

River Heights City

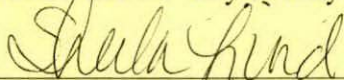
PLANNING COMMISSION AGENDA

Tuesday, June 4, 2019

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. 1000 East Property Owner's Request of an Amendment to the Saddle Rock Phase 3 Final Plat, Note #5
- 7:15 p.m. Revisions to the General Plan
- 8:15 p.m. Adjourn

Posted this 30th day of May 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

June 4, 2019

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

Councilmember Blake Wright
Recorder Sheila Lind

Others Present Tyson Glover

Motions Made During the Meeting

Motion #1

Commissioner Pitcher moved to "approve the minutes of the May 21, 2019 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 June 4, 2019.

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

Adoption of Prior Minutes and Agenda: Minutes for the May 21, 2019 Planning Commission Meeting were reviewed.

Commissioner Pitcher moved to "approve the minutes of the May 21, 2019 Commission Meeting." Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

1000 East Property Owner's Request of an Amendment to the Saddle Rock Phase 3 Final Plat, Note #5: Tyson Glover read restriction #5, which states, "Lots 58-62 and 72 have a fence height limit on 1000 East Street of 4' above the sidewalk grade. Fencing for all lots at street intersections shall conform to River Heights City Ordinance to provide clear sight distance." He had previously applied for a fence but was denied because the plat precluded his request. He is requesting an amendment to the plat verbiage to strike the first sentence of Note #5. He asked what the reason was for the plat language and the current fence code.

Councilmember Wright confirmed that Mr. Glover had been to the city council about this and they seemed to unanimously agree that they would consider an amendment to the plat to include

45 the allowance to follow the current city code of allowing a 4 foot solid or 6 foot, 90% transparent
46 fence, like the existing current code. Mr. Glover was told at that meeting that his request would start
47 at the planning commission. The city attorney has given direction on the process for amending the
48 final plat, which starts with a petition to amend the plat, signed by all affected property owners.
49 Attorney Jenkins offered to help with the petition, which Mr. Wright suggested doing so it's done
50 correct from the beginning. He suggested, to preclude any future misunderstandings, that the plat
51 language include that the fence requirements to be followed are as of the date of the plat
52 amendment.

53 Tyson Glover clarification that he is asking this for his lot only. Councilmember Wright said the
54 council was under the assumption, that the change would be for all affected lots. Mr. Glover
55 brought up that some of the lot owners already have permits for their fences, granted by the appeal
56 authority. Mr. Wright agreed that the permits were signed, however, the appeal authority's ruling
57 stated that they still needed to abide by the final plat. Mr. Glover said none of them are interested in
58 a four foot fence or a transparent one; they would have no privacy. He felt the city was trying to
59 cover the intersection in two different ways, by requiring a 40 foot site triangle and 90%
60 transparency. He sees all kinds of different fence situations in town, which are not being enforced to
61 match the current code. He asked what the background was on the code decisions.

62 Councilmember Wright pointed out, the commission and council have gone over the fence
63 code many times over the last few years in meetings that are always open to the public. There has
64 been little to no input from citizens, which would have been appreciated at the time. Commissioner
65 Milbank stated, everyone on the commission doesn't always agree with what has been put to a vote.

66 Councilmember Wright informed Mr. Glover, if he wanted to request a code change, he'd
67 need to contact Commissioner Chair Schaub to get on the agenda. If he wanted to request a change
68 to the subdivision final plat, to what the current code allows, he would start with a petition. Mr.
69 Grover stated he wanted to be treated like everyone else in the city who lives on a corner lot and not
70 be more restricted because of the final plat. He will consider what he'd like Note #5 to state. Mr.
71 Wright believed the city council would only consider something that is currently allowed by city code.
72 Mr. Glover agreed, although he felt the current code doesn't consider security and privacy for his
73 family. He will first address the final plat, before he discusses changes to the current fence code.

74 Commissioner Milbank said Mr. Glover's view probably reflects the view of many landowners
75 in the area. Mr. Glover was confused why a four foot solid with two feet transparent on top wouldn't
76 be allowed.

