

# River Heights City

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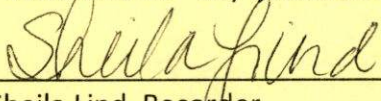
## PLANNING COMMISSION AGENDA

**Tuesday, March 23, 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. Attendance can be in person or through Zoom.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Discuss Potential Ordinance Changes to Allow Beauty Salon in Residential Zone
- 6:50 p.m. Discuss Changes to the PUD Ordinance
- 7:30 p.m. Discuss Changes to the General Plan
- 8:00 p.m. Adjourn

Posted this 18<sup>th</sup> day of March 2021

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

To join the Zoom meeting:

<https://us02web.zoom.us/j/86258905010>  
Dial: 1 669 900 6833, Meeting ID: 862 5890 5010

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pmn.utah.gov](http://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 March 23, 2021

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6 Present: Commission members: Levi Roberts, Chairman  
7 Noel Cooley  
8 Heather Lehnig  
9 Lance Pitcher  
10 Cindy Schaub  
11  
12 Councilmember Blake Wright  
13 Sharlie Gallup  
14 Recorder Sheila Lind  
15  
16 Others Present: Cindy Johnson, Tony Johnson  
17 Electronically Present: Mayor Todd Rasmussen, Janet Matthews  
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### Motions Made During the Meeting

#### Motion #1

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21  
22 Commissioner Schaub moved to “approve the minutes of the March 9, 2021 Commission  
23 Meeting.” Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher,  
24 Roberts and Schaub in favor. No one opposed.  
25  
26

### Proceedings of the Meeting

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30 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council  
31 Chambers on January 23, 2021.

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

33 Adoption of Prior Minutes and Agenda: Minutes for the March 9, 2021 Planning Commission  
34 Meeting were reviewed with a minor change.

35 **Commissioner Schaub moved to “approve the minutes of the March 9, 2021 Commission  
36 Meeting.” Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher,  
37 Roberts and Schaub in favor. No one opposed.**

#### Discuss Potential Ordinance Changes to Allow Beauty Salon in Residential Zone:

38  
39 Commissioner Roberts explained he has met with Councilmember Wright and Tony Johnson, who is  
40 interested in remodeling the shop building on 400 South, about 650 East, to house a beauty salon in a  
41 portion of it. Currently, city ordinance doesn’t allow this in a residential zone because the building is  
42 not attached to a home. The idea they came up with is using the historic overlay zone, to see if it  
could be modified and appropriate for the use.

44 Tony Johnson explained how they have cleaned up the area and building. The utilities are  
45 stubbed in. They plan to reroof but not change the look of the building.

46 Councilmember Gallup asked if the neighbors were going to be notified. Commissioner  
47 Roberts explained the process and the hearings that would take place along the way. Right now they  
48 are just discussing if they want to consider this type of use. The intent of the historical zone seems to  
49 fit this type of use. He read from 10-11-6:B, concerning the purpose of the zone. Its not viable for  
50 residential use, so it seems the city should consider other uses that would fit in the neighborhood.

51 Commissioner Lehnig asked about parking availability. Tony Johnson said 10-15 cars could fit  
52 on the asphalt. The shop would only have one or two chairs, which would limit the number of cars.  
53 Commissioner Schaub said one condition could be the number of employees that would be working  
54 there.

55 Councilmember Gallup asked Mr. Johnson if he would consider putting in a second business.  
56 He replied he would only put in what was approved by the city and he wouldn't have two businesses  
57 at a time. If a beauty shop were approved, that would be the only business.

58 Commissioner Cooley pointed out paragraph C, and said the city council would need to  
59 designate the area as historical. However, beauty shops are not currently allowed in the historical  
60 overlay zone.

61 Tony Johnson said the building was built in the late 1940s. The historic overlay zone applies to  
62 50 years and older.

63 The Commission was in favor of trying to get this to work. Commissioner Roberts said there  
64 are two actions: the changing of the code and recommending an overlay zone for this property.  
65 Commissioner Schaub will work on making a few revisions to the Historic Overlay Zone. They will  
66 plan for a public hearing on the 27<sup>th</sup> and then send it to the council.

