



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 7:00 P.M. on Tuesday, December 3, 2019.

Commission Members Present: Jay Bair, Cache Christensen, Jessica Dunyon, Amber Ervin, Jerry Kidd

Commission Members Absent: Vern Fielding

Staff Present: Jeremy Kimpton, Justin Lewis, Tucker Thatcher (City Council) Terrie Wierenga (City Council)

Others Present: David & Tonya Gordon, Debbie Zilles

Chairman Jerry Kidd called the meeting to order at 7:00 p.m.

Approval of the November 12, 2019 meeting minutes.

Minutes from the November 12, 2019 meeting were reviewed. Jay moved that the minutes be approved as submitted. Jess seconded the motion. The motion was unanimously approved.

Yes Vote: Bair, Christensen, Dunyon, Ervin

No Vote: None

Absent: Fielding

Discussion and possible vote Ordinance 2019-13, rezoning parcels 09-054-0005 and 09-054-0006 from CBD (Central Business District) to RMD (Residential Medium Density – 10,000 SF). The parcels are located at 11 E. Main and 21 E. Main and total approximately 0.51 acres.

Tonya Gordon said when rezone was requested, she was not aware that her neighbor's property was zoned Commercial. The neighbors to the east, Andrew and Haylie Larsen (09-054-0005), are requesting their property to be rezoned to RMD (Residential Medium Density) as well, which will prevent this from being considered a "spot zone".

Jay asked about the advice from legal counsel. Jeremy advised that this is a nonconforming lot that has been grandfathered, there is nothing prohibiting the property from being rezoned. The nonconforming restrictions will apply. If there is a request for any type of building addition, current requirements would have to be met (e.g. setbacks). If the building footprint remains the same there should be no problem. Tonya said that is not a problem, the remodeling work will all be interior.

Justin informed the Commission that parcels 09-054-0005, 09-054-0006, 09-054-0007, 09-054-0008 and 09-054-0009 are all currently zoned CBD (Central Business District).

Jess said it does not make sense to leave the requested parcels as Commercial and she sees no reason to oppose the rezone.

***** A motion was made by Jay to recommend approval to the City Council for Ordinance 2019-13, to rezone parcels 09-054-0005 and 09-054-0006 from CDB (Central Business District) to RMD (Residential Medium Density – 10,000 SF). The parcels are located at 11 E. Main and 21 E. Main and total approximately 0.51 acres. Jess seconded the motion. Motion passed 4-0. *****

Yes Vote: Bair, Christensen, Dunyon, Ervin

No Vote: None

Absent: Fielding

Discussion and possible vote on Ordinance 2019-11, an ordinance modifying and updating Chapter 12-700 “Signs”, Part 12-702 “Types of Signs” and “Sign Reference Chart”

Cache talked with the Utah area representative from the International Sign Association who provided some suggestions. An email with the recommendations was sent out to the Commission for review prior to the meeting. One of the suggestions Cache pointed out was increasing a monument sign height to 14'. Jerry felt that might be too tall.

Jess likes what has been proposed, it seems supportive of business while still being protective to what is critical to the community and provides a good starting point. Amber agreed and noted that the Commission will be able to review and approve sign requests and this provides a good foundation.

Jay questioned how a multi-tenant sign would be defined, whether it would be considered a monument or pole sign. He would like to ensure that the classifications are clear. Jess suggested defining what type of signs would be allowed for multi-tenant use. Tucker asked if this was the reason Cache brought up the suggestion of increasing the height of a monument sign. Cache said that the current proposed size of 150 SF for a multi-tenant sign might not work, according to the sign representative. Amber said 14' might be too tall, however, a small increase may make sense.

Jess asked for an example of a monument sign. Justin said Lower Foods, the dental office and the Welcome to Richmond City sign are all monument signs. She is comfortable with how a monument sign is currently defined, but would not be opposed to separately defining a multi-tenant sign. Jay pointed out that monument signs are typically parallel with the road and multi-tenant signs are generally perpendicular. Tucker asked about the mockup that Lee's presented a few months ago. Jay said he thought that was a pole sign. Tucker noted that a pole sign cannot start lower than 8' and be any taller than 17' and their model seemed to be closer to the ground. Amber said that is where the required setback would come into play, if a sign height is increased, she questioned whether the setback would also be required to be increased.

Cache noted that one of the representative's suggestions was to change the setback to 5-10' because when people are driving they have a narrow "cone of vision" which is only about 10 degrees. Signs outside of this field can become distracting to drivers. Jerry said this would be difficult along Main Street because of UDOT requirements.