77 Councilmember Wright recommended having Attorney Jenkins help draft the petition. Mr.
78 Wright offered assistance, as well. Commissioner Schaub asked who would cover the costs. Mr.
79 Wright said it would be the petitioners. He will discuss costs with Attorney Jenkins and run it past Mr.
80 Glover before they get started.

81 Revisions to the General Plan: Commissioner Lehnig explained her suggested changes to 1.2,
82 Demographics, with a focus on Projected Population. She considered all property being built out at
83 some point, not including the county Chugg property, which is in the process of going to Providence.
84 Commissioner Cooley pointed out that the Zollinger property will never be developed.
85 Councilmember Wright suggested moving 'past years' from the projections section up to the
86 historical section. Commissioner Milbank informed, the American Community Survey is where he has
87 been getting his projected populations. At this time, it is unknown whether the property east of the

90 church will stay in River Heights or go to Providence. At the time of adoptions to the General Plan,
91 there may be more information about the church property.

92 Commissioner Cooley reviewed a handout showing his proposed changes to Section 4.1,
93 Infrastructure and City Utilities. He has talked to Will Atkins, the state water conservation person,
94 who recommended the city consider using a pump or gravity flow system on the city parks to utilize
95 the city's irrigation water, in an effort to preserve the city's water shares. PWD Nelson has said he
96 doesn't like to use irrigation water because it brings weeds. Mr. Cooley suggested adding this as a
97 goal to be considered. A few minor changes were discussed.

98 Councilmember Wright suggesting the commission consider changing the Old School property
99 zone from Residential to Parks and Recreation, shown in the General Plan on the land use map.

100 Commissioner Milbank explained his dilemma on affordable housing. River Heights is
101 landlocked and small but is still required to turn in a Moderate Income Housing Report. He has talked
102 to David Fields at Workforce Services, who reiterated, it is required because of Cache County's size.
103 Mr. Milbank pointed out that River Heights doesn't have the ability to supply affordable housing.
104 There are no zones which allow apartments. Councilmember Wright suggested some of the
105 older/smaller homes might be considered as affordable housing. Mr. Milbank will check on the
106 values of some of the smaller homes. He will try to describe the city's limitations and point out that
107 Logan and Providence are providing a number of moderate housing areas. He desires to be honest
108 and upfront in the report, which is due December of 2019,

The meeting adjourned at 8:35 p.m.

111
112 
113 Cindy Schaub, Commission Chair



Sheila Lind, Recorder

907 E

ADDRESS

Notes and Restrictions:

1. All expenses involving the necessary improvements or extensions for a culinary water system, sanitary sewer system, natural gas or other piped natural gas, electrical service, telephone service, cable or satellite television service, grading and landscaping, storm drainage systems, curbs and gutters, fire hydrants, pavement, sidewalks, signage, street lighting, and other improvements shall be paid for by the subdivider(s).
2. No vehicle access to 1000 East Street from lots adjoining 1000 East is allowed. Access is provided from 400 South or 970 East (as applicable).
3. Building setbacks are as follows:
 R-1-12 Zone
 30.00 feet front and rear
 12.00 feet side yard
4. Owners of Lots 58-62 and 72 are required to maintain the park strip, sidewalk, and buffer zone of 1000 East in the same way as the frontage of the lot, in accordance with River Heights City code. These lot owners will be part of a design committee, in cooperation with River Heights City staff and City Council, to design a uniform corridor appearance for fencing, vegetation and ground cover along 1000 East Street, recognizing the limitations presented by the buried storm drain.
5. Lots 58-62 and 72 have a fence height limit on 1000 East Street of 4' above the sidewalk grade. Fencing for all lots at street intersections shall conform to River Heights City Ordinance to provide clear sight distance.

Owner/Developer: Dan Hogan
 2 North Main #5
 Providence, Utah
 Phone: (435) 512-3939

CERTIFICATE

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 VCE.

