

River Heights City

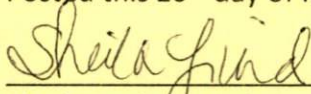
PLANNING COMMISSION AGENDA

Tuesday, May 25, 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. Public Hearing to Discuss Code Changes: PUD, Historic Overlay and Additional Minor Changes
- 7:15 p.m. Consideration for Code Change Recommendation
- 7:45 p.m. Adjourn

Posted this 20th day of May 2021



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/81621786849>

Dial: 1 669 900 6833, Meeting ID: 816 2178 6849

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
May 25, 2021

Present: Commission members: Levi Roberts, Chairman
Noel Cooley
Heather Lehnig
Lance Pitcher
Cindy Schaub

Councilmember Blake Wright
Recorder Sheila Lind
Tech Joseph Johnson

Others Present: Mayor Todd Rasmussen, Councilmembers Sharlie Gallup,
Doug Clausen, Chris Milbank, See attached roll

Electronically Present: Monica Christy, Boyd Humphreys, Keenan Ryan, Lindsay
Haberstick, Robert Astle, Geri Child, Noraina Peterson,
Kevin Larson, Jaxson, Bill Hanover

Motions Made During the Meeting

Motion #1

Commissioner Cooley moved to “approve the minutes of the May 11, 2021 Commission Meeting with one change and an amended agenda, which would entertain the minor code changes and the historical overlay first and then discuss the PUD changes.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Motion #2

Commissioner Cooley moved to “recommend the code corrections and the historic overlay code changes be sent to the City Council for adoption.” Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on March 25, 2021.

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

Adoption of Prior Minutes and Agenda: Minutes for the May 11, 2021 Planning Commission Meeting were reviewed, with a minor addition.

45 **Commissioner Cooley moved to “approve the minutes of the May 11, 2021 Commission**
46 **Meeting with one change and an amended agenda, which would entertain the minor code changes**
47 **and the historical overlay first and then discuss the PUD changes.” Commissioner Schaub seconded**
48 **the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one**
49 **opposed.**

50 Public Hearing to Discuss Code Changes: PUD, Historic Overlay and Additional Minor Changes:
51 Commissioner Roberts gave a quick overview of the Historic Overlay Zone changes. The applicant,
52 who has proposed this change, intends to turn an old shop building into a beauty shop.
53 Commissioner Schaub showed a photo of the property and discussed a comment received from
54 Robert Astle.

55 Commissioner Roberts opened the public hearing. Robert Astle clarified his comment. He
56 pointed out that the minutes of the last meeting state the owner could one day turn the building into
57 a residence. Mr. Astle pointed out that the lot is less than 8,000 square feet (the minimum
58 requirement for this area). He requested this comment to be stricken from the ordinance draft and
59 the minutes. Commissioner Roberts noted that this could be addressed during the review of the
60 beauty shop Conditional Use Permit. Commissioner Cooley said there is a provision in the code to
61 address non-conforming lots, which could be addressed, if it came up.

62 **Commissioner Cooley moved to “recommend the code corrections and the historic overlay**
63 **code changes be sent to the City Council for adoption.” Commissioner Pitcher seconded the**
64 **motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.**

65 Commissioner Roberts explained the PUD ordinance changes as amendments, not a new
66 ordinance. He discussed a presentation he had put together, which clarified the density. He showed
67 examples from around the valley and related them to the density allowed by the proposed code
68 changes.

69 Commissioner Roberts read a letter from the Ellis family, explaining why they are selling their
70 property in the Riverdale area and requesting multi-family zoning. All written comment will be
71 included with the meeting minutes.

72 Commissioner Schaub read a comment from Annette Smith, who is not in favor of any zone
73 that increases density.

74 Commissioner Roberts read a letter from Howard Demars, which discussed an idea of how his
75 property could be developed.

76 Commissioner Roberts opened the public hearing and asked that those called on to speak
77 would step up to the microphone.

78 Mary Barrus has lived in the Riverdale area for 50 years. She read comments about the
79 scientific fact that nature helps our mental health. She felt it would be detrimental to her health to
80 have the area around her developed in high density. She asked the Commission to consider her
81 mental health.

82 Marilyn Pride said she has a hard time getting out of her driveway on 600 East because of
83 traffic. She didn't want more development.

84 John Rutledge asked the Commission to take a long look at what they are doing now so they
85 don't regret it later. He guessed another depression and drought would be coming. He had lived
86 through them both and wanted to make sure there would be enough water and other amenities.

87 Leslie Howell, of 400 East River Heights Point, said her family has been in River Heights since
88 1960. She was concerned about access to the Riverdale area and agreed the area is beautiful and
89 knows people would like to live there, but didn't support high density.

90 Sebastian Luu had seen development in California and hoped River Heights wouldn't end up
91 as crowded. He discussed the crime rate when housing is dense. He would love to see the open
92 areas remain open and felt the city could generate income in a different way.

93 Don Davis was born and raised in River Heights. He thinks that River Heights is the smallest
94 city in the valley in land mass and didn't feel it was up to River Heights to take care of the housing
95 shortage. He hoped there wouldn't be more houses in River Heights and was not supportive of a
96 PUD. The more people, the more problems.

97 Kathryn Hadfield said her family is invested in River Heights. She showed and explained
98 photos of the view from her front door as it had changed through development. She was on the city
99 council when the Saddlerock Subdivision was approved. She said people have the right to own
100 property and develop it. She advised city representatives to be very careful. The Chugg property is
101 now in Providence and will be developed more densely than if it were in River Heights. She is worried
102 that if the residents insist on no development, properties could go to Logan and develop into
103 something the citizens really don't want?

104 Anna Lisa Davidson read a written comment. She didn't think our small city should go to great
105 lengths to solve the housing problem. She didn't feel the PUD ordinance does enough to protect the
106 Logan River. She wondered if the city has enough water to service the area. She wasn't against
107 dense housing, but felt it should be a gradual increase. She took a poll of real estate agents who said
108 buyers really want their own home, not a condo. Why build what developers want instead of what
109 the current families in the area want.

110 Elizabeth Price has observed that kids need space. If there isn't enough space, there is
111 mischief and problems. She said sense of community is very important. The city needs to be careful.
112 Developers will come and go.

113 Rocky Ricks commended the efforts on the PUD ordinance and asked how it will help the city.
114 He expressed concern with water, sewer and access. He hopes the city looks very hard at these
115 issues.

116 Ruthann Nelson said the Ellis and Demars family have subsidized their properties for the
117 residents in the Riverdale area for the past 50 years. The location is next to 100 East and it's a proper
118 place for higher density. If River Heights doesn't agree, the properties could go to Logan. She
119 pointed out that the property is still for sale and suggested the current residents could buy it and
120 develop it as they want.

121 Janet Matthews expressed her love for the Ellis family. She hoped planning would consider
122 future generations. Developers are not around when the problems surface, they make their money
123 and leave. She hoped there would not be a PUD. She was unsure there would be enough water. She
124 discussed the traffic situation. Is River Heights catering to developers or to the citizens?

125 Tim Poulsen said as traffic increases on Riverdale Road it becomes more dusty. He hadn't
126 heard a good solution for access. He believes all property owners have rights, subject to city rules.

127 Lovisa Ricks moved to River Heights from California. They wanted to come to a small town
128 where people knew each other. She suggested a few single-family homes in the Riverdale area and a
129 community garden. She suggested a group of people put in money and own shares in the property.

130 Dianne Rhoton said she has moved many times. She has seen a lot of destruction due to
131 developers in her days. She was concerned about water, sewer and transportation. With
132 development, taxes go up. Development in River Heights will have a DRAMATIC effect. She would
133 like to see development in single homes, as it's supposed to be. She didn't want a public park or
134 walking trail in her backyard. She didn't want graffiti. Developers won't build it if they can't get what
135 they want.

136 Jason Thompson lives in the Riverdale area. He thanked the Commission for their time and
137 effort. He said the Thompson's are not against a PUD, with an underlay zone of R-1-12 with no
138 ambiguity. The residents are united in their opinion that a PUD shouldn't be a mechanism to provide
139 affordable housing. There have been petitions circulating in support of single-family housing. He
140 reminded that a few years ago petitions circulated, by the same family selling this property, against
141 high density in their neighborhood. He hoped the Commission would consider the ambiguities of the
142 PUD ordinance, pointed out in the letter from Mike Jablonski and Cindy Johnson.

143 Douglas J Wood showed a picture of his backyard years ago. There was no development. He
144 discussed the problem with methamphetamines. He hoped the area in his back yard could stay open.
145 He discussed a development that has become a cesspool attracting mosquitos.

146 Brian Anderson was in favor of relaxing the zoning ordinance to allow development. If the
147 residents continue to fight against growth, they will lose property to Providence and Logan. If they
148 don't like it, they should ban together and buy the property and pay the Ellis'. If the property stays in
149 River Heights they could have a little say. If it leaves River Heights they will have zero say.

