

# River Heights City

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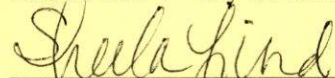
## PLANNING COMMISSION AGENDA

**Tuesday, March 9, 2021**

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at 6:30 p.m., anchored from the River Heights City Office Building at 520 S 500 E, through Zoom.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Hearing to Discuss a Kennel Conditional Use Permit Request from Jenna Williams, of 705 East 350 South
- 6:50 p.m. Workshop with the City Council to Discuss Changes to the General Plan
- 8:00 p.m. Adjourn

Posted this 4<sup>th</sup> day of March 2021

  
\_\_\_\_\_  
Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/81215882348>

Dial: 1 669 900 6833, Meeting ID: 812 1588 2348

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pnn.utah.gov](http://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

March 9, 2021

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6 Present: Commission members: Levi Roberts, Chairman  
7 Noel Cooley  
8 Heather Lehnig  
9 Lance Pitcher  
10 Cindy Schaub, electronic  
11  
12 Mayor Todd Rasmussen  
13 Councilmembers: Sharlie Gallup, Doug Clausen, Nancy Huntly, and Chris  
14 Milbank (electronic)  
15 Recorder Sheila Lind  
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17 Others Present: Benson and Jenna Williams, Shirley Morse  
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### Motions Made During the Meeting

#### Motion #1

23 Commissioner Pitcher moved to "approve the minutes of the February 9, 2021 Commission  
24 Meeting." Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher,  
25 Roberts and Schaub in favor. No one opposed.  
26

#### Motion #2

28 Commissioner Cooley moved to "approve the Kennel Conditional Use Permit of Jenna  
29 Williams with the conditions that she mitigate the daytime barking and complete gate installation  
30 within 45 days." Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig,  
31 Pitcher, Roberts and Schaub in favor. No one opposed.  
32

### Proceedings of the Meeting

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36 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council  
37 Chambers on March 9, 2021.

38 Pledge of Allegiance: Commissioner Roberts led in the Pledge of Allegiance.

39 Adoption of Prior Minutes and Agenda: Minutes for the February 9, 2021 Planning  
40 Commission Meeting were reviewed.

41 Commissioner Pitcher moved to "approve the minutes of the February 9, 2021 Commission  
42 Meeting." Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher,  
43 Roberts and Schaub in favor. No one opposed.

44 Public Hearing to Discuss a Kennel Conditional Use Permit Request from Jenna Williams, of  
45 705 E 350 S: Benson Williams explained their request. He said they have 2 Labrador Retrievers and a

46 Labradoodle. The dogs have access to their home and sleep inside. Their property is 1/3 acre of  
47 fenced yard, with solid gates on order. Currently the gates are transparent to the front yard. The  
48 Williams' have read the city code regarding dogs. Commissioner Roberts read the description on  
49 their application and then opened the meeting to the public.

50 Shirley Morse lives next door to the Williams'. Her son works nights and sleeps in the day.  
51 She says the Williams' dogs bark all day long and its worse when they see people or other dogs. She  
52 is retired and home during the day and she hears the dogs bark constantly.

53 Commissioner Schaub asked if there have been other complaints and if the Williams work  
54 from home or are gone during the day. Recorder Lind stated she has not received any complaints.  
55 Currently the Williams' both work away from home. Beginning in June Ms. Williams will be home.  
56 Mr. Williams said they have bark collars for the dogs and are willing to put them on the dogs during  
57 the day. When they get their gates, the dogs won't be able to see in the front yard, but they will still  
58 be able to see in the back due to the slope of their yard.

59 Commissioner Cooley suggested using bark collars until June. Commissioner Schaub stated  
60 she doesn't believe in bark collars. Commissioner Roberts suggested the Williams' could control the  
61 barking in whatever way they desire. He guessed the constant daytime barking is probably bothering  
62 other neighbors as well.

63 **Commissioner Cooley moved to "approve the Kennel Conditional Use Permit of Jenna  
64 Williams with the conditions that she mitigate the daytime barking and complete gate installation  
65 within 45 days." Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig,  
66 Pitcher, Roberts and Schaub in favor. No one opposed.**

67 Workshop with the City Council to Discuss Changes to the General Plan: Mayor Rasmussen  
68 said he, Commissioner Roberts and Councilmember Wright would like a road map for the Riverdale  
69 area regarding planning. The two things they need to address are transportation and density. He  
70 noted that Councilmember Clausen has been looking into water capabilities for the area. Mr. Clausen  
71 noted that Commissioner Cooley has started investigating if River Heights has enough water storage  
72 for additional development. Mr. Cooley said they need to determine what the state requires. From  
73 what he has checked into so far, he thinks the city can meet their requirements. Mr. Clausen would  
74 like to also factor in other areas of future development. The lower well will soon be able to pump  
75 more water, which will help. Mr. Cooley will try to review his findings with the city engineer.  
76 Councilmember Milbank remembered that Riverdale residents get their water from Logan. Recorder  
77 Lind specified, half of the residents to the west are on Logan water and the other homes to the east  
78 are serviced by River Heights. Mayor Rasmussen said all utilities for new development need to be  
79 provided by River Heights. Mr. Roberts suggested impact fees could contribute to additional utility  
80 infrastructure costs.

