



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, May 5, 2020.

Commission Members Present: Cache Christensen, Jessica Dunyon, Amber Ervin, Vern Fielding, Jerry Kidd

Commission Members Absent: Jay Bair

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

Others Present: Christina Palmer, Marian Fielding, Mike Watts, Debbie Zilles

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

Approval of the February 4, 2020 meeting minutes.

Minutes from the February 4, 2020 meeting were reviewed. Cache moved that the minutes be approved as submitted. Vern seconded the motion. The motion was unanimously approved.

Yes Vote: Christensen, Ervin, Fielding

No Vote: None

Absent: Bair, Dunyon

7:05 Jessica Dunyon arrived.

Discussion and possible vote on the minor subdivision request by Christina Palmer, for a three (3) lot minor subdivision located at approximately 478 South 100 East. Parcel Number 09-081-0020. The parcel is 1.24 acres.

Christina Palmer said she would like to split the parcel into three separate lots. Amber asked about a sidewalk. Christina said they are working with the City about how to put in a sidewalk on the north lot by the canal.

***** A motion was made by Amber to approve a minor subdivision request for a three (3) lot subdivision located at approximately 478 South 100 East. Parcel Number 09-081-0020. The parcel is 1.24 acres. Vern seconded the motion. Motion passed 4-0. *****

Yes Vote: Christensen, Dunyon, Ervin, Fielding

No Vote: None

Absent: Bair

Discussion and possible approval of a sign permit for Headrick Outdoor Media at approximately 380 North 200 West. Parcel Number 09-046-0003.

Mike Watts from Headrick Outdoor said the request is for 6x12' sign face and 16' overall vinyl billboard. They will meet all applicable requirements. There is one currently across the street from North Cache, one at Rocky Mountain Landscape Products and one further out of town. The signs are rotated every few months.

***** A motion was made by Jessica to approve a sign permit for Headrick Outdoor Media at approximately 380 North 200 West. Parcel Number 09-046-0003. Cache seconded the motion. Motion passed 4-0. *****

Yes Vote: Christensen, Dunyon, Ervin, Fielding
No Vote: None
Absent: Bair

Discussion and possible approval of a sign permit for Headrick Outdoor Media at approximately 300 North 200 West. Parcel Number 09-046-0010.

***** A motion was made by Jessica to approve a sign permit for Headrick Outdoor Media at approximately 300 North 200 West. Parcel Number 09-046-0010. Cache seconded the motion. Motion passed 4-0. *****

Yes Vote: Christensen, Dunyon, Ervin, Fielding
No Vote: None
Absent: Bair

Initial discussion on Ordinance 2020-11, an Ordinance amending Title 9-000 “Licensing, Control, and Regulation of Business and Construction”, Part 9-111 “Definitions”, and adding in its entirety Part 9-427 “Short Term Vacation Rental Rules & Requirements”.

Justin explained that this ordinance was put together for the Commission to review and provide input. He thanked Amber and Terrie for their work.

Amber researched several cities, some had sparse requirements and others were quite restrictive. She would like to find a good balance and create a basis for Short Term Vacation Rentals (STVR) while maintaining the atmosphere and quality of life of Richmond.

Cache asked if there was any provision governing RV's parked next to homes; Terrie said that an RV cannot be used as a living space for more than 30 days within a calendar year.

Jess said the stipulation of “*one (1) license for every five hundred (500) of the total population*” seems too restrictive and would only allow for about 5 licenses in the City. She does not think a STVR detracts from the neighborhood. She often uses them when travelling. Many users tend to be older people and there are solid rating systems in place designed to prevent many problems. If it becomes too restrictive, people will find ways to get around the

requirements and still have/use them. Terrie explained the reason this was added is because this will be a big change for Richmond's atmosphere and the goal is to approach it conservatively at the beginning, knowing that it can be adjusted as necessary.

Jess likes the idea of it being a Conditional Use Permit and how asked how inspections will be handled. Terrie said the owner will be required to get the appropriate inspections, which can be reviewed when an application is submitted.

Vern is supportive of requiring a permit, this will be a good revenue source for the City through lodging taxes. He agrees with Jess about the restrictiveness. He and his family often use STVRs when travelling. He would prefer letting the market dictate the number of rentals.

Jess would like to err in favor of the business/homeowner. Vern said there are some people who would like to take advantage of this type business to supplement income and/or retirement. It should be regulated and monitored. If successful, it could raise property values.

Vern looked up Sandy City's ordinance; Amber researched Kaysville, West Jordan, Hurricane, St. George and Moab.