Rasmussen
 CITY ENGINEER

PROVAL

1st DAY OF

OWNERS DEDICATION

THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND TO BE SUBDIVIDED AND KNOWN AS: SADDLEROCK SUBDIVISION PHASE 3 AND DO HEREBY DEDICATE THE STREETS AND PUBLIC AREAS SHOWN ON THIS PLAT FOR THE PERPETUAL USE OF THE PUBLIC AND DO HEREBY VEST THE FEE TITLE OF SUCH DEDICATED PARCELS IN AND TO RIVER HEIGHTS CITY, CACHE COUNTY, UTAH.

_____ HAVE EXECUTED THIS PLAT AND
 DEDICATION THE 27 DAY OF June, 2017.

Dan Hogan *Foxridge Dev*

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land that can be developed, it is limited. The community is primarily residential with some agricultural areas with only limited possibilities of future commercial development.

1.2 DEMOGRAPHICS

1.2.1 Population

Table 1 shows the historical population of River Heights:

Year	1950	1960	1970	1980	1990	1995	2000	2005
Population	468	880	1088	1211	1274	1320	1495	1565

Table 1
Historical Population

1.2.2 Projected Population

While Cache County has experienced about 2.0% annual growth rate since 1950, River Heights has shown a rate of less than 1.5%. Growth for the ten year period 1980 to 1990 was approximately 0.5% per year and for the period 1990 to 2000 it was 1.6%. Growth for the five year period 2000 to 2005 was less than 1.0%. The growth rate from 2010 to 2016 was 13.1%, with an increase of 228 people. That rate of growth could change dramatically. As the southeast bench area of Logan continues to fill up, pressure will build for new subdivisions and homes in River Heights. The following table shows growth projections through 2020 as interpolated from information provided by the Cache County Planning Office.

Year	2010	2020
Population	1660	1850

2020
to 30

Add
to 30

Need to add a box 2017 (year) 1962 (population)

Table 2
Population Projections

There are approximately 132 acres of land currently undeveloped that are either inside the current city boundaries or inside the annexation declaration policy area. This land represents the growth limits of the City. Assuming three lots per acre, there could be approximately 396 additional homes in River Heights compared to the current number of 550. This population projection would add approximately 2,000 1320 more residents for a total of 3,850 3282. These numbers are estimates based on available land and current zoning and building trends.

The above estimate is especially useful in planning for infrastructure needs.

4 INFRASTRUCTURE AND CITY UTILITIES

This section describes historical infrastructure information, current infrastructure and utility conditions, and recommendations to guide infrastructure and utility planning, capital improvements budgeting, and infrastructure maintenance.

4.1 WATER

4.1.1 Historical Information

The drought in 1934 resulted in the Utah Drought Agency drilling two wells in the River Heights area to be used for late-season agricultural irrigation. Each was located adjacent to one of the two canals now traversing the City. A year later the state assigned the upper well to the City at no cost. Years later the City purchased the lower well from the Providence-Pioneer Irrigation Company. A third well was drilled in 1980 by the City.

4.1.2 Present Condition

Information about the River Heights water system is provided. It is intended as a brief outline of the current water system that can be used to make some general assumptions and make general projections. Table 3 details the City's water system.

Currently River Heights City acquires water from three different wells which charge two reservoir tanks. By today's pumping capacity and availability of groundwater to pump and use, it appears River Heights has the capacity to deliver adequate water to the current residents and should be able to provide enough for anticipated growth. Please refer to the following table.

Source of water supply	3 wells
Number of connections	680 539
Reservoir capacity	1,500,000 gallons
Average daily use	551,000-591,000 gallons
Peak daily use (summer)	⁴²⁰ 1,443,000 1,443,000 gallons per day
Peak operating capacity	3,456,000 gallons per day
Estimated number of connections that can be served with water supply	1,875 2,000 (exclusive of water rights pumping capabilities, only water available in the wells)
Total number of projected connections as per land use recommendation	1150
Present water rights	Approx. 8.5 cubic feet per second
Projected summer peak use requirements:	
at 800 connections	1,582,200 gallons per day
at 1,000 connections	2,109,600 gallons per day
at 1,150 connections	2,637,000 gallons per day

Table 3

It would be prudent for River Heights City officials to be mindful of the possible effects of prolonged drought and unanticipated growth via high density-housing (PUD, condominiums, apartments), either or both of which could introduce the need for more water in the future.

