

River Heights City

PLANNING COMMISSION AGENDA

Tuesday, April 14, 2020

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.

Live Video Conference: Please NO Attendees at City Hall due to COVID-19

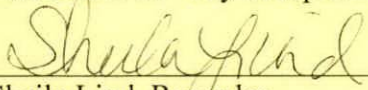
Three (3) options to watch or participate:

1. Facebook: <https://www.facebook.com/RiverHeightsCity/>
2. Call or Text: (435) 757-1694
3. Zoom Conference: <https://bit.ly/39ZBEyg>

Please submit all questions and responses regarding the public hearing through one of these platforms above to ensure we address your comments and feedback promptly.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Hearing to Discuss JP Minor Subdivision
- 7:05 p.m. Discuss Code Revisions
- 7:30 p.m. Adjourn

Posted this 10th day of April 2020



Sheila Lind, Recorder

Attachments for this meeting and previous meeting minutes 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

April 14, 2020

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6 Present: Commission members: Levi Roberts, Vice Chair
7 Noel Cooley
8 Heather Lehnig
9 Cindy Schaub, electronic
10
11 Councilmember Blake Wright, electronic
12 Recorder Sheila Lind
13 Mayor Todd Rasmussen
14
15 Excused Commissioner Lance Pitcher
16
17 Others Present Jeremy Larsen, Bob Larsen, Sam Brand
18 FB Live: Ashleigh and Tanner Hunt, Christine Roberts,
19 Jennifer Perkins
20
21

Motions Made During the Meeting

Motion #1

25 Commissioner Cooley moved to “approve the minutes of the March 10, 2020 Commission
26 Meeting.” Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Roberts
27 and Schaub in favor. No one opposed. Pitcher was absent.
28

Motion #2

30 Commissioner Cooley moved to “approve the JP Minor Subdivision with the recommendation
31 that the city council look at the sewer lines to see if they want to participate or if they prefer the lines
32 be aligned on 600 East, and with the condition that they meet the city engineer’s recommendations
33 as well.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Roberts and
34 Schaub in favor. No one opposed. Pitcher was absent.
35

Proceedings of the Meeting

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39 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council
40 Chambers on April 14, 2020. The meeting was conducted electronically.

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

42 Adoption of Prior Minutes and Agenda: Minutes for the March 10, 2020 Planning Commission
Meeting were reviewed.

44 **Commissioner Cooley moved to “approve the minutes of the March 10, 2020 Commission**
45 **Meeting.” Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Roberts**
46 **and Schaub in favor. No one opposed. Pitcher was absent.**

47 Public Hearing to Discuss JP Minor Subdivision: Commissioner Roberts asked Mr. Larsen to
48 present his plan for the property at 800 South 600 East. Mr. Larsen explained, two lots would front
49 on 800 South and one on 600 East. He discussed changes he had made to his draft based on
50 comments from the city engineer. He didn’t address some of the concerns because he was unsure on
51 how and if the city wanted to participate with the sewer installation. He was anxious to know how to
52 proceed.

53 Commissioner Schaub asked for verification on where the sewer line would come from and
54 how it would run. Mr. Larsen pointed out on his drawing and explained. He noted he’s met with
55 PWD Nelson and Engineer Rasmussen who recommended how he should design his plan, in regards
56 to the sewer. Councilmember Wright said it makes sense to him for the sewer line to be run to the
57 south end of Lot 2, for future development. There is also the question of potential development east
58 of the church. When/if that happens, it would be more cost effective for the future developer to
59 connect to a line that has been run along the north side of Lot 3. Mr. Larsen stated, if the city did not
60 participate he would not run an 8” sewer line the full length (65’) of Lot 2, but would opt to stub in on
61 the northeast corner of the lot. The lines for the other lots would meet up with this stub. The
62 difference between the two options is \$6,000-\$10,000. They didn’t cost out the line along the north
63 of Lot 3, since it recently came up in the engineer’s comments. It was estimated that this might cost
64 \$12,000-\$16,000. The cost to the city to participate in the two potential options could be around
65 \$24,000.

66 Councilmember Wright felt it would be worthwhile for the city to help pay for the sewer line
67 now, rather than tear up the 600 East road later for development on the east side.

