

Code Changes – May 2020

3-1-4:A.

3. A Conditional Use Permit becomes void if a business license isn't applied for by January 31 of each year.

5-4-6 GRAFFITI AS NUISANCE

- A. Any graffiti including, but not limited to, graffiti consisting of vulgar or indecent words or pictures, which remains on the exterior graffiti of any building, fence, sign or within a public place which is visible to the general public.
1. For purposes of this section "graffiti materials" means any paint, spray paint, broad tipped marking pen (a pen with a tip that exceeds $\frac{1}{4}$ inch in width), glass cutting tool, glass etching tool, or any other articles adapted, designed or commonly used for committing or facilitating the commission of an offense involving damaging, defacing, or destroying public or private property.
 2. Any person that has in his or her possession any graffiti material while in any public park, playground, bridge abutment, storm drain, or other similar type of infrastructure, owned by or within the city of River Heights.
 3. A violation of this section is a class B misdemeanor.
- B. Finding of Nuisance. If the mayor or code enforcement officer finds that a nuisance exists, they shall attempt to have the responsible person abate the nuisance by:
1. Contacting the responsible person, where possible;
 2. Explaining the nuisance;
 3. Requesting the responsible person to abate the nuisance; and
 4. Agreeing to terms with the responsible person to abate the nuisance.
 5. If any owner or occupant shall fail or neglect to conform to the requirements delineated, eradication, or removal of offending graffiti shall be at the expense of the property owner.

Bump 5-4-6: Failure to Comply to 5-4-7

5-5 Beekeeping

- A. Bee colonies and hive type shall be kept in accordance with state regulations. Equipment is to be kept in good operating condition.

- B. All apiaries are to be located 15 feet or more from the property line, or beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height consisting of a solid wall, fence, dense vegetation or combination thereof.
- C. Flyway Barriers are in place to have a general flight pattern for bees in a direction that will deter bee contact with humans and domesticated animals.
- D. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner.
- E. Each beekeeper shall ensure that a convenient source of water is available at all times, continuously between March 1 and October 31, so that the bees will not congregate at swimming pools, pet water bowls, birdbaths or other water sources where they may cause human, bird or domestic pet contact.
- F. Private bee keeping activities are permitted in the city for up to two bee colonies. A Conditional Use Permit is required for three or more bee colonies.
- G. An apiary may be maintained in a side yard or the rear yard of any residential lot. In no case shall a hive be located in a front yard of a residential lot.
- H. In the event of a conflict between any regulation set forth in this section and honeybee management regulations adopted by the State of Utah, the most restrictive regulations shall apply.

10-3-10: Amendments (to the city code)

- C. Public Hearing Required Before Amending: ~~Notice~~ Amendments to this title may be adopted by the city council only after a public hearing is held before the ~~in relation thereto before the city council~~ planning commission, giving at which parties in interest and citizens and interested parties ~~shall have~~ an opportunity to be heard. A notice of the time and place of such hearing shall be published as required by state law. (6-2006, 5-9-06, 4-2010, 7-13-10)

10-12-1

Table 1, Land Use Chart

<u>Land Use Description</u>	<u>A</u>	<u>R1</u>	<u>C1</u>	<u>PR</u>	<u>PUD</u>	<u>MU</u>	<u>CP</u>
Residential							
7. Secondary Residential Unit * (may only be occupied by a related person)	P	P			P	C	
8. Apartment * (within owner occupied structure)	P	P	P			C	

Accessory and Incidental Uses	A	R1	C1	PR	PUD	MU	CP
20. <u>15.</u> Accessory Building	P	P	P		P	P	P
21. <u>16.</u> Accessory Agricultural Building	P						
22. <u>17.</u> Private Swimming Pool	C	C	C		C	C	
23. <u>18.</u> Solar Panels	P	P	P	P	P	P	
24. <u>19.</u> Livestock, Livestock Corral	P						
25. <u>20.</u> Off street Parking incidental to main use	P	P	P	P	P	P	P
26. <u>21.</u> Household Pets	P	P	C		P	P	
27. <u>22.</u> The keeping of three or more dogs or cats	C	C	C				
28. <u>23.</u> Exceptions to Height Requirements Allowed (see 10-13-10)	C	C	C	C	C	C	
29. <u>24.</u> Sports Court Fencing		C		P	C	C	
<u>25.</u> <u>Beekeeping, 2 colonies</u>	<u>P</u>	<u>P</u>			<u>P</u>		
<u>26.</u> <u>Beekeeping, 3 or more colonies</u>	<u>C</u>	<u>C</u>			<u>C</u>		
90. <u>Beekeeping</u>	<u>P</u>						

* See definition in 10-2

10-13-15: Clear View of Intersecting Streets

Obstruction of vision on corner lots within forty feet (40) of edge of pavement of intersection shall not be permitted from ~~two feet (2')~~ three feet (3') to ten feet (10') above finished grade. Trunks of trees, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.