150 Dallas Heaton explained the various places she has lived. River Heights has something very
151 special. The only arguments she has heard in favor of development is money. She knows growth
152 can't be stopped, however, it could be less dense.

153 Cindy Larsen was concerned that the city would lose their say if the property leaves River
154 Heights and said that no matter what happens, we need to love each other, even those who may live
155 in high-density housing.

156 Vern Fielding represents the Demars and Ellis families. Governor Herbert said a few years ago
157 that 70% of Utah's growth is our own children. The PUD is an overlay, which allows for increased
158 density but there is also a concession. The PUD, in its current form, is meaningless. Developers need
159 to make money for it to be feasible. To give up 25% of their ground for 20% more density doesn't
160 work.

161 Mike Jablonski asked if the maximum density bonus was 20% in all cases. Commissioner
162 Roberts answered, "Yes."

163 Lisa Ellis said their family loves the Riverdale area. They can't take care of it anymore or
164 afford the taxes. She would like to see an assisted living development in this area. They won't come
165 because they can't afford to put the road in. If the city would put in 500 South, there would be a very
166 nice development which everyone could enjoy. The city has said no every time. The only way a
167 developer can pay for a new road is to put in higher density. She has asked the city to put the road in
168 for 40 years.

169 Lovisa Ricks asked how much the property was selling for, how much space it was and
170 suggested they all could pitch in for the road.

171 Commissioner Roberts closed the public hearing.

172 Consideration for Code Change Recommendation: Commissioner Roberts led a discussion
173 between the Planning Commission members.

174 Commissioner Lehnig reminded that the PUD ordinance had been included in the city code for
175 a long time. When they talked about making changes to it, she volunteered because she wanted to
176 protect the river. She sees the changes as an opportunity for the city. They are not proposing high-
177 density, but river protection and open space.

178 Commissioner Roberts addressed some questions that came up during the hearing . . .

179 Can the property be annexed to Logan? He wasn't sure, but felt it was a possibility. Some
180 people from the public threw out comments. Councilmember Clausen reminded that they weren't
181 lawyers and didn't know the answers.

182 Commissioner Roberts addressed the question regarding state guidelines for affordable
183 housing. The State of Utah doesn't dictate how cities, with populations less than 5,000 residents,
184 should provide affordable housing. They encourage these cities to consider the needs of its
185 residents.

186 Could the city pay for specific roads? Commissioner Roberts said this is a question for the City
187 Council.

188 Commissioner Lehnig addressed a question on minor subdivisions. This option would be
189 available in the Riverdale area, however, she felt this option would make the area seem disjointed.

190 Commissioner Roberts explained some of the edits he made on the PUD ordinance since the
191 last meeting.

192 Discussion was held on density bonus. Commissioner Roberts felt the threat of the Ellis
193 property going to Logan shouldn't drive their decision. But, if it did go, it could end up being
194 developed as 30 units/acre. He felt revising the PUD ordinance would be advantageous, in an effort
195 to preserve open space. He agreed that River Heights shouldn't have to solve the valley's affordable
196 housing problems, but they should take their slice of the pie.

197 Commissioner Schaub suggested they go through the ordinance line by line, but
198 Commissioner Roberts didn't think it would be reasonable with the time constraints. Commissioner
199 Cooley suggested discussing the areas they felt needed modified.

200 Commissioner Cooley wanted to make sure properties slightly less than 5 acres could be
201 considered for a PUD. A few changes were made to reflect this suggestion.

202 Discussion was held on the density bonus and impact. Commissioner Roberts felt they could
203 go higher than 20% and not have a greater impact than the underlying zone. Commissioner Cooley
204 explained what the density would be in specific zones. Mr. Roberts felt 20% was still too restrictive.

205 Commissioner Lehnig brought up the possibility of minor subdivisions going in piece meal.
206 Commissioner Cooley didn't think a minor subdivision could be approved in the Riverdale area
207 because there is currently no access to a developed road, water or sewer. To keep allowing septic
208 tanks, will risk contamination of ground water. The current code density is not enough for a
209 developer to consider. He felt they needed to allow 7-8 units/acre. Less than that seems like they're
210 wasting their time. He lamented that the city didn't go for the proposal that Visionary Homes
211 presented on the Chugg property. Now the property is in Providence and River Heights has no say.
212 Commissioner Roberts agreed.

213 Commissioner Cooley felt they should drop the incentive and go to units per acre with a 30
214 percent multi-family allowance. He recommended a PUD zone, rather than an overlay of an existing
215 zone. He felt the city could allow additional density, in exchange for improvements.

216 Councilmember Wright expressed worry over giving the council leeway on arbitrary and
217 capricious decisions. He reminded that developments will start with the Commission. He
218 appreciated Commissioner Roberts' suggestion on adding design standards.

219 Discussion was held on the amount of open space and amenities. Councilmember Wright
220 pointed out that some amenities may be appropriate in some areas and not in others. He suggested
221 offering ideas on amenities.

222 Councilmember Wright suggested holding off on a motion to accept the PUD ordinance due to
223 the amount of changes they were coming up with.

224 They reiterated the changes which Commissioner Cooley will work on for the next meeting.
225 They planned to hold another hearing at the meeting after that.

226 Councilmember Wright suggested pulling everything out of the mixed use ordinance that they
227 want to incorporate into the PUD ordinance. He also proposed picking up the General Plan discussion
228 at the next meeting, along with the code revisions. Commissioners Roberts, Cooley and Lehnig
229 volunteered to look over the General Plan before June 8. They hope to hold a public hearing on the
230 General Plan at the second meeting in June.

231 Mike Jablonski expressed disappointment in the meeting because of the significant changes to
232 the density of the PUD ordinance. Commissioner Roberts agreed and explained, this is the reason
233 they will hold another public hearing.

234 The meeting adjourned at 9:35 p.m.

235
236
237
238 _____
Sheila Lind, Recorder

239 _____
240 Levi Roberts, Commission Chair

Please print your name on the roll and check the box at the right if you wish to speak during the meeting.

Mary Barrus	
Mary Barrus	✓
WALLACE PAPER	
Marilyn PRIDE	✓
John Ruffedge	✓
Tom Johnson	
Mike Johnson	
Dustin Earl	
Mori Earl	
ROD ELLIS	✓
LISA ELLIS	✓
WICE NELSON	
Ruth Ann Nelson	
Edith Beull	✓
Ken Swenson	
Gene Swenson	
Sebastian M. M.	✓
TROY & BOSSIE ANKFIELD	
DON DAVIS	✓
TIM & AJ ELWOOD	
Kathryn Hadfield	✓
Doris Heaton	✓
Penelope Heaton	
Rebecca Paulsen	
Nancy Hill	
Anna Lisa Davidson	✓
Elizabeth Frice	✓

Upa Ridge	
Donna W.	
Carma Ricks	
Rochelle Ricks	✓
Brian Anderson	
Vern Faping	✓
Bill Fawcett	
Janet G. Mathews	✓
TIM POWLSON	✓
KARMA WOOD	
Douglas Wood	✓
Lorisa M. Ricks	✓
Anne Benson	
Maggi Mathews	
Eliza Mathews	
Terri Anderson	
Jim Anderson	
Bryan Cascio	
Brittany Cascio	
Dianne Rhoton	✓
Chris M. M.	
Janet M. M.	✓
Dana Thompson	
Carolyn Bengtson	
Doug Clausen	
Bob & Debbie Ellis	
Pita Munkler	



Sheila Lind <office@riverheights.org>

Planning Commission Public Hearing - May 25, 2021

1 message

Robert Astle <rastle70@gmail.com>

Tue, May 25, 2021 at 11:43 AM

To: levi12roberts@gmail.com

Cc: office@riverheights.org

Planning Commision Chair Roberts

After reviewing the agenda for tonight's meeting I have concerns with the verbiage in 10-11-6 section M.

I have concern of the property at 660 East and 400 South being allowed to be used as a single family residential dwelling as the lot is .16 of an acre that translates to 6,969 sq ft this is a R1-8 Zone. This property should not be allowed to be used under R1-8 or Historic landmark overlay as a single -family residential dwelling unit because of its size. I believe the property at 660 East 400 South should be struck from section M.

I question the feasibility use and value of property at 660 East 400 South as a Historical landmark overlay.

My main concern is the city allowing a new single -family residential dwelling unit on a non conforming property.

I would suggest that in the R-PUD that the commision have verbage that each unit will have parking for two vehicles beside any garage that may be included with the housing unit. That roadways will be wide enough to accommodate on street parking. Parking can become a big issue in higher density housing

Thanks for all you do for the city and reviewing my concerns

Robert Astle

"10-11-6

M. Residential Uses: The business owner/tenant/manager is allowed to reside in the structure if the structure meets the definition of a single -family residential dwelling unit and is located on a lot at least 8,000 square feet in size.

