

# River Heights City

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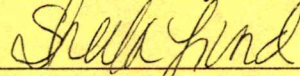
## RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

Wednesday, January 18, ~~2016~~ 2017

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:02 p.m. Discuss Additions to the City Ordinance Regarding Snow Removal
- 7:30 p.m. Adjourn

Posted this 14<sup>th</sup> day of January 2017

  
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Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

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1 River Heights City Planning Commission  
2 Minutes of the Meeting  
3 January 18, 2017  
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5 Present: Commission members: Mark Malmstrom, Chairman  
6 Danny Petersen  
7 Lance Pitcher  
8 Cindy Schaub  
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10 Councilmember Blake Wright  
11 Recorder Sheila Lind  
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13 Excused Commissioner Jake Zollinger  
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15 Others Present: Brian Cascio  
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17 Motions made during the Meeting  
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19 Motion #1

20 Commissioner Petersen moved to “approve the minutes of the January 4, 2017  
21 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with  
22 Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was absent.  
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25 Proceedings of the Meeting  
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27 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie  
28 Council Chambers on January 18, 2017.

29 Adoption of Prior Minutes: Minutes for the January 4, 2017 Planning Commission  
30 Meeting were reviewed.

31 **Commissioner Petersen moved to “approve the minutes of the January 4, 2017  
32 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with  
33 Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was absent.**

34 Discuss Additions to the City Ordinance Regarding Snow Removal: Commissioner  
35 Malmstrom opened the discussion. Commissioner Pitcher brought up the idea of addressing  
36 snow removal around fire hydrants. He discussed it a few days ago with Recorder Lind, who  
37 brought it up with Public Works Director Nelson, who said Logan City is responsible for this  
38 since River Heights contracts with them for fire protection. River Heights could put a

39 suggestion in their newsletter and/or on the city bill. It was suggested that flags could be  
40 attached to the hydrants in case they get buried.

41 Commissioner Malmstrom commented on the 'reasonable time' to have snow cleared  
42 from sidewalks. Discussion was had on how to define reasonable time and how this ordinance  
43 will be enforced. Councilmember Wright said the public works department employees notice  
44 the snow situation since they are out during storms. They discussed 48 hours as a reasonable  
45 time to get sidewalks cleared. Recorder Lind suggested the city and county sidewalks may not  
46 get done in 48 hours since the priority are the roads. Mr. Wright suggested hiring someone to  
47 do the city's sidewalks.

48 They agreed to strike B (depositing in gutter is unlawful) because its too difficult to keep  
49 snow out of the gutters since there is no where else to put it sometimes.

50 Councilmember Wright discussed letter E and explained that he lives on a dead-end  
51 street, which doesn't get plowed very quickly. His neighbor will sometimes plow it, which the  
52 neighbors appreciate. Commissioner Malmstrom suggested using the word 'should' rather  
53 than 'shall.'

54 Councilmember Wright brought up some potential changes to the home occupation  
55 ordinance. This chapter was written several years ago at a time when conducting business on-  
56 line wasn't an option. It's probably time to add this option to the ordinance. He feels if  
57 someone is engaged in commerce, they are running a business. The definition of solicitor,  
58 peddler and transient merchant seems out of date, as well. Councilmember Wright asked  
59 Commissioner Schaub to review this definition to make sure it doesn't contradict the new  
60 solicitor ordinance. It could refer to the new ordinance or the verbiage could be removed  
61 altogether.

62 It was decided that *On-line Sales or Brokerage* will be added as letter L in the Permitted  
63 section of 3-1-7. Recorder Lind brought up Etsy businesses, which are also done on-line. The  
64 Commissioner discussed this but weren't sure how to address it because it wouldn't have a  
65 negative effect on the neighborhood.

66 Brian Cascio suggested if a person pays sales tax they should have a license. There is a  
67 difference between a hobbyist making money on the side versus a full-time job from home.

68 As soon as Commissioner Zollinger gets information to Commissioner Schaub about  
69 food sales, she will revise the solicitor definition. This information will be sent to Recorder Lind  
70 by Feb 2 so she can notice a hearing for code changes on February 15.

