



RICHMOND CITY PLANNING & ZONING COMMISSION

City Council Chambers
6 West Main Street
Richmond, Utah 84333

The Richmond City Planning & Zoning Commission met in the City Council Chambers, 6 West Main Street, Richmond, Utah at 7:00 P.M. on Tuesday, April 10, 2018.

Commission Members Present: Jay Bair, Vern Fielding, Rod Going, Jerry Kidd, Jessica Dunyon, Randy Fisher

Staff Present: Justin Lewis (City Recorder), Tucker Thatcher (Councilmember), Cheryl Peck (Council Member), Kelly Crafts (Council Member), Darek Kimball (City Engineer)

Others Present: Brian Webb, Brad Jensen, Brook Skidmore, Ray Nielsen, Brent Webb, Amanda Hester, Debbie Zilles

The meeting was called to order at 7:00 P.M. by Rod Going

Approval of the March 6, 2018 Planning Commission Meeting Minutes

Minutes from the March 6, 2018 meeting were reviewed. Jessica moved that the minutes be approved as submitted. Vern seconded the motion. The motion was unanimously approved.

Yes Vote: Bair, Dunyon, Kidd, Fielding, Fisher

No Vote: None

Discussion and possible vote on a rezone request by Brian Webb, agent for Webb Properties, LLC, to rezone Parcel Number 09-067-0053 from RLD (Residential Low Density, 1 Acre) to RMD (Residential Medium Density 14,500 SF). Parcel is located west of approximately 50 South 400 West and south of approximately 450 West Main Street.

Brian Webb explained this request is for a rezone from the current Residential Low Density (RLD) to Residential Medium Density (RMD).

Rod asked about the discrepancy between what was originally submitted and what is being shown on the map tonight. Darek explained when it was originally submitted, 2.5 building lots were located in the industrial area, because the ultimate goal is for a rezone to the entire area, it was decided to include the whole property in this presentation (realizing the boundary is still through the industrial area from when it was originally laid out).

If the Commission is uncomfortable with this proposed boundary, the rezone could be considered in just the existing area; however, having been through similar situations, Darek suggested including the entire area so there are no surprises with what the complete idea is.

Rod said he would think the Council would want this cleaned up rather than different pieces.

Tucker said the intent was to provide a clear understanding of what Brian's intentions are.

Vern said one concern is it appears the area, which would be left in light manufacturing, would have access to 500 West. Brian said 500 West is intended to be an access for those business lots (from the north - Main Street). Vern said another concern is the fact that there would be commercial traffic brought through a residential area.

Brian said he has not been able to get alternate access (from the south or west), this will be the access and will be a full-sized, 2-lane road, including a 66 foot right-of-way and borrow pit.

Rod asked if Brian owned all the property, Brian said he did.

Rod said including the entire area seems to clean up the proposal and makes it more presentable, rather than leaving jagged boundaries.

Randy pointed out the concern about having commercial and residential by each other exists whether this request is approved or not. Vern agreed and said that is not really a question related to the rezone.

Randy said this will match the homes to the east that are currently zoned RLD. Darek noted that this request would be going to a higher density than the adjacent property.

Vern advised that he is an adjacent property owner and has been involved in discussions (no formal agreement) about a potential for compensation to concede his driveway on Main Street to allow for 500 West to go in. For this reason, he will participate in the discussions but will recuse himself from a vote.

Brad Jensen, lives on 400 West, said he is concerned that a portion of the commercial zone is included in the map presented tonight. The public notice for the rezone was only for a change from RLD to RMD (not including this commercial section); therefore, it was not noticed correctly and cannot be considered for a decision without proper legal notice. Without the portion in the industrial area, the amount of property requested for rezone is under five acres; therefore, per City ordinance it cannot be considered. As a former councilmember he understands the concept of a Master Plan and how important it is to a City. The zoning map was approved and any changes need to be taken seriously. There is RLD surrounding the proposed property. As a homeowner, in the area, who values his property he realizes there will always be the potential for growth and he has no issues with homes being built in the current zone; however, when a parcel is purchased and then a request for a tighter zone is requested to make the numbers more profitable without consideration for adjacent residents, he is quite concerned. Brad also shares Vern's concern about an industrial area being accessed through a residential area. Semi-trucks often have potential to cut corners and run over right-of-ways. The proposed change could make it easier for another property owner to request the same type of rezone. The industrial area is adjacent to the City's maintenance shed and within the Well Protection Zone. The proposed tighter zone does not fit with the existing homes. There are other areas of mixed zoning which would allow for a Planned Unit Development (PUD) or other higher-density housing development. This process is still in the early stages.

