the Planning Commission and City Council meeting will be tentatively scheduled for January.

Next meeting: Tuesday, December 3, 2024.

The meeting adjourned at 7:49 p.m.

Planning Commission Chairperson

**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.
- H. **Front Yard:** A multifamily front yard is the yard that extends from the front lot line to the foundation of the main building of a multifamily structure. Multifamily structures are buildings that contain multiple housing units, such as apartment buildings and condominiums. The front facade of a multifamily building

should face the street, and the primary entrance should be located on the front facade, with the exception(s) of corner lots allowing the main entrance to be on the side of the building or in a multi building development the main entrance can be on the side of the building while maintaining proper side setbacks. Parking is only allowed in driveways that access from the street and have a garage that is part of the front facade. If no garage is present in the front facade, parking is not allowed in the front yard.

12-911-6	PARKING, LOADING AND ACCESS
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- A. Each lot or parcel in the Residential Multi-Family Zone (RMF) shall provide minimum nine feet wide by twenty feet long (9' x 20') 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.
- E. Driveways shall be a minimum of two feet (2') wider than the garage door.

12-911-7	LANDSCAPING
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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
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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
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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 and amenities, if applicable, of the preceding phase has been substantially completed.

12-911-10	ALLOWED USES
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See Use Matrix Table.

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