67 Discuss Changes to the PUD Ordinance: Commissioner Roberts explained they decided to get  
68 rid of the mixed-use designation and allow a PUD in the Riverdale area. Commissioner Lehnig had  
69 started some revisions to the PUD ordinance, which she reviewed. Her comments were based on  
70 other ordinances she reviewed from many other cities.

71 Commissioner Roberts suggested a maintenance plan agreement between the city and PUD,  
72 to determine who would take care of it. Ms. Lehnig was desirous of having open space available to all  
73 River Heights residents. She also mentioned that developers should comply with city standard road  
74 specifications. She also mentioned density bonuses. If they beautify the area in a specified manner  
75 they could add 10% more housing over what is allowed in the zone. They guessed there was about  
76 15-20 acres of undeveloped land in the Riverdale area. Currently, about 10 acres are for sale. Mr.  
77 Roberts suggested a minimum open space requirement.

78 Cindy Johnson said the code states they want to encourage owner-occupied single-family  
79 homes in a PUD. She asked if they were considering apartments or townhomes. Commissioner  
80 Roberts explained the city's code currently doesn't regulate whether or not they are owner occupied.  
81 Ms. Johnson said the PUD goals encourage developments to be 50% multi-family, which will push it  
82 towards apartments. Mr. Roberts felt it was a way to set a limit of the maximum number of multi-  
83 family.

84 Commissioner Schaub envisions one story four-plexes. Councilmember Wright didn't think  
85 two stories would be excessive since there are already two-story homes in the area.

86 Councilmember Wright said the Riverdale area is currently zoned 12,000 square feet lots. If  
87 the city wants to encourage open space, they need to encourage at least 8,000 square feet lots. In

90 senior living they may want 6,000 square foot lots. He encouraged looking at changing the density.  
91 He agreed the density calculation, in concert with the percentage of open space is what they need to  
92 work on. Commissioner Roberts agreed there needs to be the right incentive to preserve the open  
93 space.

94 Janet Matthews asked if they have discussed the road situation, once there is more density.  
95 Commissioner Roberts explained they have discussed it at length and decided that it would be up to  
96 the developer to work through this. They did discuss it would probably be from the east and west.  
97 They weren't in favor of 200 East. It would need to be designed and paid for by the developer. The  
98 city isn't comfortable with very high density because of the road situation. If a proposal comes in that  
99 they don't like for any reasons, including access issues, they can deny it.

100 Commissioner Roberts said they may want to require a certain number of amenities based on  
101 the number of units. Discussion was held on Section F, which allows the city to impose conditions.

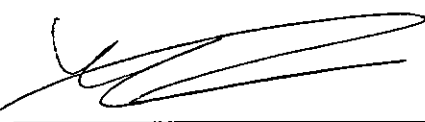
102 Commissioner Roberts brought the discussion back to desired density. They felt 12,000  
103 square foot lots would be too big. He suggested a maximum of 7 units/acre. Also, a minimum open  
104 space requirement, not counting any parcels less than a quarter acre. Commissioner Lehnig  
105 suggested including the trail along the river in the required open space.

106 Discuss Changes to the General Plan: Commissioner Roberts postponed this discussion due to  
107 time.

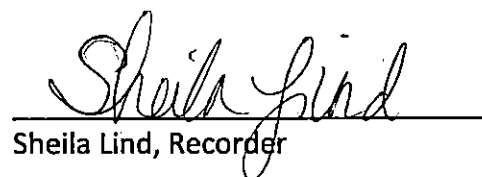
108 Councilmember Wright asked if the intent of the PUD could potentially cover all 4 areas listed  
109 in the moratorium. Commissioner Roberts said they should probably review the other areas to make  
110 this determination. Mr. Wright said the General Plan could designate the areas as PUD, because the  
111 developer could always request a zone less dense.

112 Commissioner Lehnig will make some suggested changes to the PUD ordinance.  
113 Commissioner Roberts asked those with any ideas on PUD changes to let Ms. Lehnig know. He  
114 agreed the ordinance could be beefed up, but he also likes the idea of allowing flexibility. They are  
115 hoping to spend the next couple meetings ironing out the PUD ordinance and then moving on to the  
116 General Plan. They'd like to hold a public hearing on both before August.

