

River Heights City

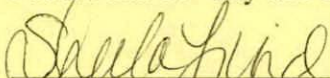
PLANNING COMMISSION AGENDA

Tuesday, February 19, 2019

Notice is hereby given that the River Heights City Planning Commission will hold its regular commission meeting beginning at 6:30 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. Discuss Weed Control Regulations
- 7:20 p.m. Discuss Airbnb Regulations
- 7:40 p.m. Discuss Revisions to the General Plan
- 8:15 p.m. Adjourn

Posted this 14th day of February 2019



Sheila Lind, Recorder

Attachments for this meeting and drafts of previous meeting minutes can be found on the State's Public Notice Website (pnn.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
February 19, 2019

Present: Commission members: Cindy Schaub, Chairman
Noel Cooley
Heather Lehnig
Chris Milbank
Lance Pitcher
Councilmember Blake Wright
Recorder Sheila Lind

Motions Made During the Meeting

Motion #1

Commissioner Pitcher moved to “approve the minutes of the February 5, 2019 Commission Meeting, with changes.” 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 February 19, 2019.

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

Adoption of Prior Minutes and Agenda: Minutes for the February 5, 2019 Planning Commission Meeting were reviewed. Changes were made as follows: On line 37, “with” was deleted. Lines 66 and 67 were revised to say, “In his opinion, the older homes tend to become low income, starter homes or sold to landlords, and he said he would . . .”

Commissioner Pitcher moved to “approve the minutes of the February 5, 2019 Commission Meeting, with changes.” Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

Discuss Weed Control Regulations: Commissioner Schaub reminded that Mayor Rasmussen requested they address two things: 1) Weed control and, 2) Maintenance of backyards and park strips.

The group discussed and made a few changes to the draft she handed out. Commissioner Milbank drew attention to the stringency of parts of it, such a weeds needing to be under six inches. Councilmember Wright agreed and reminded, the city needs to be able and willing to enforce whatever they come up with. He suggested addressing “noxious weeds” rather than just “weeds.” He guessed the council would agree to employ the County’s services, when needed.

44 Commissioner Pitcher suggested providing a statement such as the Cache County Weed
45 Control Policy uses: *"The Cache County weed control program will function and enforce in accordance*
46 *with the Noxious Weed Act and Cache County code section 8.28 to organize, supervise, and coordinate*
47 *a noxious weed control plan for Cache County including chemical and biological control practices."* He
48 recommended they read 8.28 to make sure the things they want to have addressed are included in
49 this section of the county's code.

50 Commissioner Milbank suggested placing the information in the landscaping section (10-15) of
51 the RHC code. He liked the Standard of Weed Control section of Commissioner Schaub's draft.

52 Commissioner Lehnig will go through old drafts they have discussed and 8.28 of the County's
53 Code to create a new draft, based on what they have discussed. She will send it out for review within
54 the next week.

55 Discuss Airbnb Regulations: Commissioner Milbank led a discussion on the draft he handed
56 out at the last meeting. Discussion was held on how River Heights could get a portion of the taxes
57 charged by Airbnbs.

58 Discussion was held on if they would want to allow a whole house to be rented out.
59 Councilmember Wright said, in keeping with the current code, an apartment in a home needs to be
60 owner occupied. He suggested an Airbnb situation should follow this as well.

61 Commissioner Milbank pointed out there could be a family who leaves for a month and
62 desires to rent their home while they're gone. The majority of the Commissioners agreed they would
63 like to require the owner to live there, while it's being rented.

64 They discussed different scenarios and for Airbnbs and decided the determining factor of it
65 falling into this category is if it were run as a business.

66 Councilmember Wright read the Conditional Use Permit requirements. Based on these
67 requirements, an Airbnb wouldn't need a CUP. This being the case, Airbnbs may not need to be
68 addressed in the ordinance. Commissioner Cooley asked what recourse neighbors would have if they
69 didn't like what was going on in their neighborhood. Mr. Wright pointed out the current business
70 license ordinance states if a complaint is filed, it would require them to get a CUP. Recorder Lind
71 pointed out that the definition of home occupation, would require an Airbnb to get a license since
72 they bring in revenue. Mr. Wright suggested a designation could be made by adding *vacation*
73 *rental/Airbnb* to the land use chart under residential and add a definition of a "vacation rental" in
74 chapter 10.