Marian Fielding pointed out that Richmond is not a tourist destination and STVRs would likely be more limited (e.g. possibly renting out a basement a few weekends a year). Amber said some of the smaller cities do not have an ordinance, as Richmond grows, it would be best to have an ordinance in place before there are problems.

Jess said she would anticipate using STVRs for family reunions or business retreats. This could be a good revenue source for the City. She would like people to see the value in it for both the City and the homeowner. This is an opportunity to set a standard, possibly for the entire Valley.

Terrie said the City should have some control, rather than allowing it to be wide open.

Jerry likes the idea of initially being more conservative and thinks this is a step in the right direction. His preference is to keep the ordinance as proposed.

Amber said some communities had more STVRs than they were aware of. It is important for people to be aware of the standard and what is required. Too many in one area can create problems.

Justin pointed out that this ordinance can be changed as necessary, currently staff has no guidance and no way to enforce anything.

Vern agrees that an ordinance is necessary, however, he would prefer the market dictate the number rather than having to continually change the ordinance. He asked if there have been any complaints received. Terrie said there have been some with unauthorized rentals. Jess pointed out that long-term rentals are very different than STVRs. She does not support the restriction on regulating the number. Permits can be reviewed when they are submitted.

People renting STVRs are a different demographic than long-term rentals. If a homeowner wants to rent part of their home out a few times a year, they should not be denied that right.

Vern would like to see the limitation of one person having only one rental removed. Amber said many of the communities she researched had that limitation in place because they found that too many rentals in a specific location tends to change the dynamic of the area.

Amber said there are two mobile home parks in Richmond, one with 16 trailers and the other with 28, and at least four people want to rent out their trailer as a STVR. Jess said if they can pass all the requirements and regulations, it should not matter. Vern said if they improve their property to entice renters, it would likely benefit the area. Amber said that is why the City needs to have an ordinance in place. Jess said there is a market for every experience.

Vern noted that nationally 1/3 of short-term rentals are owned by a single owner, 1/3 own 0-10 units and 1/3 own more than 10 units. With the ordinance as proposed, it would limit 2/3 of the national market. He questioned the transferability of a short-term rental because one of the rights of ownership is the ability to transfer ownership. Terrie said a new owner would need to come in and get a new business license. Jeremy said this is a common practice and is not targeting a specific type of business or industry.

Marian pointed out that there is no limit on the number of hair salons the City can have, it is driven by the market, this should be handled similarly.

Terrie said the goal is to have a structure in place for the City to be able to regulate and enforce if there are any problems.

Jess is in favor of the ordinance but not limiting the number, or regulating the distance between rentals. It should be market-driven. Neighbors will have an opportunity to voice concerns when the Conditional Use Permit is proposed.

Vern suggested adding Residential Low Density (RLD) to Section A (1). He said the apartment above the liquor store, in the Central Business District (CBD) could be a good location for one, especially during the Black & White Days celebration.

Jerry suggested removing zoning designations altogether and having Section A (1) read: “No dwelling ~~in the following residential zones, RE-1 (Residential Estate — 1 Acre), RE-2 (Residential Estate — 2 Acre) and RMD (Residential Medium Density)~~ shall be occupied or used as a short-term vacation rental, or advertised for use as a short term rental, until such time that the owner has obtained a short-term vacation rental business license and conditional use permit as approved by the City council.”

Marian agreed that short-term rentals are different; Vern said accountability is built into the program with reviews. Jess said the community platform manages many of the concerns.

Vern asked about Section B (1) a. and why it only lists single-family dwellings, he said a multi-family dwelling should not be precluded. Terrie pointed out that sometimes there are issues with constant turnover causing disruptions. Vern and Jess have both stayed in STVRs in multi-family areas. Terrie said this can be revisited over times as things change. Justin said a Certificate of Occupancy is required.

Cache asked if a disclosure requirement could be added to a multi-family unit that is rented as a STVR so other long-term renters would know that one or more units would be used as a short-term rental. Terrie is adamantly opposed to allowing them in multi-family dwellings.

The Commission's consensus was to remove Section B (1) d., however, it will be left in for the City Council to weigh in with their opinions.

Jerry said he wants the ordinance to have enough in it for sufficient enforcement.

Jess suggested adding in the winter parking rules.

Justin said this will be presented to the Council for review; their input will be discussed the next time the Commission reviews it. Once the Commission approves it, it will be forwarded to the City Council for formal adoption.

***** Motion to adjourn at 8:20 p.m. *****

Minutes submitted by: Debbie Zilles

Jerry Kidd, Chairman