81 Mayor Rasmussen asked that they focus on transportation tonight. Commissioner Roberts  
82 noted the four possibilities for ingress and egress and the challenges with each. There are also right-  
83 of-way issues. Mr. Roberts said 200 East is on the CMPO Plan, but there is no funding available for it  
84 in the next 25 years.

85 Commissioner Roberts posed the question of whether 200 East could carry traffic better than  
86 the other options. Councilmember Gallup asked how the garbage truck accesses the area right now.  
87 No one knew for sure. She made some suggestions, including the possibility of a dead end street on  
88 the east. Mr. Roberts suggested two ways out is better for emergency access and traffic flow.  
89 Councilmember Milbank said large trucks are able to get down the hill from 400 East.

Commissioner Roberts said traffic works okay for now. With the addition of more homes, the roads are not wide enough for two cars and pedestrians. Mayor Rasmussen wanted the group to understand, their decisions will require the taking of property to widen the roads, no matter what options they choose. Councilmember Clausen asked how they could improve the 400 East access. Mayor Rasmussen said they would probably need to enter 400 East at a perpendicular angle and slope it down to the Humphreys' property, to decrease the steepness. He pointed out that Demars owns part of the road on Riverdale Avenue. Councilmember Huntly didn't see this as a good solution because it would put more traffic through a dangerous intersection and onto a small street. It was pointed out that 400 East is a county road.

Councilmember Clausen doubted Logan City would want to put in 200 East for River Heights. Mayor Rasmussen said River Heights could reserve this road in the General Plan, which would put the burden on the developer. River Heights can still apply for funds and sponsor the road in the future. Commissioner Roberts pointed out, this would only benefit the Riverdale development. They agreed the bridge and 200 East would not benefit the majority of River Heights residents. Mr. Rasmussen asked if the city could specify, in the city code, that existing streets will stay the same, unless the density goes over a certain amount, then a third access would be required. Mr. Roberts said cities can do a transportation study. The code could specify if there are more than a certain number of units they have to bring in 200 East. Usually general plans are pretty rigid. They don't give options A, B or C. Councilmember Huntly felt they should decide the standard they will require.

Discussion was held on who would bear the costs of improving the extension roads beyond the development. Commissioner Cooley said the current homes would also benefit from paved roads and they should contribute. Commissioner Roberts said the city can't extract more than what the development is demanding. However, a development in the area will require improving the roads.

Commissioner Pitcher reminded of a proposal that came in a year or so ago. They discussed the roads in that plan.

Commissioner Schaub asked about bringing in a road specialist. She believes the developer should pay all the road costs. She wondered if the sellers have considered putting the property into a conservation easement.

Commissioner Roberts said the city needs to coordinate land use and transportation. They don't need to design the roads of the development. He hoped the city's aim was to make it tie together while there is still vacant land to work with.

Councilmember Milbank explained the Commission's idea from 2009 didn't play out because of how Logan has developed their area. The new zoning designation should consider what is conducive to the area and what the roads can handle. The General Plan should reflect what is currently in the area.

Commissioner Roberts said even if they don't allow many homes, transportation still needs to be improved.

Councilmember Milbank cautioned about saying what is allowed. They could say the city will support.

Discussion was held on designating the area as an agricultural zone. Commissioner Lehnig felt this may not bring in the needed improvements to the area, such as drainage and parks. They wouldn't want to make it too restrictive and end up with smaller developments which won't flow together. She suggested a PUD, which would require some open space. Commissioner Roberts agreed with her thinking since it's more difficult to get property owners with large lots to allow trails and open public space on their property.

135 Councilmember Milbank wondered if the city would be obligating themselves in any way by  
136 designating a zone, such as eminent domain for roads. Commissioner Roberts thought it would fall  
137 on the developer.

138 Commissioner Cooley said the city has the ability to maintain the water and sewer system,  
139 installed by the developer.

140 Mayor Rasmussen assured there has never been an implication with developers that the city  
141 will do anything for them. The developers may ask for city participation, which the city can say yes or  
142 no to. The city's job isn't to decide how to access a property, but how the property will fit into the  
143 community.

144 More discussion was held on PUDs. Commissioner Lehnig felt the current code needs to be  
145 massaged a bit. Commissioner Roberts agreed with smaller lots and larger open spaces. Mayor  
146 Rasmussen suggested higher density and open space that would be available to all River Heights  
147 residents.

148 Discussion was held on PUD requirements. It was clarified that a PUD can be applied for  
149 anywhere in the city. The density would need to stay within the underlying zone. Commissioner  
150 Roberts suggested the city could present incentives for a PUD, such as allowing 75 feet from the river  
151 as part of their open space. The group agreed to the idea of updating the PUD ordinance.

152 Councilmember Clausen liked the idea of leaving the bridge idea out.

153 Councilmember Milbank asked if the current roads would be sufficient with a PUD.  
154 Commissioner Roberts felt it could be.

155 Commissioner Schaub didn't want to use eminent domain for any development.  
156 Commissioner Roberts said the developers could be required to bring the current roads up to  
157 standards.