68 Jeremy Larsen said he has concern about the sewer lines going in behind properties. He’s
69 heard that it’s difficult to service these lines. He suggested an alternative would be to run the line
70 along 600 East at the time the property east of the church develops. The city engineer has said this
71 option would be a bigger ordeal because of having to redo the road and the high water table. Mr.
72 Larsen is concerned with an easement on Lot 3, which would leave 10’ to trench in a line. They would
73 need a 10 foot deep trench box because of the high water table. The installation would be a
74 disruption to building a home on Lot 3, which he would like to start soon. He was unsure on the
75 procedure for coming up with the cost sharing.

76 Commissioner Roberts felt the cost of the line would be passed on to the future developer of
77 the property it would service. He was told, this can be done, but it is easier to do the work before a
78 home is built, rather than after.

79 Ashleigh Hunt (of 827 South 600 East) asked how long the construction would take, because
80 they are wanting to sell their home soon. Jeremy Larsen hoped to start on the sewer work in 4-6
81 weeks, which would take one to two months. He plans to start a home on Lot 3 within 2 months and
82 be finished 6 months after that.

83 Ashleigh Hunt asked if their fence would need to come down. Jeremy Larsen said it would
84 depend on if they use a trench box.

85 Tanner Hunt expressed concern about having building happening on two sides of their home.
86 Commissioner Schaub said buyers should be aware that homes may be built on vacant lots around
87 their property at some point.

90 Ashleigh Hunt felt Lot 3 would make a good park. Jeremy Larsen suggested she could
91 purchase the property from him for a park. She asked if they could decline the removal of their
92 fence. Mr. Larsen agreed they could. Perhaps the line would need to be moved over 10 feet or
93 trench boxes used.

94 Sam Brand asked if the line installation was more costly now or later. Jeremy Larsen said it
95 will disrupt more later when homes are built.

96 Commissioner Cooley informed that they could approve Mr. Larsen's plan now with a
97 recommendation that the council decide on the sewer line. Commissioner Schaub agreed.

98 Jeremy Larsen said, in looking at this project and surrounding properties, he considered what
99 might happen to the property to the south. It was his opinion, given the existing grades, etc. that
100 development would be cost prohibitive.

101 Commissioner Lehnig asked about the dirt road that goes along the south side of Lot 3.
102 Jeremy Larsen said it belongs to the property to the south.

103 Commissioner Roberts noted Mr. Larsen had addressed most of the engineers comments and
104 asked for further comments from the public.

105 Ashleigh Hunt asked about 600 East being torn up and if it would be rebuilt in front of her
106 home. Jeremy Larsen said he was unsure where the water line is located on 600 East. He's been told
107 it's possible that Lot 3 already has water stubbed. He said if digging were needed, it wouldn't affect
108 the Hunt's frontage, but could disrupt their approach for a day or two.

109 **Commissioner Cooley moved to "approve the JP Minor Subdivision with the
110 recommendation that the city council look at the sewer lines to see if they want to participate or if
111 they prefer the lines be aligned on 600 East, and with the condition that they meet the city
112 engineer's recommendations as well." Commissioner Schaub seconded the motion, which carried
113 with Cooley, Lehnig, Roberts and Schaub in favor. No one opposed. Pitcher was absent.**

114 Jeremy Larsen asked to be on the next council agenda for sewer line cost sharing discussion,
115 as well as the approval of the minor subdivision. Mayor Rasmussen thought that could happen.

116 Mary Robinson called in to the meeting to give her opposition to the road construction on 400
117 South. She is very concerned about doing it during the COVID pandemic. She asked if her email to
118 Mayor Rasmussen was received. Mayor Rasmussen acknowledged he had received it and will discuss
119 it with her later since this topic wasn't on the planning commission's agenda.

120 Discuss Code Revisions: Commissioner Roberts opened a review on the code changes.
121 Recorder Lind described that each year she has problems with certain residents renewing their
122 business licenses in a timely manner and wondered if the code could specify that those who had a
123 Conditional Use Permit for their business could be in jeopardy of losing it if they didn't renew their
124 license by a certain date. Commissioner Schaub asked if Recorder Lind had checked with other cities
125 to see how they handle such delinquencies. Ms. Lind said she had not. Commissioner Cooley
126 suggested a 30 day grace period, rather than 15. Commissioner Roberts asked if this addition to the
127 code would only apply going forward or apply to all who currently have Conditional Use Permits.
128 Commissioners Cooley and Schaub agreed it should apply to all.