75 Commissioner Milbank will write up the items discussed and bring it back to the next meeting.

76 Discuss Revisions to the General Plan: In the interest of time, this discussion was postponed.

77 The meeting adjourned at 8:35 p.m.

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82 _____
83 Cindy Schaub, Commission Chair



Sheila Lind, Recorder

DEFINED:

Weeds shall include any vegetation commonly referred to as a weed, or which shall be been designated a noxious weed by the Utah Commissioner of Agriculture.

STANDARD OF WEED CONTROL:

- A. Weeds constitute a nuisance when they create a fire hazard, obstruct vehicular view, are a source of contamination or pollution of the water, air or property, a danger to health, a breeding place or habitation for insects or rodents or other forms deleterious to humans, and are unsightly or deleterious to their surroundings.

WEED CONTROL:

- A. No owner shall permit weeds or grasses to exceed heights of six inches (6") at all times and the cuttings shall be promptly cleared and removed from the premises within _____ hours after cutting. However, this is not applicable to any ornamental grass so long as it is used solely, or in combination with any other ornamental grass or grasses, as a supplement to the property owner's overall landscaped area.
- B. Weeds which are rototilled or removed by the root must be buried under the soil or removed from the property.

DETERMINATION AND ENFORCEMENT OF WEED CONTROL:

The Mayor, or selected city employee, shall inspect any yard, lot, or other place to determine the existence of a "nuisance" and determine the corrective action. Notification to owner shall include:

- A. Document first inspection with picture of violation and written description.
- B. Send written notification to owner via certified mail or electronic media (with verification of receipt), that owner has 14 days to remedy code violation.
- C. City to re-inspection property. If violation is not remedied within the allotted time, the notice will be forwarded to the City Attorney for further action.

REGULATION OF VACATION RENTALS:

(1) Definition of VACATION RENTALS: Vacation Rental shall be defined as: A transient lodging facility in ^{an approved residential} ~~a single family dwelling unit or tiny house unit as part of a planned unit development (PUD), accessory dwelling unit (ADU), 240 square foot minimum~~ for less than thirty (30) consecutive days as an alternative to a hotel or motel. ^{ok}

(2) Permit: A River Heights business license, Utah State Sales Tax ID# and a conditional use permit shall be required for all Vacation Rentals, regardless of the zone of the property. River Heights Planning and Zoning Committee shall recommend approval or denial of the conditional use permit to the River Heights Council. River Heights reserves the right to revoke a conditional use permit issued under this section if: a licensee engages in a pattern of unlawful activity or if the licensee violates state law or local ordinances..

(3) Occupancy: Occupied at any time by less than thirteen (13) individuals of a single group on a temporary basis.

(4) Parking: A maximum of two (2) cars may be parked on River Heights right-of-way. Autos parked on River Heights right-of-way must NOT restrict traffic flow, block clear sight distance at intersections, or infringe on other property rights-of-way.

(5) Camping: No camp trailers, recreational vehicles (RVs), tents, or any similar nonpermanent structure on Vacation Rental properties will be allowed for rental purposes, or as an add on feature to rental agreement.

(6) Complaints: The 1st complaint received by River Heights will result in a letter being sent to the property owner. The 2nd complaint will result in a second letter sent to the property owner and the conditional

use permit will be in jeopardy of being revoked. A 3rd complaint will result in a request from River Heights to the property owner to attend a City Council meeting to discuss the conditional use permit being revoked.

(7) Dogs: Owners or keepers of any dogs on Vacation Rental properties shall not allow the dog(s) to run at large, It shall be unlawful for an owner/keeper of any dog to go upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.

(8) Noise: The owner of any dwelling licensed as a Vacation Rental shall be responsible to ensure that guests or occupants of the short- term rental do not (a) create noise that by reason of time, nature, intensity or duration are out of character with noise customarily heard in the surrounding neighborhood. (b) interferes with the privacy of surrounding residents or trespass onto surrounding properties. The owner is also responsible to insure their guests do not engage in any disorderly or illegal conduct.