If existing trees are more than twelve inches (12") in diameter and are not located on the corner of the lot, they must be spaced more than eight feet (8') apart. Ornamental grasses, flowers, shrubs are permitted if they are spaced six feet (6') apart and are not higher than three feet (3') above street level. All plantings shall maintain a clear visibility of 70% (Above ground power transformers are allowed if are less than forty inches (40")).

11-4A-3:B.2.

~~c. List of the names and mailing addresses of the property owners of all property within three hundred feet (300') of the proposed subdivision. (Ord.16-3-96, 10-22-1996)~~

11-4A-3

C. The city will notice property owners within 300 feet (300') of the proposed subdivision, prior to the public hearing.

Bump D & E to E & F

Changes Regarding Public Hearings

10-3-9 PUBLIC HEARINGS

- A. Public Hearing: An opportunity for members of the public to comment, verbally or written, on a subject pending approval of the city. Public hearings are held prior to authorization of items including, but not limited to, code amendments, rezones, conditional use permits, and subdivisions (including minor subdivisions).
- B. Noticing Required: Not less than ten (10) days prior to the hearing date, the city shall mail a written notice to owners of real property as shown on the latest official county assessor's rolls within three hundred feet (300') of the perimeter boundaries of the subject property. Not less than ten (10) days prior to the hearing, the city shall publish a notice in the following places: a newspaper of general circulation, the state's public meeting notice website, the city website, and post in three (3) public places. Said notices shall be in addition to any other requirements as specified by Utah law. The notice shall include the date, time and place of the meeting, the project's title, the address of the subject property, the name of the applicant, a general description of the proposed use, a statement explaining when and where interested persons can obtain information as well as participate in the comment and hearing process.

Renumber 10-3

- 11. Violations
- 12. Penalty
- 13. Severability

10-20-1: PERMITTED CONDITIONAL USES

The following uses shall be permitted only after approval pursuant to the conditional use procedure outlined in section ~~10-20-2~~ of this chapter 10-3-9 of this title.

10-20-2:B.

- 2. ~~Public Notice: Not less than ten (10) days prior to the hearing date, the zoning administrator shall send, by first class mail, a written notice to owners of real property as shown on the latest official county assessor's rolls within three hundred feet (300') of the perimeter boundaries of~~

~~the subject property. Not less than ten (10) days prior to the hearing, the zoning administrator shall cause to be published, in a newspaper of general circulation, a notice or copy of the agenda. Said notices shall be in addition to any other requirements as specified by Utah law. The notice shall include the date, time and place of the meeting, the project's title, the address of the subject property, the name of the applicant, a general description of the proposed use, a statement explaining when and where interested persons can obtain information as well as participate in the comment and hearing process. (7-2009, 12-8-2009)~~

Replace with:

2. Public Hearing Required: The planning commission shall hold a duly noticed public hearing in conformance with section 10-3-9 of this title.

10-21-5: PUBLIC HEARING REQUIRED

The planning commission shall hold a duly noticed public hearing in conformance with ~~Utah Code Annotated, as amended, and section 10-20-2~~ 10-3-9 of this title.

10-22-5: PROJECT REVIEW AND APPROVAL PROCESS (commercial parking zone section)

- D. A public hearing is held to obtain community input, in accordance with section 10-3-9 of this title.

11-4-1:F2. Process (for development)

- a. The sketch plan shall be professionally prepared in accordance with all the requirements of the city. A public hearing will be held ~~to obtain community input at the sketch plan part of the process~~ in accordance with section 10-3-9 of Title 10.

11-4a-3:

- C. Public Hearing: A public hearing will be held ~~to obtain community input~~ in accordance with section 10-3-9 of Title 10.