

# River Heights City

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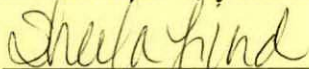
## RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

**Thursday, November 2, 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
- 7:05 p.m. Public Hearing to Review Craig Bailey's Kennel Conditional Use Permit
- 7:20 p.m. Discuss Changes to the Off-Highway Vehicle Ordinance
- 7:35 p.m. Discuss Garage Setbacks
- 7:50 p.m. Discuss Open Space Requirements
- 8:00 p.m. Adjourn

Posted this 27<sup>th</sup> day of October 2017



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

## River Heights City Planning Commission Minutes of the Meeting November 2, 2017

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6 Present: Commission members: Mark Malmstrom, Chairman  
7 Danny Petersen  
8 Lance Pitcher  
9 Cindy Schaub, attended electronically  
10  
11 Recorder Sheila Lind  
12  
13 Excused: Commissioner Jake Zollinger  
14 Councilmember Blake Wright  
15  
16 Others Present: Don Davis, Dianne Rhoton, Jason and Dana Thompson,  
17 Janet Matthews, Ted Wilson, Sharlie Gallup, Austin and  
18 Katie Ball, Steve Bilbao, Craig Bailey  
19  
20

### Motions made during the Meeting

#### Motion #1

24 Commissioner Pitcher moved to "approve the minutes of the October 5 and October 26,  
25 2017 Commission Meetings, with changes and additions." Commissioner Petersen seconded the  
26 motion, which carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed.  
27 Zollinger was absent.

### Proceedings of the Meeting:

31 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council  
32 Chambers on May 17, 2017.

33 Prior to the meeting, Dianne Rhoton handed out a letter from Concerned Citizens of River  
34 Heights.

35 The meeting was delayed until 7:15 p.m. while waiting for a full quorum.

36 Adoption of Prior Minutes: Minutes for the October 5 and October 26, 2017 Planning  
37 Commission Meetings were reviewed. Commissioner Malmstrom pointed out his name misspelled  
38 on line 201 of the October 26 minutes. Steve Bilbao handed in copies of two petitions discussed at  
39 the October 26, 2017 meeting and asked that they be included with those minutes.

40 **Commissioner Pitcher moved to "approve the minutes of the October 5 and October 26,**  
41 **2017 Commission Meetings, with changes and additions." Commissioner Petersen seconded the**  
42 **motion, which carried with Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed.**  
43 **Zollinger was absent.**

44 Public Hearing to Review Craig Bailey's Kennel Conditional Use Permit: Commissioner  
45 Malmstrom reviewed the procedure Mr. Bailey followed to receive his CUP in March of this year. He

46 read the conditions, one of which was to have the permit reviewed in six months. Mr. Bailey assured  
47 he is in compliance with all the conditions: He has sold his fourth dog, the kennel is cleaned daily and  
48 the next-door neighbor who complained last time has since moved. The new neighbors have two  
49 dogs and have said they have no problems with the Bailey dogs. Commissioner Malmstrom  
50 suggested the Commission allow Mr. Bailey to continue on with his CUP. The other commissioners  
51 agreed.

52 Discuss Changes to the Off-Highway Vehicle Ordinance: Commissioner Pitcher stated  
53 everything in the City's code is also in the State Code. Commissioner Malmstrom said the State Code  
54 would supersede the City Code. Mr. Pitcher gave some suggestions of items from the State Code that  
55 could be included with the City's code. Mr. Malmstrom said he would lean toward adopting the State  
56 Code in place of the City Code. They decided to wait for further direction from Councilmember  
57 Wright.

58 Discuss Garage Setbacks: Commissioner Malmstrom gave background on recent changes to  
59 the setback requirements. In the R-1-8 and 10 zones the front setback was reduced to 20 feet. Since  
60 then there has been concern about some vehicles not being able to fit in a 20' driveway without  
61 protruding into the sidewalk. He turned some time over to Zoning Administrator Don Davis for an  
62 explanation.

63 ZA Davis said Providence has 20' front setbacks and he's never liked it. He showed a photo of  
64 his 20' driveway with a regular-sized truck parked in it. Twenty feet was allowed when he built his  
65 home and he's regretted it ever since. He showed a comparison photo of his neighbor's driveway,  
66 which is longer than his. He discussed metal carports on a 20' driveway. His biggest concern is  
67 safety.

68 Commissioner Malmstrom suggested keeping the 20' setback and adding a 25' setback for  
69 garages.

70 Ted Wilson said the size of your lot affects what you'll have parked on your lot.

71 Don Davis gave another example of the homes on 800 South which have side garages, which  
72 can sometimes cause maneuvering problems.

73 Commissioners Malmstrom, Pitcher, Petersen and Schaub agreed on the 25' setback for  
74 garages and recommended a public hearing at the next meeting.

75 Discuss Open Space Requirements: This item was postponed until Councilmember Wright can  
76 be in attendance to lead the discussion.