117 The meeting adjourned at 8:15 p.m.

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120 Levi Roberts, Commission Chair  
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120 Sheila Lind, Recorder  
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TITLE 10

CHAPTER 10

**PLANNED UNIT DEVELOPMENT ZONE**

SECTION:

- 10-10-1: Intent
- 10-10-2: Special Provisions
- 10-10-3: Requirements

**10-10-1: INTENT**

The intent of this zone is to provide locations for developments of integrated design for residential use in which the rigid conventional zoning requirements are altered to allow flexibility and innovation in design. The regulations are intended to prohibit those uses which would be harmful to the usual residential character of the city. Access to adjoining streets is designed to be in conformance with city standards and is sensitive to the street capacity. Planned unit developments shall provide adequate landscaping, fencing, screening and landscape separation and shall provide open space as required herein. Planned unit developments shall, to the extent possible, preservation of natural features, maintain mature woodlands, existing fields, pastures, orchards, floodplains, wetlands, steep slopes, scenic views and vistas, and shall be encouraged to provide active recreational areas and pedestrian circulation systems etc., linking the planned unit development with existing neighborhoods. (Ord., 1-22-2002)

**10-10-2: SPECIAL PROVISIONS**

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title: a variety of housing types, and a mixture of densities and lot sizes in residential areas, including multiple-family dwellings (should not exceed four (4) units per structure) single-family that are conventional dwellings, or manufactured homes. (Ord., 1-22-2002)

**10-10-3: REQUIREMENTS**

- A. **Aggregate Area:** The aggregate area of all proposed buildings within a planned unit development shall not exceed thirty percent (30%) of the development area. Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD open space; the total amount of nonresidential construction
- B. **Minimum Area:** The minimum area that may be considered for a planned unit development shall be five (5) acres.

- C. **Plats Required:** All planned unit developments shall require a preliminary plat and final plat.
- D. **Rezoning:** All planned unit developments shall require rezoning to the planned unit development designation.
- E. **Density:** The total density in an approved planned unit development shall not be increased by more than ten percent (10%) beyond the total number of dwellings allowed per acre within the adjacent (or closest) residential zone that lies within the city boundaries. When more than one residential zone borders (or is in the same proximity to) a planned unit development, an average of the allowed lot sizes of the neighboring zones will be used as a basis to determine the increased density. All planned unit developments shall be compatible with surrounding uses and the physical features of the site.
- F. **Modifications and Conditions May be Imposed:** The planning commission and city council may impose modifications and conditions in consideration of factors, such as size and location, street capacities of the area, ingress and egress to adjoining streets, internal traffic, signs and lighting, building bulk and location.
1. **Security of Performance:** The city council shall also require a reasonable security of performance to be provided by the developer to ensure the completion of site improvements, including, but not limited to, paving and landscaping. This security may be in cash deposit, bond, mortgage, or other security as reasonably deemed acceptable by the city council.
  2. **Covenants:** The city council shall require such restrictive covenants, as negotiated with the homeowners' association, as are necessary to assure compliance with the approved final development plan, to be placed on record in the office of the county recorder by deed by the developer. (Ord., 1-22-2002)
- G. Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners' association to ensure maintenance of the area, or by development of the space to city specifications and acceptance of it by the city, in which case it would be available for general public use. Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD
- H. Compliance with Applicable City Codes. The granting of a PUD zoning district shall not relieve the developer from complying with all other applicable sections of this Code and other Codes and Ordinances of the City unless such relief is specified in the approved PUD plan and PUD ordinance.
- I. Existing and proposed pedestrian walk areas, including their possible inter-relationships with the vehicular circulation plan; Proposed trail networks;

J. Density bonuses of 10% may be granted by the planning commission as an incentive to go through the PUD process, and providing at least three of the following:

1.. Landscaping.

2. Public open space.

3i. Provision of low cost housing.

4. Enhancement of public enjoyment of natural or cultural assets on site.