The buildings located at 594 South 400 East, River Heights, Utah 84321 and 660 East 400 South, River Heights, Utah 84321 may be occupied as a single-family dwelling in the event the Historical Landmark Overlay (HL) zone is terminated."

Ordinance __ - 2021

AN ORDINANCE TO ADOPT CHANGES TO THE CITY CODE OF RIVER HEIGHTS,
UTAH

The River Heights City Planning Commission held a duly noticed public hearing on Tuesday, _____ 2021, after which, the River Heights City Council adopted the following changes to the River Heights City Code.

3-1-4:A.

1. Home occupations which have the potential of an external impact greater than the impact of a normal residential use are required to obtain a CUP and (if granted) a city business license. (A business license fee may not be required. See 3-1-6) Impacts to the neighborhood will be evaluated in the following areas:
 - j. If an owner of the business doesn't reside in the home where business is conducted.

3-1-4

- B. No license required when operated only occasionally or by an individual under 18 years old.

10-2-1: DEFINITIONS

Barber shop: Men's hair stylist shop primarily engaged in cutting, trimming, and styling men's and boys' hair; and/or shaving and trimming men's beards.

Beauty Salon: Unisex styling shop primarily engaged in furnishing services in one or more of the following: (1) cutting, trimming, shampooing, coloring, waving, or styling hair; (2) providing facials; and (3) applying makeup.

Nail Salon: Primarily engaged in providing nail care services, such as manicures, pedicures, and nail extensions.

10-3-10: AMENDMENTS

- B. “. . . Upon approval of the petition, the planning commission shall certify its recommendations to the city council for its consideration as prescribed by state law. If request is rejected by the planning commission, the requestor may appeal to the city council.

10-12-1:C.

2. The planning commission shall gather facts concerning the nature of the use, types of activities, impacts, etc., and shall transmit its findings and recommendations to the ~~mayor and~~ city council, who shall amend the land use chart.

10-14-2: OFF STREET RESIDENTIAL PARKING

- D. Width: In residential zones, driveway approaches shall be not more than twenty-eight feet (28') in width and shall be a minimum of six feet (6') from property line; (1-2016, 3-22-16) (6-2016, 9-27-16)

TITLE 10

CHAPTER 10

RESIDENTIAL PLANNED UNIT DEVELOPMENT ZONE

SECTION:

- 10-10-1: Intent
- 10-10-2: Use Regulations
- 10-10-3: Special Provisions
- 10-10-4: Requirements

10-10-1: INTENT AND PURPOSE

A Residential Planned Unit Development (R-PUD) is an overlay rezone. The purpose of a R-PUD in an overlay zone is to encourage imaginative and efficient utilization of land, to develop a sense of community, and to ensure compatibility with the surrounding neighborhoods and environment. These areas keep their base zoning, with that zoning's standards, conditions, and restrictions. Applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property. This is accomplished by providing greater flexibility in the location of buildings on the land, the creation and consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and more desirable environments within River Heights City. R-PUD incorporates a definite development theme which includes the elements of usable open spaces, diversity of lot design, amenities, a well-planned circulation system, and attractive entrances as part of the design. The combination of all these elements is necessary for the development of a R-PUD. Because of the substantial public advantages of a planned unit development, it is the intent of this overlay zone to allow development hereunder where tracts suitable in size, location and character for the uses and structures proposed are planned and

developed as units for a unified and coordinated manner. In such circumstances, where municipal planning and private development may effectively proceed together, it is necessary and appropriate that there be requirements and regulations other than on a lot by lot or subdivision basis to provide flexibility and innovation in site planning and land use relationships while also ensuring substantial compliance with the intent, objectives and purposes of this title and the city's general plan.

10-10-2: SPECIAL PROVISIONS

- A. A R-PUD may be applied on properties designated potential parcels of land located in River Heights.
- B. Minimum development site: The minimum total area for an R-PUD shall be 5 acres.
- C. Base Density: The base density of a PUD shall be based on the density of the underlying zone. Density of the base zone is based on Net Developable land. It shall be calculated as follows: 80% of the total acreage of the development divided by the minimum lot size of the underlying zone.
- D. The city council, upon recommendation of the planning commission, may determine the density bonus upon the city council's acceptance of the design options, as set forth below. The actual bonus awarded for each incentive shall be reflective of the effort made by the developer to meet the intent of the incentive and shall be determined by the city council and not exceed 20%.
 - 1. Additional open space-up to a maximum 10% bonus
 - 2. Pedestrian and bicycle circulation -up to maximum 5% bonus
 - 3. Additional amenities and improvements as determined by city council- up to a maximum of 5% bonus, including the requirements of the Fee in Lieu Substitutions for open space requirements in city code 10-7-10 paragraphs B, C and 10-7-11 with the exception of paragraphs B, E, F and I.3 in the Mixed Use Zone.
- E. The design of public streets within a PUD shall follow the applicable city standards for width of right of way and construction. All streets within a PUD, in a residential zone shall be public streets. (Exception would be private drive isle.)
- F. Within residential zones, PUDs should incorporate walking and biking trails and pathways for the use and enjoyment of residents. These trails and pathways may vary in width from five (5) to ten feet (10') depending on their intended use. Consideration shall be given for their connectivity or inclusion into the citywide network of trails identified in the city's general plan. Where appropriate, equal consideration for trails and pathways shall be given within residential zones.
- G. Non-residential uses shall be governed by the underlying zone.
- H. Individual private parking stalls and parking structures shall avoid direct access to public streets classified as collector in the River Heights transportation master plan. Driveways serving three (3) units or more may be allowed to access such streets, provided they are located a minimum of two hundred feet (200') from another driveway or public street, on a collector street, when measured from the centerline of the driveway to the centerline of another driveway or street.

10-10-3: REGULATIONS

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title: Multiple-family dwellings (should not exceed four (4) units per structure), patio homes, single-family attached, single-family that are conventional dwellings, or

manufactured homes. Up to 35% of the units may be approved for multi-family dwellings. (Ord., 1-22-2002).

10-10-4: REQUIREMENTS

- A. Minimum Area: The minimum area that may be considered for a planned unit development shall be five (5) acres.
- B. Plats Required: All planned unit developments shall require a preliminary plat and final plat.
- C. R-PUDs must comply with requirements of River Heights Subdivision Ordinances.
- D. Site Plan required: Application shall be accompanied by architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationship of the uses: The use or uses, dimensions, sketch elevations, and General locations of proposed dwellings and other structures.
- E. Architectural Design Standards for multi-family dwellings: All new buildings must incorporate a defined architecture style. A recognized architectural style shall be one which is recognized by design professionals as having basis in classical, historical or academic architectural design styles. The following elements shall be incorporated into the design of each building:
 - 1. Primarily durable, materials including stucco, brick, fiber cement, decorative block or other materials as approved by City Council.
 - 2. For buildings over 1 story, vertical separation elements to differentiate levels. These may include Chang of materials, dormers, cornices, or other elements, as approved by City Council.
 - 3. Architectural wall variation between units to differentiate dwellings. These may include, vertical articulation, variation of materials or other elements, as approved by City Council.
- F. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, proposed parking, ingress, and egress. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths.
- G. 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, including residential density, coverage, and open space characteristics as stated in River Heights Subdivision Ordinances.
- H. That the proponents intend to start construction within one (1) year of the approval of the project and any necessary zoning district change, and intend to complete said construction, or approved stages thereof, within four (4) years from the date construction begins.
- I. That the development is planned as one complex land use rather than as an aggregation of individual and unrelated buildings and uses.
- J. Proposed R-PUD adjacent to existing single-family homes must place single family homes adjacent to the established single-family homes unless otherwise buffered by an arterial roadway or 300-foot width of open space including a landscaped Buffer as defined within this chapter.

- K. R-PUDs shall provide a minimum open area for residents and/or occupants of such development. Open space shall be land areas that are not occupied by buildings, structures, parking areas (including private driveways), streets or alleys. Said open space shall be devoted to landscaping, preservation of natural features, open pavilions, and recreational areas. Required "base" open space areas shall be contiguous, not a collection of remnants.
- L. Areas with natural features worthy of preservation, which are not buildable, such as canyons or slopes, ridgelines, wetlands, stream or creek corridors, utility corridors, wildlife habitat, geologically sensitive areas, and significant views and vistas. The base open space requirement for zones R-8 through R-12 will be 25% of developable land, with a minimum of quarter acre per acre set aside for open space.
- M. The open space should be large enough for the use of all residents of the project or the general public. Such spaces, minimum of a half acre, should include improvements such as playgrounds, pathways, pavilions, play courts, and areas of significant native vegetation. Specific improvements shall be approved by the City Council.
- N. Playground: an area provided for children to play on. Each Playground must be designed for children twelve and younger. A playground must include features to appeal to children within the above age group including some of the following: slides, monkey bars, ladders, tunnels, climbers, bridges, ramps, platforms, etc. All playground equipment must be of commercial grade. Each playground must include a minimum of 6 features.
- O. A planting plan showing proposed tree and shrubbery plantings shall be prepared for the entire site to be developed.
- P. A maintenance plan which defines the responsible parties for all open space areas and amenities shall be provided and incorporated into the development agreement.