129 Regarding 10-3-10, Commissioner Schaub suggested changing it to read: "Amendments to
130 this title may be adopted by the city council only after a public hearing is held before the planning
131 commission, thus giving citizens and interested parties an opportunity to be heard. A notice . . ." All
132 agreed.

131 Recorder Lind explained the confusion with 7. Secondary Residential Unit. Some readers think
132 this allows a second, detached, home on their property. Councilmember Wright stated it is based on
133 the definition, which states a secondary residential unit is "attached . . . sometimes known as a
134 mother-in-law unit." They decided to add an asterisk to this and 8. Apartment, which would direct to
135 the definitions.

136 Brief discussion was held on the Clear View of Intersecting Streets. It was decided to add
137 "high" at the end of the paragraph after (40").


138 With the removal of 11-4A-3:B.2.c., Commissioner Schaub would like to make sure applicants
139 know that surrounding property owners will be notified for their public hearing.

140 Recorder Lind suggested requiring the timely removal of graffiti. It was decided that it could
141 be added as #11 in 5-4-4:B. Commissioner Lehnig agreed to come up with wording for this.

142 A public hearing for code changes will be scheduled for the next meeting on May 12. Mayor
143 Rasmussen stated City Attorney Jenkins has suggested holding off on adopting things which might be
144 controversial or have a lot of interest until we can hold a meeting in which the public can physically
145 attend. The Commission agreed they should wait on a public hearing for the General Plan, but go
146 ahead with code changes.

147 More discussion was held on noting that property owners within 300 feet would receive
148 notice of public hearings. Recorder Lind recommended adding it to a section which talks about the
149 public hearing procedure. Mr. Roberts suggested adding to 11-4A-3:C: "The city will notice property
150 owners within 300 feet of the proposed subdivision prior to the public hearing."

151 The meeting adjourned at 8:20 p.m.

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Levi Roberts, Commission Vice-Chair



Sheila Lind, Recorder

RIVER HEIGHTS CITY

520 South 500 East * 435-752-2646

Application for Project Review

Type of Application

Subdivision Minor Subdivision Flag Lot Rezone Boundary Adjustment
 Commercial Development Commercial Parking

Jeremy Larsen jeremylarsen@live.com
Applicant Phone Number email address

Logan, UT 84321
Mailing Address, City, State, Zip

Same as applicant
Property Owner of Record Phone Number

Same as applicant
Mailing Address, City, State, Zip


P Subdivision
Project Name

845 South 600 East 02-092-0040
Property Address County Parcel ID Number

1.25 Acres NA 3
Size of Lot Size of Building Number of Dwellings/Units/Lots

845 South 600 East
Describe the proposed project

We certify we are the developer and record owner of this property and we consent to the submittal of application.

 2/11/2020
Developer Date

Same as developer
Property Owner Date

FORSGREN

Associates Inc.

April 7, 2020

Cindy Schaub
Planning Commission Chair
River Heights City
420 South 500 East
River Heights City, Utah 84321

RE: JP Subdivision – Engineering Review

Dear Ms. Schaub,

I have completed an initial review of the JP Minor Subdivision located at approximately 800 South and 600 East in River Heights. This development consists of three lots with two lots fronting 800 South Street and one lot fronting 600 East. Water and sewer utility services are available to the lots with water service from the street fronting the respective lots. Sanitary sewer will be provided from the 800 South main line with an eight-inch main extending south from 800 South to the south side of the proposed Lot 3.

An engineering review of the subdivision plat submitted to the City has been completed. Comments are noted on the attached plat in red. Additionally, comments are summarized herein.