4.1.3 Secondary Water System

For over 100 years, Providence-Logan Irrigation company water has sub-irrigated the city, watered and grown its many trees and provided relief to culinary supplies by its secondary use of irrigating fields, gardens and lawns. River Heights City owns and uses a number of shares in the company to water the Heber Olson Park. It also relies on the canals to carry storm water runoff. However, currently the irrigation company has infrastructure problems. The old flume needs to be replaced with a new delivery structure. Should this source of water cease it will put a greater demand on the City's culinary system.

From a planning perspective, City officials understand the value of retaining, supporting, and or maintaining interest in the irrigation company as a resource which could provide a direct benefit to the City through reduced culinary demand, shade trees watering, etc. and also provide the City bargaining power if they were to be involved in water negotiations with other entities as growth further increases the rising demand for water throughout Northern Utah.

4.1.4 Water Supply and Use

The City has applied for the rights to an additional three cubic feet per second from its current wells. The application has not been approved yet. This would allow for 565 more connections for a total of 1,655 connections. *Under the present State guidelines, in order to get the three cubic feet per second approved, the City would have to come up with a mitigation plan to convert secondary water to convert water for indoor use.*

The State of Utah Division of Drinking Water establishes standards for storage capacity for public water systems. They recommend storage capacity of about 800 gallons per residential connection. At that rate the River Heights reservoirs will accommodate approximately 1,875 connections.

4.1.5 Proposals to Enhance Water Sources

In recent years considerable attention has been focused on the relationship of ground water to surface water in the Bear River drainage. There is considerable debate going on at this time concerning how much the drawing or pumping of sub-surface water ultimately affects the flow of springs and other sources that feed the Bear River system. Water rights in Utah are determined by a priority system, basically first come, first served. River Heights' wells have priority rights of 1934, 1964, and 1980. This compares with three large water users in Box Elder County with rights dating from 1889 to 1923. At times during the late part of the summer and on low water years these entities have a hard time filling their rights on the river. Because of this shortfall, River Heights could face the possibility of having to turn its pumps off in a drought situation because of a call for water by senior rights holders. This has never happened to date but neither has it been discussed and debated like it is now.

The State Engineer for the State of Utah is the official charged with overseeing and regulating water appropriations. The State Engineer's Office has ~~not approved any new applications for Cache County for at least four years because of the on going debate about how much the~~

~~ground water and surface water in the area are related. approved water applications only in the case where a mitigation plan has been implemented (converted ground irrigation water for indoor use). The City has an application pending for an additional three CFS but it is being held by the State Engineer without approval at this date. (along with applications for about 400 CFS from other cities in the valley).~~

~~If it is decided by the State Engineer that the wells do indeed affect surface water flows, then in order to get any new appropriation from the state a city would have to replace the water (or some portion of it) it is expected to draw. The consequences of this policy are: that in order to grow more than its current water rights can provide, the City of River Heights will be obligated to find other sources of water or water rights. Also, holders of more senior rights could force the City and others to provide some replacement water to cover the rights it is already using. Part of the reason the State is considering a dam on the Bear River is to provide other water for replacement purposes for cities and other water users that may need to replace water in the future or to cover currently used rights that are junior to more senior rights holders on the Bear River System.~~

~~Another way to protect rights is to acquire other, more senior rights, and transfer them to the City's wells. This is an acceptable and often times more economical way to protect and enhance current water rights. One way to accomplish this would be by acquiring all or part of the rights from the Providence Logan Irrigation Company or other canal company and transferring them to the City's well.~~

~~Recently the Cache County Water Conservancy District has been voted in and implemented. The District is charged with overseeing the water use and assisting the cities in Cache County in implementing conservation methods. It is also charged with help in protecting all water sources in Cache County.~~

The State of Utah has recently required all public water systems to complete a drinking water source protection study and create a plan of action to protect drinking water from contamination at its source. LarWest International Engineering has completed the study and has submitted it to the City along with a plan entitled: *Potential Contamination Source Inventory and Management program for River Heights City*. There are preventative steps to be taken now regularly in the future to warn citizens of potential source contamination. It should be a community effort.