**10-11-6: HISTORIC LANDMARK OVERLAY ZONES FOR PROPERTIES AT:
594 SOUTH 400 EAST, RIVER HEIGHTS, UT 84321, AND 660 E 400 SOUTH,
RIVER HEIGHTS, UT 84321**

- A. Declaration of Legislative Intent: It is the intent of the City of River Heights, the River Heights Planning Commission, and the River Heights City Council to establish a Historical Landmark Overlay Zone (HL) at properties known as: 594 South 400 East, River Heights, Utah 84321 and 660 E 400 South, River Heights, UT 84321. These sites are is not to conflict with the atmosphere of the surrounding residential neighborhood nor bring about noxious or nuisance activities.
This declaration is *not* to replace the current Residential zoning for the buildings located at 594 South 400 East, River Heights, Utah 84321 and 660 E 400 South, River Heights, UT 84321, but to allow an additional layering of zoning for the enhancement of a historical landmark within City limits.
Residential zoning regulations supersede any additional Historical Landmark Zoning amendments created herein.
- G. Allowed Uses:
21. Barber Shop, Beauty Shop, or Manicure/Pedicure Shop
- H. Uses Not Permitted:
3. ~~Barber Shop, Beauty Shop, or Manicure/Pedicure Shop~~

M. Residential Uses: The business owner/tenant/manager is allowed to reside in the structure if the structure meets the definition of a single-family residential dwelling unit and is located on a lot at least 8,000 square feet in size. The buildings located at 594 South 400 East, River Heights, Utah 84321 and 660 East 400 South, River Heights, Utah 84321 may be occupied as a single-family dwelling in the event the Historical Landmark Overlay (HL) zone is terminated.

R. Site Plan Review Required

1. Concurrent with any request to rezone property to the Historic Landmark (HL) Overlay Zone, a preliminary project plan shall be submitted to the Planning and Zoning Commission for review and recommendation to ~~by~~ the City Council. Said preliminary project plan shall be drawn to scale and shall contain the following information:

S. Building and Architectural Standards:

1. For property located at 594 South 400 East, River Heights, Utah 84321: The building shall have an architectural style and exterior finish similar to that of the original Sinclair Gas Station built in the 1950's.
2. For property located at 660 East 400 South, River Heights, Utah 84321: Exterior finishes shall be stucco, masonry, stone, or architectural grade metal siding. No building shall be finished with vinyl or metal siding only. Vinyl or metal siding may be used as an appropriate supplementary finish material in combination with masonry or stone. Murals or super graphics shall be specifically approved. The City Council shall be the approval agency in determining architectural style.

River Heights PUD Ordinance Amendment

R-PUD Ordinance

Purpose: Encourage imaginative and efficient utilization of land, to develop a sense of community, and to ensure compatibility with the surrounding neighborhoods and environment.

Allows for clustering of development in exchange for preserving open space

Maximum density based upon underlying zone. Allows up to 20% density bonus with provision of open space, bicycle pedestrian circulation and other amenities.

Requires 25% provision of open space

Allows for single family, duplex, triplex or fourplex units. Maximum number of non-single family units- 35%

Example developments

Cottages in Nibley

Marindale Avenue in Logan

Cottage Court in Providence

Cobblestone in Providence

Cottages in Nibley

6.64 acres

22 units of single-family/patio homes

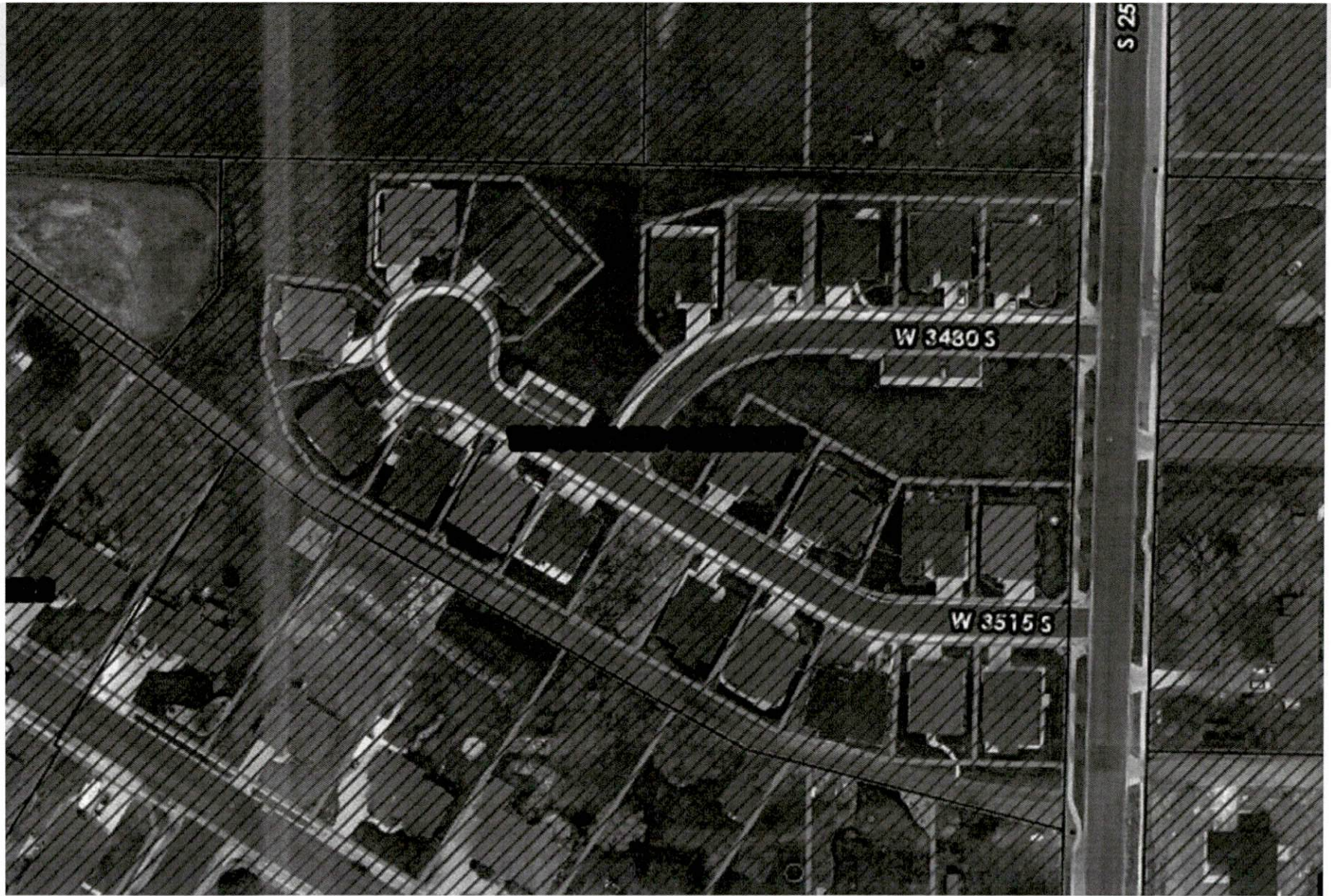
Lots range- 6,000-10,000 sq ft.

Gross density- 3.3 units/acre, Net density- 4.1 units/acre

Open space- 35%

Would be allowed with R-PUD/R-1-8 or R-1-10 underlying zone.

Would not be allowed with R-1-12 (too dense)





Dahle-Eccles Subdivision (Marindale Avenue- Logan)

3.1 acres

22 units of single-family/patio homes

Lots range- 4,000-10,000 sq ft.

