

River Heights City

PLANNING COMMISSION AGENDA

Tuesday, May 15, 2018

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

- 7:00 p.m. Pledge of Allegiance and Adoption of Previous Minutes and Agenda
- 7:05 p.m. Qualification Conference for a Minor Subdivision, Mitcheal Cooksey
- 7:20 p.m. Discuss Code Changes
- 7:30 p.m. Discuss General Plan Amendments
- 8:15 p.m. Adjourn

Posted this 10th day of May 2018



Sheila Lind, Recorder

Meeting attachments, drafts of previous minutes and audio recordings can be found on the State's Public Notice Website (pmn.utah.gov)

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

May 15, 2018

Present: Commission members: Cindy Schaub, Chairman
Noel Cooley
Heather Lehnig
Chris Milbank
Lance Pitcher

Councilmember Blake Wright
Recorder Sheila Lind

Others Present Mitcheal Cooksey (electronically present), Ted and
Councilmember Dixie Wilson, Dianne Rhoton

Motions Made During the Meeting

Motion #1

Commissioner Cooley moved to “approve the minutes of the May 1, 2018 Commission Meeting.” Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

Proceedings of the Meeting

The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council Chambers on May 15, 2018.

Pledge of Allegiance: Commissioner Pitcher led in the Pledge of Allegiance.

Adoption of Prior Minutes and Agenda: Minutes for the May 1, 2018 Planning Commission Meeting were reviewed.

Commissioner Cooley moved to “approve the minutes of the May 1, 2018 Commission Meeting.” Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

Qualification Conference for a Minor Subdivision, Mitcheal Cooksey: Commissioner Schaub reviewed that Mr. Cooksey bought the property as agricultural and had it rezoned as residential, with the intention to build a home on it. Mr. Cooksey said since then their plans have changed and they have moved. He is now wanting to divide the property and sell it as two lots.

Commissioner Pitcher asked what the square footage is of the two lots. Mr. Cooksey said parcel one is about .6/acre and parcel two is about the same. He is willing to make adjustments per the City’s advice.

44 Commissioner Schaub asked what the frontage was on parcel two. Mr. Cooksey wasn't
45 exactly sure but will know better when he has it surveyed. He's pretty sure it meets the City Code (80
46 feet).

47 Commissioner Milbank asked Mr. Cooksey if he had a copy of the minor subdivision code. He
48 answered he did and is starting the process with this qualification conference.

49 Mr. Cooksey asked about the city-owned strip of property fronting parcel one. He'd like to
50 work out how he could obtain it. Councilmember Wright remembered prior discussion on this piece
51 of property and felt the City would be willing to work out how the strip could become a part of parcel
52 one.

53 Mr. Cooksey discussed his prior thoughts about dividing the property into three or four lots
54 and the difficulty of doing so. He intends to proceed with only the two lots.

55 He was advised to talk to Public Works Director Nelson to find out specifics concerning utility
56 connections. He will also visit with the city engineer to get his advice on other things he may not be
57 aware of.

58 Commissioner Schaub thanked Mr. Cooksey for his input and told him to move ahead.

59 Discuss Code Changes: Commissioner Milbank discussed his "home occupation" definition
60 draft, which was driven by Steve Thunell, who owns two homes and desires to have a home business
61 in the home he doesn't live in.

62 Amendments were discussed. Commissioner Milbank pointed out the code has additional
63 regulations and requirements for home businesses.

64 Councilmember Wright felt okay about the wording as suggested. Commissioner Milbank
65 reminded this situation will need to go through the Conditional Use Permit process and meet the
66 conditions imposed during approval.

67 Councilmember Wilson addressed the idea of renting part of the home to a family and using
68 another portion for a business, as well as other scenarios.

69 Mr. Milbank agreed, they need to use caution in drafting the language, but feels Steve
70 Thunell's request will fit with what we desire for River Heights. They all felt if Mr. Thunell moved, the
71 conditional use should go away. Verbiage was added to the definition to clarify this.

72 Councilmember Wilson brought up the definition in 10-2-1 of home occupation doesn't match
73 the definition in chapter 3-1-3. Recorder Lind made a note of this, to add to the upcoming changes.