77 Austin Ball stated that the city can require anything they want (regarding open space and  
78 other things) on a property before its annexed.

79 Katie Ball had heard this was the last meeting before the Ironwood Development would go to  
80 the Council for a decision. She asked what the schedule would be for their approvals. Recorder Lind  
81 informed there are some legal issues that need to be cleared up before they can move any further.  
82 She said the development will come back to the Commission again before it goes to the Council.  
83 When this happens, it will be posted on the agenda.

84 Janet Matthew asked if the City has restrictions on what is allowed in a subdivision. She was  
85 told there is a subdivision section in the City's code.

86 The meeting adjourned at 7:45 p.m.

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88 \_\_\_\_\_  
89 Sheila Lind, Recorder

89   
90 Mark Malmstrom, Commission Chair

**Kennel Conditional Use Permit Agreement**

THIS CONDITIONAL USE PERMIT AGREEMENT is made by and between Craig and JoDean Bailey of 247 S 800 E, (Permittees) and River Heights City (City), a Utah municipal corporation.

WHEREAS, Permittees desire to keep more than two dogs on their premises which requires them to obtain a Kennel Conditional Use Permit; and,

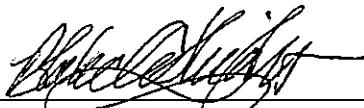
WHEREAS, City is willing to grant an annually reviewed conditional use permit for this purpose on the following terms and conditions:

1. Three dogs are allowed on the property; one outdoor and two indoor. The fourth dog is to be removed from the premises by <sup>May 13</sup> ~~April 29~~, 2017 (45 days).
2. The Conditional Use Permit will be reviewed by the Planning Commission in 6 months.
3. The kennel will be cleaned daily.
4. The permit is void once the Bailey's move from the property.

DATED this 15<sup>th</sup> day of March 2017.  
29

**RIVER HEIGHTS CITY:**

  
Mark Malmstrom, Commission Chair

  
Blake Wright, Council Member

**Permittees (Signatures must be notarized):**

  
Craig Bailey Date

  
JoDean Bailey Date

State of Utah )  
County of Cache )

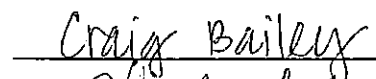

State of Utah )  
County of Cache )

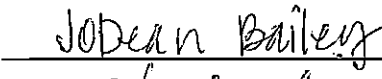

Subscribed and sworn/affirmed to before me on

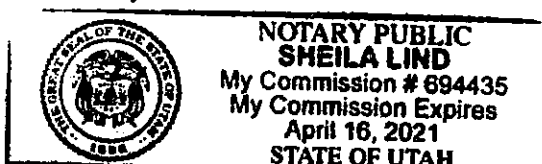
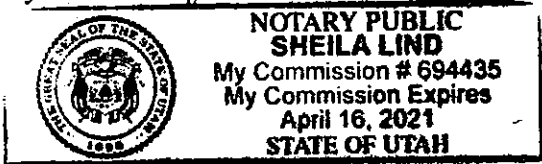
Subscribed and sworn/affirmed to before me on this

this 27 day of April, 2017, by

27 day of April, 2017, by

  
  
Notary Public

  
  
Notary Public



To the Planning & Zoning Committee of River Heights City, Utah

From concerned citizens of River Heights, Utah

- Although the developers have not defined this subdivision as high density, we need to consider the nature of our city. We are a SMALL bedroom city and adding this quantity of homes makes a tremendous impact on our community.

Below are listed some long term topics of concern:

- Overpopulated Schools
- Environment (parks, trails & green space)
- Water Pollution into Spring Creek, especially with High Water Table
- Traffic congestion through small roads such as 600 South & 400 East
- Increased crime (Research has proven crime rates go up with townhomes)
- Possible UN-registered sex offenders so close to the Elementary School.
- **Increased city taxes for all River Heights Residents**

- If River Heights AND Providence Cities choose not to annex, the property will remain County zoned. Contrary to the words of Jeff Jackson, Ironwood Development will not be built “no matter what.” (spokesman for the developers at the Thursday meeting October 26, 2017.) We have the power right now to say NO to Ironwood development. Our cities should not be bullied or coerced to build this subdivision.

**Please REFUSE annexation to River Heights City**

- Ask yourself...how does this subdivision benefit River Heights city?

This subdivision <sup>does</sup> NOT benefit or contribute positively to our city. It only adds increased population, traffic and complications with infrastructure. Even with the \$1.5 million from the developers for city improvement (impact fees); we need to consider the LONG term cost of this subdivision. We, the concerned citizens, believe that this subdivision only benefits the developers – and does NOT benefit our city. As Mayor Brackner stated in the Thursday October 26<sup>th</sup> meeting, the city will have negative cash flow for the first four years & only “break even” once the homes are all sold & occupied. This development offers little to zero financial benefit for our city.