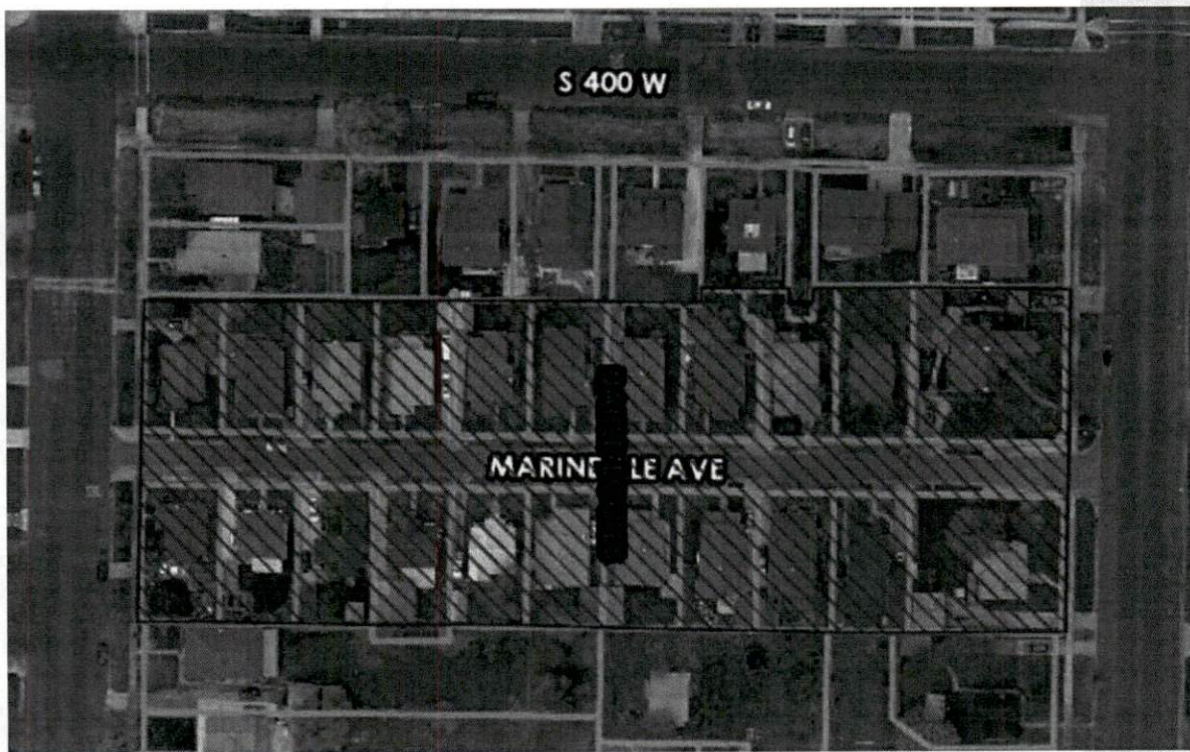
Gross density- 7.1 units/acre, Net density- 8.9 units/acre

No dedicated open space

Would not be allowed under R-PUD ordinance

Too dense, too small, no open space or public amenities

With a dedicated 2.5-3 acre, would be permitted with R-1-8 or R-1-10 overlay





Cottage Creek in Providence

5.04 acres

15 units of duplexes, triplexes, fourplexes

Lots sizes- 3,000 sq ft

Gross density- 3 units/acre, Net density- 3.75 units/acre

Over 60% open space (flood plain, creek and common area)

Would not be allowed under R-PUD ordinance (All 'multi-family units)

Would be allowed without minimum single-family provision in all single-family zones/R-PUD overlay



COTTAGE CT

W SPRING CREEK PKWY

E ST



Cobblestone- Phase 1 in Providence

6.26 acres

44 units of patio homes, townhomes, condos

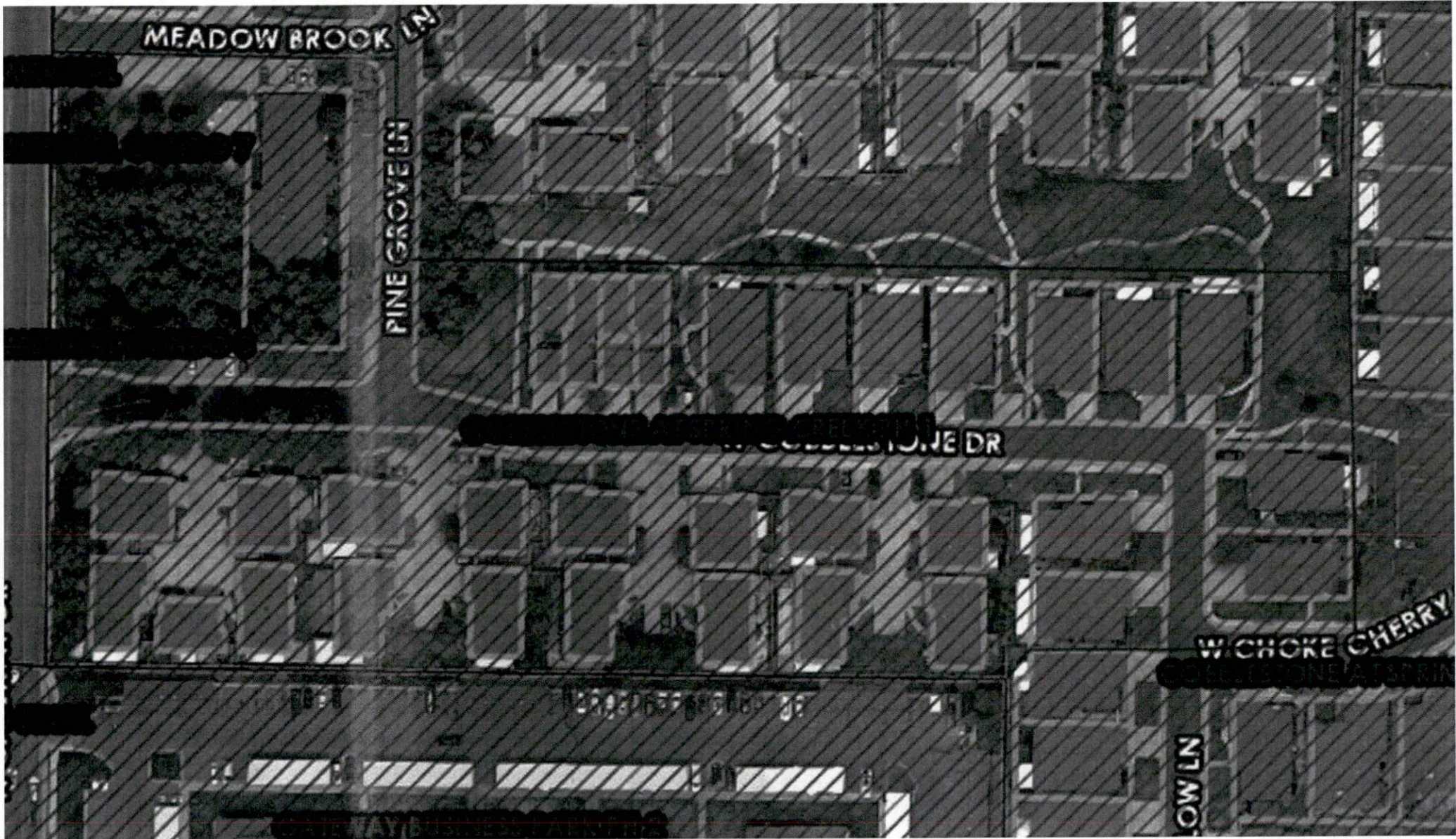
Lots sizes- 1,000-4,500

Gross density- 7 units/acre, Net density- 8.8 units/acre

~25% open space

Would not be allowed under R-PUD ordinance (too dense, condo units)

May be allowed without condo units and more open space



MEADOW BROOK LN

PINE GROVE LN

W COLLETS ONE DR

W CHOKE CHERRY

LOW LN







Sheila Lind <office@riverheights.org>

Letter for P&Z meeting

1 message

Rod & Lisa Ellis <rodellisfamily@gmail.com>
To: Sheila Lind <riverheightscity@comcast.net>

Tue, May 25, 2021 at 3:38 PM

Sheila -

Here is a letter I sent to the P&Z Commissioners today.

I would add it to the "public comment", and if possible, read-- if there is time.

At least that it is added to the minutes.

Thank you!

Dear Planning & Zoning Commissioners, (along with our Mayor and City Council):

With the current housing crisis in Utah, River Heights needs to be even more diligent in determining its future course in zoning the remaining open space in our city. As citizens, our family was supportive of the moratorium to study current issues and come up with a updated general plan. However, in just the past 6 months, the housing shortages are no longer along limited to the Wasatch front, but they are right here in Cache Valley—and more worrisome, right here in River Heights. With home prices at an all time high, and home inventory at an all time low, Utah's dire housing situation is now affecting all of us.

Our reasons for selling our acreage in the Riverdale area are two fold. We are nearing retirement age and maintaining our property is becoming more difficult and time consuming. Secondly, the county recently reassessed our property and increased our taxes by 40X what we paid a few years ago in greenbelt. The land doesn't bring any money in, so these higher taxes are quite a strain. We have recently been given an offer by a reputable and responsible developer who wants to work with RH city to build a lovely townhome and condominium development. This type of home is one that is lacking in our city and since there are already townhomes in the southern end of Riverdale, we felt this development would fit in well. It would also provide wonderful alternative housing for young married families and older couples looking for less yard and upkeep, and become citizens in such an exceptional small town city as River Heights.