4.1.6 Summary

The City has the water "in the ground" and water rights to serve about 1,100 residential connections. By adding additional pumps and receiving approval on the rights that are applied for, the City could serve about 1,700 residential connections. This is more than needed for the projected growth for the City. The addition of large irrigation users, or use of the city system to irrigate areas now served by the Providence-Logan Irrigation Company system, should it cease to provide water to its users, could certainly alter this figure.

Capacity of the reservoirs presently will accommodate about 1,875 residential connections. The City owns a new reservoir site on a bluff just south of the Dry Canyon entrance east of Logan.

4.2 SEWER

River Heights contracted with Logan City for sewage treatment in the mid 1970s. The collection system was installed and is now maintained by River Heights City. A February 1994 study conducted by Wallace Jibson, P.E. concludes that the River Heights system is adequate for the area that it presently serves and for any new development of areas east of 600 East and north of about 700 South that are anticipated by the proposed general plan. A sewer line was installed along 800 South in 2004 to serve the needs of development in that area. This line will also service the needs of future development east of 600 East.

4.2.1 Water and Sewer Recommendations

1. The City should develop a policy whereby developers are required to transfer their water stock to the City as development is approved.
2. The City should develop a five – eight year capital projects improvement and development plan for the water and sewer utilities. The plan should prioritize projects and identify methods of paying for them. It should be approved by the city council and updated annually.
3. *new* → The City should consider improving the existing well in the Riverdale area to match the water output of the primary well. This would protect the City residents from a water restriction in case of a failure in the primary well.
4. If it becomes necessary, the City should establish a limit for building permits well in advance of the time of reaching the limit that can be serviced by the present water storage capacity. This will allow all prospective developers and home buyers ample notice of the intent of the City to control development.
5. The City should determine and implement the method of financing additions to the water and sewer systems. Relying on impact fees, water sales revenues or a combination of the two philosophies should be considered.
6. The City should develop a policy on water and sewer main line extensions – whether they shall be the exclusive responsibility of the City or the developer, or both, and under which circumstances the City will participate.
7. Implement management programs to control potential water sources contamination as indicated in the *Potential Contamination Source Inventory and Management Program for River Heights City*.
8. The City must not allow the ten inch water line from the City's reservoir, between ~~1000 East and 600 East~~, *850 East to 950 East* to be covered by any development. *Much of this water line is buried in an undeveloped part of River Heights. Any development in that area must leave an unobstructed right-of-way to maintain that water-line.*

*consider
improvement
park for city
school
park.*

Approx. 750 East to

4.3 STORM WATER

Pursuant to existing subdivision regulations, developers are required to provide uniform and adequate facilities and improvements within developing subdivisions for storm water drainage. While this subdivision requirement provides for the collection of storm water within the subdivision, the uniform disposal of storm water is an issue that requires a city wide plan.

Currently, subdividers and developers are required to receive approval from the appropriate ditch or canal company before any storm water is channeled through a ditch, canal or waterway under the jurisdiction of the company. While the current storm water disposal method works under the existing network of ditches and waterways, in-fill residential development may eliminate agricultural areas and the need for ditches, etc. The city's liability exposure will

require the closing or covering of those canals and waterways thus restricting the capacity of a storm drain system based only upon irrigation ditches and canals.

Future development should minimize the dependency of storm water systems on canal company ditches and waterways. Use of such systems should be limited, where possible, to piped systems with controlled inflow to the system.