74 Councilmember Wright reviewed the City Council's discussion about allowing parking in an
75 agricultural zone. The Mayor suggested an idea and the Council agreed it could work: The City would
76 send Conservice a letter stating they are illegally parking in an agricultural zone and they have 90 days
77 to fix the problem. The Planning Commission would then come up with a new commercial parking
78 only zone, which would go through the code change process. Then, the Council would place a 6
79 month moratorium on rezones. Meanwhile, they would focus on getting the General Plan
80 amendments in place. The moratorium would prevent other property owners from selling to
81 Conservice for more parking. Commissioner Schaub informed that Mayor Rasmussen has talked with
82 the City attorney who said the additional zone sounds reasonable.

83 Ted Wilson said a couple months ago he recommended the City make Conservice cease and
84 desist with the parking lot. Now the City is coming around to it softly. Their parking problem isn't the
85 City's problem. He feels Conservice has caused nothing but problems to the residents in the area. He
86 appealed to the City to put their foot down and not allow them to improve their parking lot.

Councilmember Wright felt it was fair to say, the consensus of the Council was to remedy this parking problem and not allow commercial development to go any further east.

89 Commissioner Cooley discussed Smithfield's allowance of parking in agricultural zones. There
90 was concern that the agricultural properties to the east of Conservice could then install parking.

91 Ted Wilson reiterated that Conservice is not a River Heights problem. They don't care about
92 River Heights. Commissioner Lehnig said it becomes a River Heights problem when the parking spills
93 over into Providence.

94 Discussion was held on what Randy Weston is doing with his property (east of the Conservice
95 parking lot). Councilmember Wright said Mr. Weston intends to eventually sell off the front part of
96 property as residential and maintain a driveway to his shop.

97 Councilmember Wright said they could consider an overlay zone, which Commissioner Schaub
98 explained was used in a residential zone for the Sinclair Station. Mr. Wright had some concerns with
99 overlaying on an agricultural zone.

100 Ms. Schaub liked the idea of creating a new zone, which would be very restrictive. It would
101 also be a way to limit Conservice's growth. Commissioner Lehnig suggested a buffer, like a 10 foot
102 fence or green space, in a way that shows this zone ends here. She had talked with someone from
103 Brigham City on how they do this. She asked if there was anywhere else in River Heights where this
104 could happen. Councilmember Wright said perhaps they would only allow commercial parking next
105 to an existing commercial zone. When the new zone is defined, specific setbacks and what must
106 occur in those setbacks can be set up.

107 Commissioner Schaub asked all Commissioners to contemplate what they would like to see in
the new zone and send each other verbiage for consideration.

108 Commissioner Schaub pointed out that the City Council has done away with time frames on
109 their agenda. She asked how the Commission felt about doing the same. Councilmember Wright
110 suggested waiting to see how it goes with the Council.

111 The Commission agreed their priority will be the City Code, rather than the General Plan right
112 now. Code amendments will build on the General Plan.

113 Councilmember Wright brought up 10-12-2, sideyard on a street (except corner lot). It was
114 unsure where this would occur. They also discussed the allowance of a six-foot fence on a rear yard,
115 whether they want to change it back to four feet. They discussed why they don't like six feet on a
116 street.
117

118 Recorder Lind asked about meeting the 29th of May rather than June 19, since she will be gone
119 at that time. The Commission agreed to three meetings in May and one in June, on the 5th.