1. Given the extent of improvements required for the sewer line, it is recommended that construction drawings separate from the plat be provided for review. Construction drawings should follow the development standards of the City and specify utility service requirements, sewer mainline alignment, and provide complete details for installation of the utilities and repair of impacted features.
2. The plat references Survey Note 2, which is not found on the plat. Please provide or clarify the reference.
3. There are a number of additional plat requirements that are required per City ordinance as noted on the markup plan, including but not limited to subdivider/developer name and contact information and dedication of public improvements, statement that costs and expenses to be paid for by the developer (except as noted in an approved Development Agreement – see comment no. 4.), and additional signature lines for acceptance of the plat.
4. It is my understanding that the City has agreed to participate in the cost of part of the sewer line to extend the proposed line approximately 65 feet further south than as required for the subdivision to accommodate potential connection of the property south of the proposed development. If the City is participating in this expense, then a Development Agreement indicating the extent and conditions required for City participation must be prepared and approved by the City prior to City acceptance and filing of the plat.
5. If the property east of the Church of Jesus Christ of Latter-Day Saints develops in River Heights, a likely way to sewer the property would be to extend the sewer from the JP Minor Subdivision easterly along the north side of Lot 3. This would provide a direct connection across 600 East to the south entry of the church parking lot. This route would be more direct and less costly/disruptive than connecting to the existing sewer at the intersection of 800 South and 600

East. The Planning Commission and City Council should discuss the probability of this property developing in River Heights, and determine if the City should or is in a position to install this section of pipe (approximately 175 feet). Costs would be recovered from the developer of the property east of the church if that happens in River Heights in the future.

6. As noted on the markup plat, and as required by City Ordinance for minor subdivisions, the City Engineer recognizes that this development will have minimal impact to the storm water management and systems in this area. No project specific extensions or additions to the storm water system are anticipated. Additionally, existing roads service the proposed lots, other than repair and reconstruction required for utility installation, roadway improvements are not required.
7. The City Engineer approves the existing fire protection, pending acceptance of the fire marshal. It should be noted that as a future public works project the water main line along 600 East will be replaced (specific date to be determined). At that time a larger water main line will be extended south along 600 East for placement of a fire hydrant closer to the proposed Lot 3. At present, the closest hydrant is located at the 800 South and 600 East intersection.

It is a privilege working with River Heights City in providing engineering services for the review of the JP Minor Subdivision. At the Planning Commission's discretion, as per Ordinance 11-4A-3. D. the plat can be conditionally approved based on engineering comments and markups provided herein, disapproved (if the Planning Commission finds the plat to be in conflict with City Ordinance or otherwise prohibited), or modified within allowances of the Ordinance.

Please let me know if you have questions related to the engineering review for this minor subdivision.

Respectfully,



Craig L. Rasmussen, S.E.
Contract City Engineer

CC: Todd Rasmussen, Mayor
Clayten Nelson, River Heights City Public Works

Code Changes – April 2020

Add:

3-1-4:A.3 A Conditional Use Permit becomes void if a business license isn't applied for by January 15 of each year.

31

Add:

5-4 Bees

- 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.

(Bump current 5-4 to 5-5)

Revisit:

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

- C. Public Hearing Required Before Amending: ~~Notice~~ amendments to this title may be adopted only after a public hearing in relation thereto before the city council planning commission at which parties in interest and citizens, ~~shall have an opportunity to be~~

by the city council
giving

A
and interested parties
is held before the

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)

Revisit:

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							
1. Dwelling, single family detached	P	P			P	C	
2. Dwelling, single family attached					P	C	
3. Dwelling, two family					P	C	
4. Dwelling, Multi Family						P	
5. Residential Facility for Elderly Persons	C	C	P		C	C	
6. Residential Facility for Persons with a Disability	C	C	P		C	C	
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	

Could be considered a second house on the same lot . . .

* See definition in 10-2.

Amend:

10-12-1: Land Use Chart

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> Beekeeping, 2 colonies	<u>P</u>	<u>P</u>			<u>P</u>	
<u>26.</u> Beekeeping, 3 or more colonies	<u>C</u>	<u>C</u>			<u>C</u>	
90. Beekeeping	P					

Amend:

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")).

Delete:

^C
11-4A-3:B.2.

~~e. 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)~~

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

Add Somewhere:

Graffiti must be removed within a certain timeframe.

5-4-4:B.11 (Heather will come up with verbiage)