- Does our city have enough information to make a *responsible* decision?
- Do the residents of River Heights have a formal voice in the annexation, zoning & final plans of the proposed development?

**We are requesting a citizens’ formal vote.**

*Kenneth Thomas*  
*John Humphreys*  
*Boyd Humphreys*  
*Janet G. Matthews*

*Jeff Jackson*  
*Dana Lynn*  
*Quanne W. Rhston*  
*Basel Wilfred*  
*[Signature]*  
*Deborah B. Price*

## Citizen's Petition/Ironwood Development

1 - We, the following residents of River Heights, **petition the city council and planning and zoning commission** to **reject the proposed Ironwood subdivision** to build 66 townhomes, 52 active adult lots and 56 single family homes on 49 acres.

2 - **We are against zoning ANY townhomes in the area of RH,** including any multidwelling units (MDU) within the boundaries of River Heights.

3 - We feel that adding a possible 174 homes to our small city will not help us retain the agricultural/bedroom community that drew the majority of the citizens to make their homes here.

4 - As stated on the RHC "fact sheet": "*RHC is a quiet residential neighborhood with wonderful water pumped from our own wells.*" **We believe Ironwood, as presently designed, is far too dense** and we request the elected officials to **PROTECT** the single family homes tradition that makes River Heights such a special place in which to live.

Figures taken from the River Heights City **FACT SHEET:**

**Current RH population is 1,900 residents.**

*Ironwood's projected residential numbers (approx. 592) would increase the overall population in RH by almost 30% in ONE subdivision.*

**Current # of homes in RH is 620.**

*Ironwood's 174 added homes would increase the total number of homes in RH by 28% in ONE subdivision.*

**Total acreage of RH is 371.**

*Ironwood would add 49 acres for a total of 420 acres. Ironwood would be just a little over 11.6% of the total acreage of RH.*

**Conclusion:**

Ironwood would have almost **1/3 the total city population**, and **1/3 the total homes** of RH City, but **within ONLY 1/9th of the TOTAL land space** of our quiet city!

## **Citizen's Petition/RE-ZONING Ordinance**

We, the following residents of River Heights, petition the city council and planning and zoning commission to preserve the single home residential tradition of our city by **zoning all newly annexed acreage as SINGLE FAMILY ZONE R-15**. \*\*However, the city will explore creating an ordinance to allow senior citizen housing with higher density PUD, with an allowance of a maximum of 20% of any future annexed acreage for active adult homes, something RH does not currently offer its citizens.

### **FACT SHEET from Hyde Park, Millville & Providence Cities:**

#### **Hyde Park current zoning is for 2 homes per ACRE.**

Hyde Park only allows 1/2 acre lots! Ironwood's projected SINGLE family residential lots are 1/5th (R-10) to 1/4th an acre (R-12). We would be more supportive of their development if it included larger lots which many residents have said are severely lacking in our town.

#### **Hyde Park does NOT allow any town home developments in their city.**

When I asked why, they replied, "Because we don't want town homes in Hyde Park." They want to preserve the single family home on a large lot throughout their entire city.

#### **Millville City zoning:**

Millville is ONLY zoned for R-15, or 1/3 acre lots, due to no sewer lines at this time. They recently had a public meeting where it was expressed that when the sewer does come to Millville, that the city retains an R-15 zoning for all future developments, so the agricultural feel of the city is maintained:

#### **Providence City zoning:**

Except for the Brookside Village and the CV Assisted Living areas just south of the RH Stake Center, ALL land in Providence (east of the RH Stake Center road) are zoned R-12, R-15, and estate lots of 1 - 5 acres each. They recently allowed town home developments to be built near Macey's, in their commercial districts. We should expect Providence will NOT approve town homes that far east, and we certainly shouldn't be bullied into accepting Ironwood for fears that Providence might approve them. We feel their citizens will be against the town homes in that area of single family homes, and that is why Ironwood has come to RH first. They also will not want all the traffic of 174 homes filtering through the Brookside Village subdivision, which is full of young children. We have to trust Providence.

#### **Conclusion:**

River Heights is made up of a majority of R-8 zoned lots, most of these meeting the state of Utah's "affordable housing" requirements of the city. (From the General Plan: "*The findings of that model indicated there was a sufficient supply of affordable housing for households earning 80% of the median income at the time.*") The RH Zoning Map shows only about 15% R-10 zoned lots, and 12% R-12 (1/4 acre) lots. **HOWEVER, NO R-15 (1/3 acre) zoning exists.** (Most larger lots in RH are actually made of TWO smaller lots.) Many people are moving from RH looking for a larger lot size. We feel that if the city would zone all future annexed lands to an R-15, home building would still increase, as RH is a highly desirable location. RH should be bold like Hyde Park and Millville and **protect our land for single family homes on larger lots of R-15**. We petition RH to **change the zoning** and allow for the only lots that we do NOT have now...R-15!