~~Additionally, with potential residential development of the area south of 700 South from 100 East to 1000 East, a city wide or regional storm drain collection and disposal system could be incrementally installed to minimize costs and use the gradient of the Spring Creek drainage. The City should pursue a citywide or regional storm water plan which could provide direction regarding the scope, the advisability and general design parameters of a proposed storm water handling facility and the area which said facility would serve to use the gradient of the Spring Creek drainage.~~

4.3.1 Storm Water Recommendations

A city wide or specific area storm water plan should be maintained and provide the following:

1. Master Storm Water Management Plan;
2. Review standards and specifications for drainage facilities and improvements, etc. to verify conformance with National Pollutant Discharge Elimination System (NPDES) requirements for the Cache County urbanized area;
3. Provisions outlining the distinctions between collection and disposal systems and policies outlining the funding requirements for the developer and the City;
4. Review and implement appropriate recommendations from the Cache County Urbanized Area Storm Water Analysis completed in 2003 including maintenance, notification, and best management practice (BMP) procedures; and
5. Formulation of funding alternatives and determination of when and how said funding alternative should be adopted and implemented. A considerable number of funding alternatives exist and should be considered as to which can accommodate the varied interests of the existing or developed areas as well as developing areas, including but not limited to, impact fees, special improvement district assessments, temporary sewer surcharge, general budget appropriations, Community Development Block Grant Funds, etc.

4.4 ELECTRIC UTILITIES

Rocky Mountain Power (RMP) provides electric utility service to River Heights under a franchise agreement. The City and Rocky Mountain Power have had, and continue to have, a good working relationship. In the future, deregulation of electric utilities should pose few, if any, serious problems or issues for River Heights. ~~Other future issues on the horizon might include direct line reading of electrical meters and the possibility of the city's direct line reading of electronic water meters. The benefit cost analysis of such a system requiring a new or retrofitted electronic water meter will obviously have to be carefully evaluated. RMP has instituted direct-line reading of electrical meters. The City has instituted direct-line reading of electronic water meters.~~

Opposition to unsightly overhead electrical wires has become a political issue in most Utah communities. State statutes allow electric utilities to install overhead wires as the standard and if the community prefers buried lines then the community must bear the cost difference. Some designated locations within River Heights may warrant underground lines. *The City officials should consider the policy that all new subdivision should be included at the expense of the developer visually survey the community and determine if such public policy and accompanying expense is appropriate for any specific location.*

The franchise agreement additionally provides for underground services in developing subdivisions and overhead service in existing neighborhoods. Developers and city officials are encouraged to designate streetlight locations early in the subdivision review process so costs of streetlight installation by RMP can be economically included when underground residential services are installed. The City and RMP should agree to a consistent lighting fixture and pole type based on street, intersection standards, and conforming to the River Heights City Lighting Ordinance. Street lighting in developing subdivisions will be served by underground wiring.

4.5 EASEMENTS

Utility easements are and should consistently be required on all subdivision plats and made part of the official record. During the construction process and thereafter, the easements should be consistently protected by the city's best enforcement method. Whenever possible, city representatives should inform property owners regarding the existence of easements, and protect said easements from encroachments. Officials considering building permits, fence permits and requests for variances, etc., should consider utility easements on every application.

4.5.1 Location of Service Lines

Cable and telephone service lines in developing subdivisions should be installed underground to enhance the value, appreciation, opportunities of land and buildings, reduce visual proliferation of poles, wires and equipment, and reduce maintenance costs. Respective city officials should make valiant attempts to reduce the visual proliferation of overhead lines, poles and equipment in existing neighborhoods, especially along major transportation corridors and within prime and identified vistas/view sheds.

4.5.2 Electric, Cable, and Telephone Utility Recommendations

1. The City should continue to require underground services in developing subdivisions.
2. The City should review locations for street lights in developing subdivisions early in the process so RMP can economically install street lights while residential underground work is commencing.
3. The City should determine if certain designated areas warrant the expense of burying overhead lines. Special attention should be given to major transportation corridors and areas with significant vistas. The goal is to reduce the proliferation of overhead lines, poles, and equipment.
4. The City should continue to require utility easements and protect them from encroachment.
5. ~~As new water meters are purchased, the City should determine the feasibility of electronic meter reading.~~