158 It was decided that the PUD ordinance and then the General Plan need to be updated before  
159 the moratorium is lifted.

160 Commissioner Lehnig volunteered to work on suggesting updates to the PUD ordinance and  
161 sending it out for review in a week. Commissioner Roberts will work on it, as well.

162 Mayor Rasmussen asked for clarification on whether they would entertain the development  
163 of 200 East or an access through the Lundahl property. They all agreed they didn't like these ideas.  
164 Mr. Rasmussen will let the CMPO know. Commissioner Roberts felt it would be worth asking the  
165 CMPO what value these plans could have.

166 They all agreed to get rid of the mixed-use zone and beef up the PUD ordinance.  
167 Commissioner Roberts pointed out that acceptance of individual PUDs will be approved or rejected  
168 by the legislative body. He also pointed out that sometimes home-owners associations fail and cities  
169 end up taking over the development's infrastructure. This may be a reason to require city standard  
170 roads. Councilmember Clausen was concerned because by the time the city takes over, their services  
171 could be in bad shape.

172 The meeting adjourned at 8:30 p.m.

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177 Sheila Lind, Recorder

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Levi Roberts, Commission Chair



**DATE:** March 9, 2021  
**TO:** Planning and Zoning Commission and City Council of River Heights, Utah  
**FROM:** Resident Homeowners in Riverdale Area of River Heights  
**RE:** Potential modifications to the River Heights General Plan

We, the undersigned resident homeowners of Riverdale, appreciate the sincere consideration being given to the potential re-zoning of the Riverdale area of River Heights. We thank the Planning and Zoning Commission and the City Council for their dedication to serving River Heights and its citizens.

As neighboring resident homeowners of Riverdale, we are in agreement with the following issues pertaining to potential modifications to the River Heights General Plan:

- We are opposed to the proposed change in zoning from R-1-12 to Mixed Use Development for the Ellis, Demars, Barrus, Ruggieri/Walker, and Johnson/Jablonski properties, as illustrated in the "old" General Plan;
- We are in favor of all parcels in our neighborhood remaining zoned for single-family homes with lots **at least** 12,000 square feet in size;
- We are opposed to any change in zoning on any parcels in Riverdale that would allow for multi-family housing, apartments, condominiums, or commercial developments; and,
- We are in favor of a wide set-back of undeveloped land along the south bank of the Logan River to protect the river, maintain the riparian forest zone, and provide safe passage for wildlife along the river from upstream of our neighborhood to the Johnson/Jablonski property.

Maintaining the single-family residential zoning of our neighborhood represents a compromise between our often-expressed desire for our neighborhood to remain as it is as open space and the desire of the investment landowners to sell their properties. Neither of us will get everything we want, but the investors will be able to realize a profit and the neighborhood will be able to maintain more of our sense of community and natural surroundings, both of which are very important to all of us who live here.

Preventing the intrusion of multi-family or commercial developments will also reduce the potential problems associated with the roads in Riverdale. The current ingress and egress to the neighborhood could probably handle the traffic generated by a number of single-family homes, but would not be able to accommodate all of the traffic from dense apartments or condominiums. Of course, the fewer the homes allowed by the zoning (i.e., the larger the minimum lot size), the less of a traffic problem will be generated.

Please accept these comments as an expression of our common mind on these issues. We may each express other comments separately, but on these issues we are united. We also share this unity with many other citizens of River Heights who do not live in the Riverdale area



but have strong concerns about how the rezoning of the Riverdale area will have significant impacts on the City of River Heights as a whole.

Signed,

Printed Name:	Address:	Signature:
Michael A. Jablonski	165 E 500 S, River Heights.	<i>Michael A. Jablonski</i>
Cindy Johnson	165 E 500 S, River Heights	<i>Cindy Johnson</i>
Katherine Ruggeri and Bryan Walker	201 E 500 S, River Heights	<i>Katherine Ruggeri Bryan Walker</i>
Mary Barrus	225 E 500 S, River Heights	<i>Mary Barrus</i>
Jason and Dana Thompson	446 Riverdale Ave., River Heights	<i>Jason Thompson Dana Thompson</i>
Dennis and Melissa Lemon	426 Riverdale Ave., River Heights	<i>Dennis Lemon Melissa Lemon</i>
Diane Rhoton	325 Riverdale Ave., River Heights	<i>Dennis &amp; Dianne Rhoton</i>
Boyd and Joan Humpherys	328 Riverdale Ave., River Heights	<i>Boyd Humpherys Joan Humpherys</i>
Janet and Tyler Mathews	328 Riverdale Ave., River Heights	<i>Janet &amp; Tyler Mathews</i>
Tim and Diane Poulson	335 Riverdale Ave., River Heights	<i>Tim &amp; Diane Diane H. Poulson</i>
Quin Reeding and Miwako Checketts	Riverdale Ave., River Heights	*A Supporting email will be coming from the Checketts who are currently living in Japan.
Morgan Enoch and Anna Lisa Davidson	355 Riverdale Ave., River Heights	<i>Morgan Enoch Anna Lisa Davidson</i>