We can understand the concerns of the 12 families that would be impacted by such development. They have enjoyed living in a rural atmosphere only 2-3 blocks from Logan's busy Main Street for years. They have enjoyed looking out their windows to pastures and woods every day. Their children have played in our pastures. Their dogs have run in our fields. They have walked our properties exploring nature at it's best. Certainly they hate to see anything developed there, and would prefer single family homes. However, with RH City's resistance to upgrade 5th South into a city-approved road, new home builders do not see this area as a desirable location. Most people do not want to drive down a dirt road laden with potholes just to reach their beautiful new home. If a developer has to invest in major infrastructure to build such a road, he has to see a return on that investment. High density housing are one of the few developments that can balance expensive infrastructure costs.

We also feel that this development would be an opportunity for River Heights to help shoulder the impact of high density housing that all other cities around us have had to bear, without having an extensive amount of townhomes, like the ones we have watched being built in Providence east of Maceys, or on the new Vineyard development. The Vineyard project was simply too massive and would have overwhelmed our city services (i.e., a new water reservoir would have been necessary to supply the area with water). The proposed development in Riverdale is small in comparison, yet would provide much needed housing for our valley. It would be a high end development and since it would be close to town, with a portion of it along the Logan River, it would be a highly desirable property attracting young professionals and retirees.

There are several questions we as citizens need to ask ourselves about the proposed high density housing development in the Riverdale area of RH.

- 1 - Is the housing shortage truly a crisis in Utah?
- 2 - Will the population continue to grow at a high rate in Cache Valley?
- 3 - Will there be enough affordable housing for our children to remain living in CV?
- 4 - Should RH ban all high density housing in our city and in all areas of town?
- 5 - Should RH shoulder some of the burden other cities have had to, and accommodate some sort of high density housing within its borders?
- 6 - If we should allow high density housing in our city, where is the best location for it?
- 7 - Should the housing be allowed closer to our city center or on the edges of our city, near main commuter roads and city amenities?
- 8 - If we decide against the current project, could a continued housing crisis bring the issue up again in a few years, only instead of 2-4 story buildings being proposed, 5-6 story buildings will be proposed?

Like in other cities, RH could put in 5th South themselves.

Millville put in a round-a-bout and new road down to access Ridgeline HS.

Providence continued Gateway Drive down to the Providence Stake Center.

North Logan improved blocks of new road to make 3100 North a main thoroughfare and expedited new housing developments.

If RH City improved 5th South, then any future development (even for single family homes) could hook on to the road and utilities provided.

However, if the city will not upgrade 5th South and the utilities, then they will need to work with a developer to get it done.

Riverdale is one of the most lovely parts of River Heights. Yet we suspect, only a third of our citizens have ever driven down there before. Only a few families have had the privilege of living there and enjoying its beauty, especially the river front. It is a "rural paradise" that we understand the residents of Riverdale would like to preserve in its present state. But just like acres and acres of open space across this valley, it cannot stay rural forever. Non agricultural land this close to Main Street is destined to be developed. That is the reality. It is not a question of IF, but WHEN. If this development is turned down this year, another will be back. But next time, they may be requesting 5-6 story apartments, and if the housing shortage in our valley is still critical, we are concerned RH will have no option but to approve it.

Unless the residents of Riverdale want to band together and purchase the property in order to maintain its current state, we have no option but to sell to a developer.

IF development is to come, the P&Z need to assure that only a high quality project is approved. This proposed developer has shown...

- 1 - willingness to help with the development of 5th South.
- 2 - willingness to help bring the sewer and other utilities closer to the residents of Riverdale.
- 3 - willingness to insure open space, lovely landscaping and trees, sidewalks, public trails and especially, to allow full public access to the river front for ALL River Heights citizens.

A high quality development will connect Riverdale to the rest of our city—then, ALL our citizens will be able to drive there safely and comfortably and enjoy access to the Logan River.

Riverdale is a hidden jewel in our city's crown and needs to be developed responsibly. We believe such a development can be a win for River Heights so that Riverdale can be enjoyed by all RH citizens, not just a few citizens.

We appreciate all the time the commissioners have devoted to working through this important task of analyzing the future needs of our city and adjusting the general plan.

Thank you,
 Lisa & Rod Ellis
 Bob & Debbie Ellis
 Rob & Mary Johnson
 Rita Minkler

I also printed up the following news releases for them to read on the subject of Utah's dire housing situation and the need for high density housing:

We have been researching the housing situation in Utah and wanted to share the following news stories and quotes from many familiar with the impact on our state:

"Utah's housing shortage is the worst in the nation."

Fox 13 on March 3, 2021:

Anchor:

"A new study showed that among all 50 states, Utah has the fewest homes available to buy or rent. A crisis that forces Utahns out of the market, and even out of the state."

Reporter:

"In a new report from porch.com says in terms of available housing, Utah ranks 50th out of 50 states. The homes in the market cost too much for most Utahns. And Utah's top politicians know it."

Utah Rep. Brad Wilson: "Over the past 10 years, average home prices here in the state of Utah have risen have risen more than twice as fast as the medium income of Utah residents."

Reporter:

"Utah has the 4th most expensive homes in the nation. The median price? Just about \$590,000."

Utah Rep. Wilson: "You've got not only the fastest growing state in the country, we've had some of the most aggressive and dramatic increases in housing costs in the country over the last decade...plus the influx of new people.

That's why you see the state coming out today with a record investment."

The investment?: \$50 million directly from the state.

Utah Rep. Wilson: "We insure that they are high quality projects, that they are managed well, that they provide not only a nice place for people to live but they fit in well with the communities around them."

Here is video with the news story above: <https://www.youtube.com/watch?v=UUSKt1T5fWA>

KUTV news story, April 27, 2021:

Anchor:

"City officials say there's just no more room to build out, so everybody's looking to build UP."

Reporter:

That is the reoccurring theme, so if you haven't heard the term "high density housing" before, get used to it, cause you're most likely going to be hearing a lot of it, no matter where you live in the state."

Taylorville P&Z Commissioner Don Quigly:

"We've run out of space. We're going vertical, we've overbuilt and we're not getting any smaller."

Mark McGrath, Taylorville community development: "There is just not very much open space to develop anymore, we just can't continue to go out and out and out, so if we are going to continue this growth pattern, really, the only choice we have, is to go UP."

Other news quotes:

Thad Box, Herald Journal, 5/20/21:

"Multi level housing units, some with 6 or more stories, are being constructed near the university, in downtown Logan and west of the area once considered unfit for housing. Like it or not, shocked thought we may be, going UP by building multi-level housing is the only logical way to provide homes for our rapidly growing population."

Realtor Clay Winder, added there's too much demand and not enough supply in this housing market. "As much as so many Utahns hate the idea of more apartments, more condos, more townhomes — more multi-family [housing] is the quick answer."

Dejan Eskic, senior research fellow with the Gardner Policy Institute, agrees density is part of the solution:

"We need more supply, or else our costs are just going to keep going and going, and you're going to have to really have a hard conversation about where your kids are going to live in their 20s and 30s."

Abby Osborne of the Salt Lake Chamber of Commerce: "We've had a lot of business owners coming to us and saying, 'Our employees are struggling to find housing.'"

Deseret News 2/21:

"...a shortage of 35,000 rental units currently exists statewide, something leaders are working hard to address."

Utah Rep. Calvin Musselman, West Haven, a real estate sales executive (from the H.J. 5/21): He noted that home listings were currently being snatched up within 5 days of going on the market, down from 26 days a year ago. *"In 25 years, that is beyond anything I've ever seen, ever. The idea that there's this overflow of vacant houses out there, it's just non-existent."*

Frank J. Smith, botanist, Logan, (from HJ 5/18/21) wrote a recent opinion piece to protect the good agricultural land from developments: *"When the small farmer can't afford to farm anymore, the money offered by developers looks increasingly inviting. What role do city and county planners have to play? A country-wide, state-wide, county-wide coordinated effort to maintain good agriculture land and build cluster developments in areas less desirable for farming in order to preserve agriculture land is sorely needed."*

He quoted **Joe Fuhriman, a CV native and local farmer** who said, "Dry land that doesn't have irrigation water is non-productive. That's where the development should take place." (HJ 7/13/18)

Mr. Smith went on: *"It is very important that we protect our agricultural land now and make the right decisions for the future in Cache Valley and the world. In Cache Valley we now have a population of over 130,000. By 2040 it is projected the population in the valley will be over 190,000, and by 2050 the population could be close to 250,000."*

Salt Lake County Mayor Jenny Wilson:

"We have that additional challenge in our county of less developable land...We are going to need to embrace density in our communities, and with that, there's a responsibility of developers to do it well."