120 Discuss General Plan Amendments: Postponed.

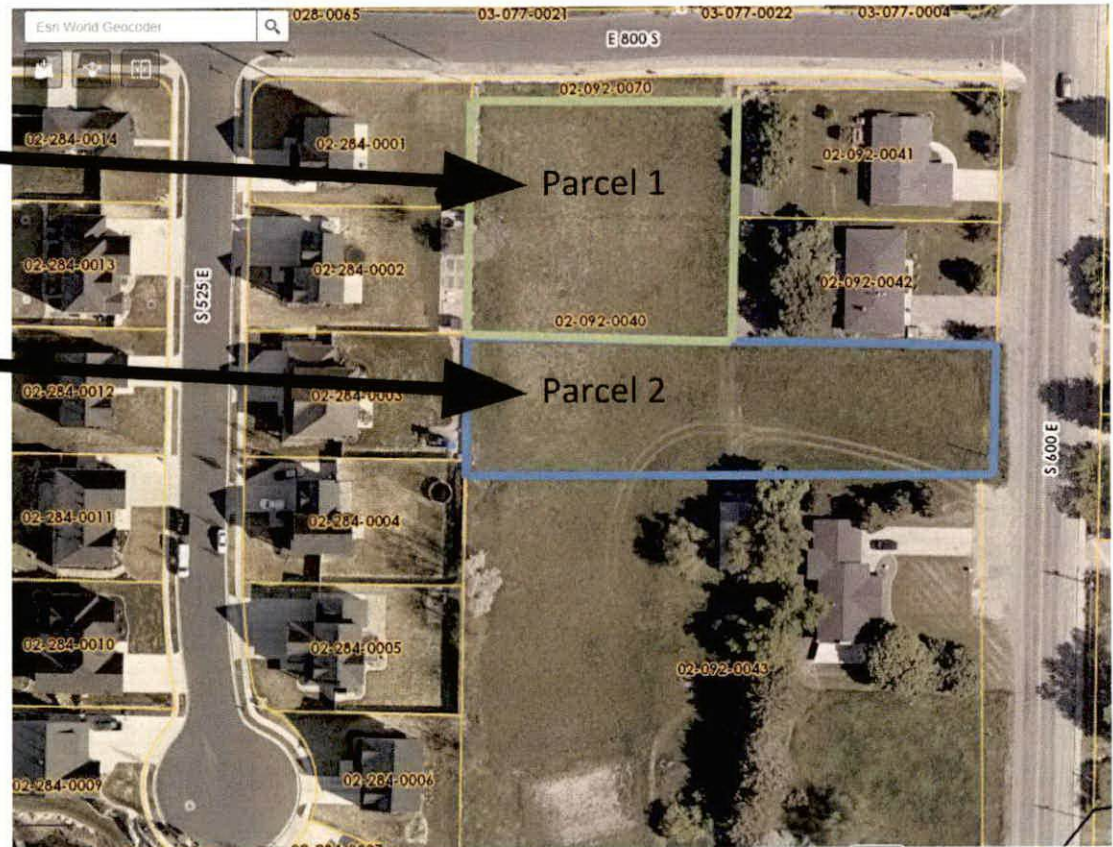
121 The meeting adjourned at 9:05 p.m.

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125 _____
Sheila Lind, Recorder

126 _____
127 Cindy Schaub, Commission Chair

Minor Subdivision Request

- Parcel 1 will have a driveway entry from the north off of 800 South
- Parcel 2 will have a driveway entry from the east off of 600 East



Chris Milbank

Up-Dated Home Occupation Definition: May 11, 2018

HOME OCCUPATION:

A legal use or business, conducted within a dwelling or upon residential property. Business activity shall be clearly and obviously subordinate to the main purpose of the home as a residence. The owner of the business must live in the home, or in an adjacent home which shares a contiguous property line. If an adjacent home ^{is to} be used for a home occupation, business activity shall remain subordinate. The exterior of the adjacent home shall clearly appear to be a residential dwelling. Only one ~~adjacent~~ home may be used for a home occupation. *Conditional use of that property will become void when the business owner moves from the home.*

From Noel Cooley

I have looked at several cities to find out if I could find any that permitted parking lots in an agricultural zone and I found this in Smithfield's code. The following would be my suggestion to add to our code.

Proposed changes to Agricultural zone:

1. Add 10-5-4 Allowed Uses

Those uses which are allowed in the agricultural zone either as a permitted use or a conditional use shall be as specified in Chapter 10-12.1, Use Regulation "Land Use Chart", of this title.

2. Add to the 10-12-1 table 1. Land Use Chart under the Agricultural Related Uses:

93. Parking lot/park and ride and designate it "Permitted"

3. Perhaps add to the definitions in 10-12-2: OF-STREET PARKING

All off-street parking shall comply within the requirements of section 10-14

Or

4. Add a section in 10-14-11 Off-street Agricultural Parking.

Off street parking lots in an agricultural zone shall meet the standards set in 19-14-4

A. Lighting And Landscaping: Every parcel or portion thereof used as a parking lot shall be arranged, constructed and landscaped in accordance with chapter 15, "Landscaping", of this title. Any lights used to illuminate the lot shall be so arranged and constructed to meet the standards identified in Chapter 3, "Outdoor Lighting", of this code.

B. Parking Lot Surface: Parking lots shall be paved with a surfacing material of asphalt or concrete composition and shall be graded to ensure proper drainage of stormwater.

C. Curb And Gutter: All parking lots shall be finished with curb and gutter around the perimeter with adequately placed stormwater inlet boxes to collect stormwater.