Rod asked about the Well Protection Zone. Darek said he would have to research the maps and find the exact location and noted these types of issues are addressed during the development stage of the process.

Brook Skidmore has been a farmer all his life. Brook recently relocated his farm a couple blocks west because things were getting too tight and he did not want to be a danger to the neighbors. Brook objects to the request because of the danger of farm equipment around children. Brook does not

want to be pushed further out. Brook agrees with Brad's comments. The people who have purchased homes in the area did so because of the zoning and this should not be changed.

Ray Nielsen said it does not seem to make sense to go from a low to a medium density. Ray's home was built in 2004 with the understanding the area would remain low density. There are many children in the area and he is concerned for their safety with large trucks. Ray is opposed to the rezone request and would prefer it to remain RLD.

Amanda Hester lives on 400 West and part of her property is adjacent to the proposed area. Amanda moved to this location because of the low density for raising her family. Development will occur; however, Amanda would like it to stay RLD for all the reasons mentioned.

Rod advised that the Commission cannot make a decision on this request because it needs to be noticed correctly before any action can be taken.

Brian asked what he needs to do regarding the Well Protection Area? Darek said it would be based on the allowed uses in the zone and he can discuss the specifics with Brian to find ways to mitigate any concerns. This is normally addressed during the development process.

Rod pointed out that the neighbors would prefer keeping the area low density. Rod encouraged Brian to talk with the neighbors and work something out for all involved parties.

Vern pointed out the market forces occurring in the state and the impact they have in the valley. For example, there is an individual who has made offers on several homes unsuccessfully. The median price for a home in Cache Valley is \$212,000. With continued growth and demand the City needs to be proactive about reviewing the Master Plan and he would like to soon begin the process. Richmond needs to provide more affordable housing and must begin to plan for areas that can be used for higher density development.

Jessica asked if state law requires cities to have a certain amount of affordable housing. Justin said the state is moving in that direction. Vern said there has always been legislation to provide for affordable housing but it did not have any "teeth in it", this year penalties will begin. Justin said most cities will begin paying a fine based on a formula the legislature is working on (established on population/average income). There will also be a fee assessed to each city in Utah (counties have been exempted) to help with the homelessness issue. Richmond will have approximately \$5,500 to \$6,500 annually deducted from sales tax received by the city.

Darek said the General Plan was adopted in 2013; the process takes about two years to complete and is quite expensive. Vern suggested considering a review as there are several major proposals in the works as well as a need for affordable housing.

Brad said most of the time higher-density projects and zoning changes occur on unoccupied land. There are areas within the PUD zone which can accommodate for higher density housing.

Brian asked about the access issue and how that can be eliminated? Brad said there is access into the commercial area from Main Street and asked if there was a way to not have a road going through the entire subdivision. Brian said he is only allowed one access from UDOT onto Main Street. Rod noted that there would still be a requirement for two accesses for fire protection. Brad said that sometimes a cul-de-sac with appropriate room for a fire apparatus turnaround can be adequate.

Brian said one of the reasons for requesting medium density is to make the size of the lots more manageable for development and maintenance for the end purchaser.

Brad said the lots to the east of his house were rezoned for a subdivision in the late 1970's or early 1980's.

The lots were laid out with the initial phase along 400 West; however, the project went bankrupt and the land was returned to the landowner who originally sold it. Recently, a farmer purchased the land and intends to use it for agricultural purposes.

Brent Webb said if the lots are made bigger they are purchased by individuals with animals, usually horses, and often these lots turn into dustbowls. Brad pointed that RLD includes animal rights.

***A motion to adjourn was by Jerry and seconded by Jessica. The vote was unanimous. ***

Yes Vote: Bair, Dunyon, Going, Fielding, Fischer, Kidd

No Vote: None

The meeting adjourned at 7:42 P.M.

Rodney Going, Chairman

Minutes submitted by: Debbie Zilles