Deseret News 2/21:

"...while some residents worry the large projects could diminish nearby home values, **a new study indicates the opposite is true...**"

"A report released by the **Gardner Policy Institute at the University of Utah** found that apartments built between 2010 and 2018 have had no adverse effects on the value of nearby single-family homes in suburban Salt Lake County. In fact, housing prices over the last decade have accelerated even as the residential real estate market has transitioned to the development of denser housing in a bid to slow the trend."

"The study noted that existing residents often fear that densely developed housing will negatively impact their property values. However, the report shows that single-family homes located within half a mile of new construction apartment units saw higher overall price appreciation than houses located farther away.

"...homes that are within half a mile of the new apartments tend to have a higher per square foot value..."



Sheila Lind <office@riverheights.org>

Annette Smith input on PUD zoning

1 message

Cindy Schaub <cindy_schaub@hotmail.com>

Tue, May 25, 2021 at 12:17 PM

To: RIVER HEIGHTS-Nancy Huntley <nancyhuntley@riverheights.org>, RIVER HEIGHTS-Blake Wright <blakewright@riverheights.org>, RIVER HEIGHTS-Chris Milbank <chris.milbank@gmail.com>, RIVER HEIGHTS-Doug Clausen <dougclausen@riverheights.org>, RIVER HEIGHTS-Lance Pitcher <lancepitcher@comcast.net>, RIVER HEIGHTS-Noel Cooley <ncooley@comcast.net>, RIVER HEIGHTS-Sharlie Gallup <sharliegallup@riverheights.org>, RIVER HEIGHTS-Sheila Lind <sheila@riverheights.org>, RIVER HEIGHTS-Todd Rasmussen <toddrasmussen@riverheights.org>, RIVER HEIGHTS-Heather Lehnig <heather.lehnig@gmail.com>, RIVER HEIGHTS- Levi Roberts <levi12roberts@gmail.com>, Cindy Schaub <cindy_schaub@hotmail.com>

Mayor and others ,

I received a call from **Annette Smith**(for whom our assembly hall is named after) this AM regarding tonight's Public Hearing on the PUD zoning ordinance.

These are her words:

She wants our community to remain the same as it's always been, nice single family homes.

She said In previous Public Hearings (Chugg prop proposed townhomes/Condo's) the community residents strongly expressed their desire to have single family homes built on the remaining land within our City. High density and multiple units were decried; that is NOT what the community wants. We should LISTEN to the residents of our community.

River Heights should not bend to the wishes of developers wanting higher density in order to reap bigger profits.

She is NOT in favor of fourplex's either, or any housings that increases the density of our existing residential zones.

She stated she has a duplex across from her and people are always moving in and out, with one unit currently vacant (she believes).

Annette further said residents are more apt to take pride in home ownership and maintenance of a single family home than any other type of zoning.

I told her we would read this at the meeting tonight in the event she is unable to attend.

Thank you,
Cindy Schaub
P & Z Commission Member

Sent from my iPhone

May 25, 2021

River Heights Planning and Zoning Commission
520 South 500 East
River Heights, UT 84321

Dear Planning and Zoning Commissioners,

I am one of the co-trustees of the Mary Lorraine Demars Revocable Trust, which owns 5.58 acres in the Riverdale area. Together with the Ellis family, we wish to develop our combined properties after many decades of ownership. I am aware that this area carries an R-1-12 zoning designation, which allows construction of single-family homes on at least 12,000 sq. ft. lots. I see from River Heights' official zoning map that R-1-12 has been applied to several newer neighborhoods on the outskirts of River Heights. This is not an unreasonable designation. However, I ask that the River Heights Planning & Zoning Commission, in deciding on a zoning modification for the area, allow for the possibility of a somewhat higher-density solution for the development of our property. An R-1-12 subdivision, while reasonable, would be a very ordinary development solution for an unquestionably extraordinary location.

I understand why the local residents would be concerned about encroaching high density, given the proximity of The Falls at Riverwoods. With an estimated density of 20 to 25 units per acre, an aerial view of The Falls shows it to be nothing but buildings and concrete. This is definitely not what I envision for our property.

I request that the option for an intermediate density (7 to 10 units per acre) development be allowed by the zoning ordinance. Acceptance of a particular development plan involving intermediate density would, of course, be a decision made by the River Heights City government. Acceptance could require the developer to show that his/her plan would be superior to an R-1-12 subdivision in terms of appearance, peace and quiet, general maintenance, vegetation-to-concrete ratio, and protection of the riverine environment.

It is not difficult to imagine an intermediate-density plan that would score highly on all of the above criteria. The following ideas are mine and mine alone. They do not necessarily reflect the thinking of the Ellis family or even that of my realtor or developer. That being said, if I were the person in charge of developing the combined properties, I would divide the land into three zones (see map).

The first zone would be a wide strip of land running along the south bank of the Logan River from the property boundary on the east to the boundary on the west. This strip would vary in width depending on the distribution of large trees but would average about 60 feet. There would be no development on this strip other than a narrow sidewalk running from east to west, with a few benches for people to sit and rest and enjoy the trees and the sound of the river. The general manager of the planned development I am

describing would be tasked with maintaining the riverine zone in a natural state. This would include managing the riverbank to minimize erosion, maintaining a suitable groundcover, and protecting the tall trees that give this area its special character.

The second zone would be one of higher density, where most of the living units in the development would be located. It would be toward the center of the 10.25 acre combined property and just south of the strip along the river. The living units in this zone would be very high-end apartments aimed at meeting the needs of young professional couples. These apartments would be contained in two-story, four-unit buildings, having a north-south axis, so that each apartment would have either a patio or a balcony looking toward the north. If the average unit density for the community is seven per acre, there would be a total of ten four-unit buildings, arranged in two east-west rows. If the average density is ten per acre, there would be fourteen four-unit buildings, again arranged in two rows of five each, with the remaining four buildings placed so as to maximize the distance from neighboring property owners. Parking would be in a below-ground garage underneath each building. If that is impractical due to a high water table, parking would be in a small, one-story garage attached to each building. These two-story buildings would be constructed using materials and colors that would blend with the surroundings.

The third zone would be a long ring that would border the apartment zone on the east, south, and west sides. It would start at the northeast corner of the property just south of zone one and would arc around to the south of the two-story buildings, ending at the northwest corner of the property just south of zone one. This zone would have a unit density far smaller than that of zone two, and it would consist of a single line of one-story structures that would either be single-unit or, more likely, duplexes. The living units in this zone would be designed to appeal to retirees, seeking to downsize from the obligations of maintaining a large house but who want the freedom of living independently in a beautiful and quiet neighborhood. Each living unit would have a small yard attached to it where the retired couple could garden and/or have a lawn. If the retired couple didn't want to maintain the yard, that service could be provided for them by the grounds crew. If the average unit density for the community is seven per acre, there would be a total of fifteen such duplexes in the long arc of zone three. If the average density is ten per acre, there would be twenty-two duplexes, which could be layered in two rows, if necessary, in those areas where the shape of the property makes that easy to accommodate. These one-story structures could be constructed using the same materials and colors as the two-story buildings in zone two. I would anticipate that the retirees would be the most frequent visitors to the walkway along the river.

The entire developed area (excluding the riverine zone) would be enclosed by a hedge and tree line to promote privacy and a sense of seclusion for both residents and neighbors who live nearby. Beyond the hedge and trees would be a broad border of green grass that would be the line of contact with neighboring properties.

So, that's how I would do it. My only reason for elaborating on this is to provide an indication of how many options and how much freedom a developer would have in creating a unique and beautiful community, if the local government was supportive of it

and if the financial incentive was there. It is essential to note that it is the intermediate density that would provide the financial incentive.

An intermediate density development like the one described above is, of course, better for the land sellers because it makes their land more valuable. However, I believe it is an excellent solution for all parties with a stake in this matter. It would provide River Heights City with a unique and beautiful residential community that would be widely acclaimed. It would be good for the environment because it would allow the individual septic systems used in the Riverdale area to be replaced by sewer-line connections, thus eliminating the risk of leakage contaminating the Logan River, the groundwater, and also one of River Heights own culinary wells. It would be good from a conservation standpoint because it would preserve a stretch of the Logan River, albeit a short one and only on one bank, in something approaching a natural state. Among other things, it would facilitate the free movement of wildlife along that stretch of the river.

If you are a current resident of Riverdale, I suppose it is a matter of personal preference whether what I have described above is better or worse than living next to a subdivision. Personally, I would prefer the relative quietude and privacy of having a managed community next door. Others might place greater value on more closely interacting with new neighbors and their children. I would only note that the sense of community that has probably developed over time among the residents of the Riverdale area would be easier to maintain if they lived next to a very different type of community than if they lived next to a subdivision, which would tend to draw them in.