Amber asked how crucial it is to make all the necessary adjustments tonight. Justin said the ordinance can be changed at any time, it would have to follow the appropriate process which takes some time.

Terrie questioned whether the multi-tenant sign would be added or whether it would be overlaid onto a monument and/or pole sign. Jay said his opinion is that it might be beneficial to add a multi-tenant ordinance. Terrie agreed and suggested including definitions and limits. Jess tends to be in favor of being "less permissive". The Commission can always consider requests on a case-by-case basis. Justin asked if it should be changed to "multi-tenant pole sign" and "multi-tenant monument sign". Jess thought that was a good suggestion. Amber and Cache agreed.

Jerry noted that some of the other suggestions could be added into the sign ordinance at a future time. Terrie said in 2012-2013 the Council discussed lumens vs. foot candles or nits. At that time, it was a new concept without much supporting data. In doing some research, she said the "3/10 foot candle above ambient lighting" seems to be the standard measurement. Justin said that change can be drafted, he will work with Terrie.

***** A motion was made by Jess to recommend approval to the City Council for Ordinance 2019-11, modifying and updating Chapter 12-700 "Signs", Part 12-702 "Types of Signs" and "Sign Reference Chart" with an amendment to add "multi-tenant pole sign" and "Sign Design – Multi-tenant Pole Sign". Amber seconded the motion. Motion passed 4-0. *****

Yes Vote: Bair, Christensen, Dunyon, Ervin

No Vote: None

Absent: Fielding

Discussion and possible vote on Ordinance 2019-14 amending Chapter 6-400 "Impact Fees and Hook-up Fees for Culinary Water and the Sewer System".

Justin explained that state law allows for impact fees. Richmond City charges for water and sewer. When a new business or home comes in, they pay a fee to hookup to the system. The fee is determined by a formula set by the State of Utah. The fees are updated every 5 years. The City contracts with Emily S. Sim from Public Sector Economics to prepare an analysis based on the state formula and the City's infrastructure projects. An example of what would be considered would be the impact of the UDOT building, located across from Pepperidge Farms on the east side of the road, which recently replaced the 1" line with a 2" line. UDOT paid for the labor and the City paid the price difference, which will help with new growth and avoid future replacement of the line. In the last five years the City has purchased several acre-feet of water shares. Current residents do not need this additional water, it is for future growth. The cost will be included in the impact fee (which will pay back the City over time).

The formula calculates the maximum amount that the City can charge, however, the City can charge less. The caveat with charging less is that the City is essentially agreeing to subsidize growth, which is a decision that must be made. Impact fees of other cities should not be compared. Each city has different population, infrastructure and debt. For example, both Smithfield City and Richmond City built 200-million-gallon water tanks within a year of each other. Each is approximately \$5.5 million; however, each city divides the cost by the number of connections, therefore, the debt service is different.

As proposed, the impact fee for water is projected to increase from \$5,348 to \$8,856. Sewer impact fees are divided into north and south service areas. Because of the infrastructure that is in place and the capacity of the system, the north area is projected to decrease because a trunk line was put in which added capacity. The south area is projected to increase.

State law requires this to come before the Planning Commission.

Justin noted that the initial assessment is based on a ¾" meter, larger lines will be more. J-U-B Engineering provides all the infrastructure data for the analysis.

Cache asked if water shares can be leased. Justin explained that the City only deals with culinary water and cannot sell a water share right, but there is an ability to lease them. This has traditionally not been done due to irrigation. There is an agreement with Cherry Peak that Richmond will supply them with excess water if it is available and needed. He noted that non-residents are charged the same tiered rate that residents pay.

Justin confirmed for the Commission that these impact fees only affect new homes and businesses. Amber asked if these fees will affect low/moderate-income housing, Justin said fees can be waived if approved by the City Council. Terrie said years ago, fees were waived for a Habitat for Humanity project.

***** A motion was made by Cache to recommend approval to the City Council for Ordinance 2019-14 amending Chapter 6-400 "Impact Fees and Hookup Fees for Culinary Water and the Sewer System". Jay seconded the motion. Motion passed 4-0. *****

Yes Vote: Bair, Christensen, Dunyon, Ervin

No Vote: None

Absent: Fielding

***** Motion to adjourn at 7:45 p.m. *****

Next meeting: Tues. January 7, 2020

Minutes submitted by: Debbie Zilles

Jerry Kidd, Chairman