71 The meeting adjourned at 8:00 p.m.

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Sheila Lind, Recorder

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Mark Malmstrom, Chairman

Ordinance Addition Suggestion  
January 18, 2017

**7-1-4 REMOVAL OF SNOW**

- A. Failure to Remove Unlawful: It shall be unlawful for the owner, occupant, lesser, or agent of any property, abutting on a paved sidewalk, to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet hereon within ~~a~~ *48 HOURS*. ~~reasonable time~~ after such snow, hail, or sleet has fallen.
- B. ~~Depositing in~~ Gutter Unlawful: It shall be unlawful for any person removing snow from ~~the~~ sidewalk, to deposit snow, dirt, leaves, or any other material, in the ~~gutter~~ so as to clog or prevent the free flow of water therein.
- C. Depositing in Street Unlawful: It shall be unlawful for any person removing snow, ice, or other material from private property to place or deposit said snow, ice, or other material upon any City street or road.
- D. Responsible for Damages: If during the course of removing snow, the person/entity removing the snow damages private or public property, the person/entity removing the snow is responsible for repair and/or compensation for the damage.
- E. Removal of Snow on the Asphalt and/or Travel Portion of the City Right-of-Way: Snow removal from the asphalt and/or travel portion of the City right-of-way ~~shall~~ *should* be performed by the City or parties authorized by the City, except the area for mail delivery. If a self-propelled vehicle is used to remove snow from a sidewalk (other than across a driveway), the vehicle shall be no wider than the width of the sidewalk.

**3-1-6: INSPECTIONS**

- A. New Businesses: Prior to the issuance of a license to engage in a new business not heretofore licensed, the applicant shall permit inspections to be made of the prospective place of business if requested by the city or other governmental agency to ensure compliance with building, fire and health codes. No license shall be granted without the approval of all such required inspections.
- B. Existing Business Violations: Existing places of business licensed within the city may be inspected periodically by the city for compliance with building, fire and health codes. Written notice shall be given by an authorized representative of the city to a licensee upon the finding of any code infractions, which notice shall provide for a reasonable period, not to exceed sixty (60) days, in which to correct such infractions, the failure of which shall result in revocation of the license. (Ord. 04-06-09, 6-8-2004)

**3-1-7: PERMITTED USES**

A home occupation license is required for the following:

- A. Insurance sales, financial planning, real estate sales or broker;
- B. Consultants, lawyers, architects, engineers or other professionals;
- C. Painting (artistic), sculpturing or writing;
- D. Dressmaking, sewing and tailoring;
- E. Telephone answering or soliciting;
- F. Home crafts, such as model making, rug weaving, lapidary work;
- G. Childcare of not more than three (3) children at any one time, not members of the family;
- H. Data processing and electronic transfer of information or computer programming;
- I. Teaching of music, dance lessons or tutoring;
- J. Accounting or tax preparation services;
- K. Offices for contracting or construction trades. (Ord. 04-06-09, 6-8-2004)
- L. Online sales ~~or~~ or brokerage

**3-1-8: PERMITTED USES REQUIRING A CONDITIONAL USE PERMIT AND LICENSE**

Home occupations that have the potential of impacting the residential atmosphere of the neighborhood require an application be submitted to the planning commission for a home occupation conditional use permit and license. Some uses include, but are not limited to:

- A. One or more employees that are not residents of the household;
- B. Home occupations that receive more than six (6) customers per day;
- C. Childcare services, four (4) children or more, not members of the family at a time; any home childcare or preschool as defined in Utah Code Annotated and must comply with the childcare rules published by the state department of human services;
- D. Any home businesses, services or activities that could become disruptive to the neighborhood (1-2015, 6-23-15);
- E. Beauty salon or barber shop;
- F. Any home business requiring the use of an accessory building;
- G. Cabinet making;
- H. Direct sales or distribution of products; (Ord. 04-06-09, 6-8-2004)
- I. Body Art, as approved by the governing health department. (1-2016, 3-22-16)

**3-1-9: OCCUPATIONS NOT PERMITTED**

Home occupations not permitted shall include, but are not limited to:

- A. Animal hospitals;
- B. Clinics and hospitals;
- C. Junk, storage or salvage yards;
- D. Commercial vehicle repair, defined as the repair of more than one vehicle at a time that is not owned by the owner of the residence;
- E. Any use dealing with explosive, hazardous or toxic materials;
- F. Outside storage of supplies, equipment, materials and heavy equipment such as backhoes, cranes, etc. (Ord. 04-06-09, 6-8-2004)

**3-1-10: ADVERTISING**

All advertising signs shall conform to the regulations of the city zoning ordinance<sup>1</sup>. (Ord. 04-06-09, 6-8-2004)