I firmly believe that a planned unit development of intermediate density is the best solution for developing this extraordinary tract of land by the river. In your revision of the city ordinance, I ask that you please make that a possibility.

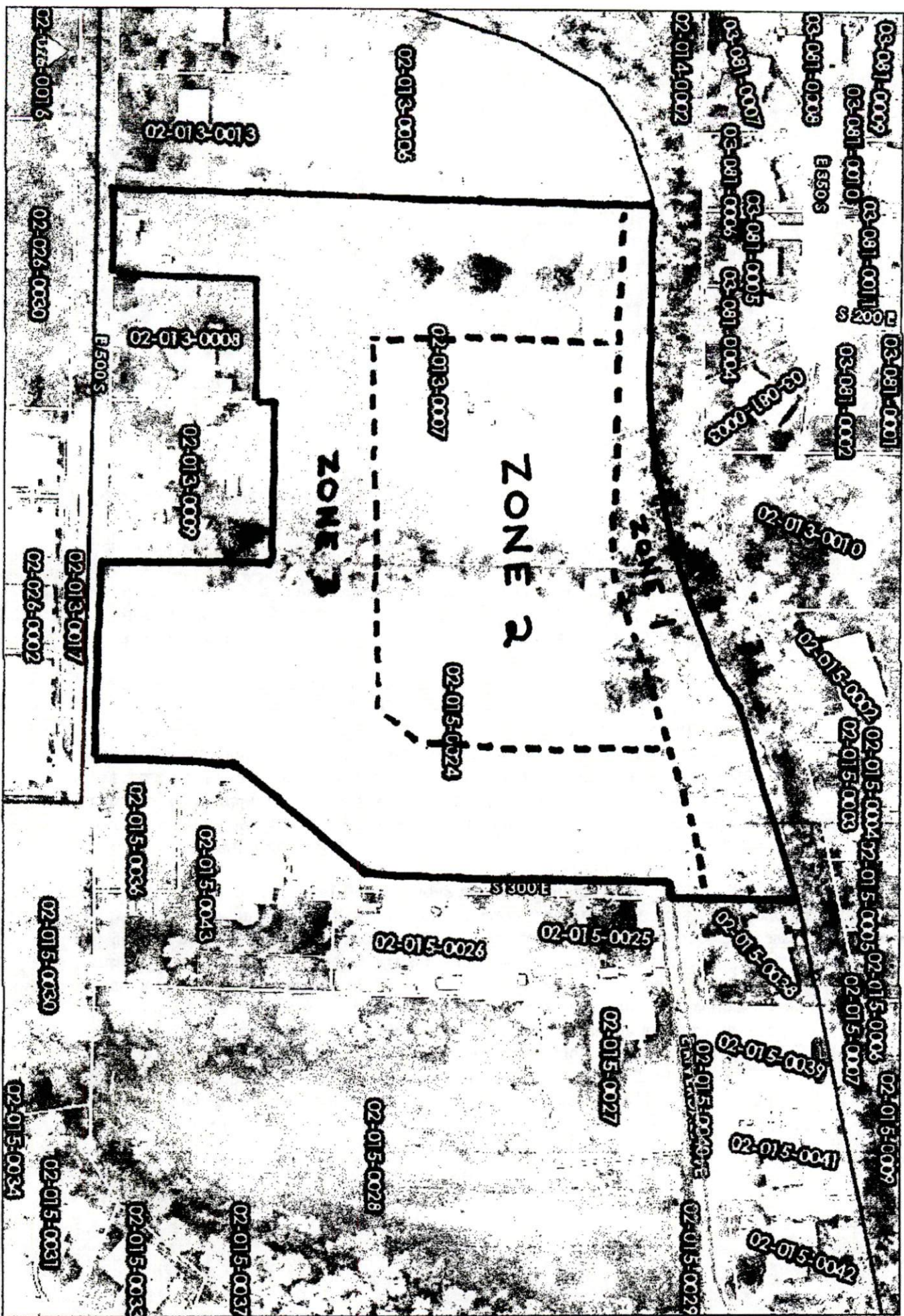
Respectfully,

Howard Griffin Demars

Howard Griffin Demars

801-641-2334

howarddemars@comcast.net



Date: 5/6/12

PUD Comments for Public comment 5/25/2021

I applaud the Planning & Zoning Committee's effort to help the valley's issue with affordable housing and to make a plan that will clarify what developers could or could not build when they buy larger tracts of land in the city. However, I do not feel that our very small town needs to go to the lengths proposed by this PUD _____ in order to help "solve" the housing crisis. We have very limited land in order to do so and there are many other cities in the valley with MUCH MORE space available to do so.

I do not believe the proposed ordinance does enough to protect the Logan River. Please refer to Mike Jablonski and Cindy Johnson's comments. Speaking of water, if this ordinance passes and developers take advantage of it to build denser housing does the city have the capability with its water wells to accommodate the increased population?? What about the high water table and problems with sewer hookups in the Riverdale area? How is that going to work with the density proposed?

I am not against denser housing but feel that the increase in density should be more gradual than what is proposed by the committee. Why not smaller lots with smaller single-family homes, then duplexes, then four-plexes, etc?

I took a poll of 10 real estate agents, speaking with a few I know personally directly, and EVERY SINGLE ONE OF THEM said that though townhouses and condos are hot right now and sell quickly, nearly every one of their clients would prefer a single-family home, if they could afford one. Smaller single-family starter homes is what is actually desired, not four-plexes. But four-plexes make more money for developers. If the city of River Heights wants to really help with the housing crisis, then draft a plan that encourages what the actual families in need want, not what developers want.

I think most would agree with me that the Island area of Logan is more quaint and matches the rest of River Heights more closely than the Riverwoods townhouses.

If the city of River Heights wants to really help with the housing crisis, then draft a plan that encourages what the actual families in need want, not what developers want. Affordable single-family homes.

Anna Lisa Davidson

May 25, 2021

To: River Heights Planning and Zoning Commission
CC: River Heights Mayor and City Council

From: Jason and Dana Thompson
446 Riverdale Ave.
River Heights, Utah 84321

I would like to start by thanking the Commission for its time, energy, and efforts in addressing planning and zoning issues facing the City of River Heights. I understand and appreciate the delicate nature of the work you have been asked to undertake.

We, like others from the Riverdale area, are not opposed to an R-PUD overlay in River Heights to address all future development in the city. We agree with the proposal to maintain an underlay of R-1-12 zoning. As others have mentioned, our concern is that the PUD be done properly, eliminating as much ambiguity as possible. As has been seen and experienced in the past, ambiguity opens doors for wide deviation from the intentions of a Planning and Zoning Commission and the City Council that adopts such PUDs.

The residents of Riverdale and countless other citizens of River Heights stand united in the opinion that a PUD should not be a mechanism to increase housing densities, but instead should be a mechanism to consolidate open spaces while maintaining attractive buildings compatible with the surrounding neighborhood. This compatibility is vital to maintaining River Heights as the bedroom community it has always been.

Over the past several weeks, many residents of River Heights have banded together to circulate a petition advocating for maintaining single-family residences in River Heights. This petition is not the first of its kind to be circulated, nor the first to stir great anxiety and interest in River Heights. I would like to remind the Commission that not too long ago another petition advocating against high density housing in River Heights was circulated and lead to a packed house in this very meeting room. The irony about this particular petition was that it was spearheaded by the very family seeking to have higher-density housing constructed on the land they are currently under contract to sell. What is clear is that when it is in your own back yard, it is much easier to advocate for single family homes, but when it is in someone else's,

and eventually in River Heights Elementary School's Gymnasium

higher-density housing is more acceptable, especially when there is money to be made. While I mean these comments with all due respect, I also believe they must be said.

It is our request that the Commission heavily consider the wishes of the majority of River Heights citizens and keep River Heights, River Heights- a bedroom community of single family residences. We also request that the commission sincerely consider the ambiguities pointed out in a letter from Mike Jablonski and Cynthia Johnson. Addressing these ambiguities will ensure that there are no deviations from your proposal to the City Council, or from whatever final plan they choose to pass. Ambiguities will be exploited where opportunities to do so are presented. I have attached a copy of Mike and Cythia's letter with my written comments for your consideration.

Again, thank you for all of the time, energy, and consideration you have put into this issue. We thank you for your service to the citizens of River Heights.

Sincerely,

Jason and Dana Thompson

May 24, 2021

To: River Heights Planning and Zoning Commission
CC: River Heights Mayor and Council
Re: Written Comments for Public Hearing on May 25 About R-PUD Overlay Zone in River Heights

From: Cynthia Johnson
Michael Jablonski
125 East 500 South
River Heights, Utah

Please accept these written comments, in lieu of spoken comments, for the May 25 public hearing about a proposed Residential Planned Unit Development Zone.

We are not opposed to a R-PUD overlay zone in River Heights. Done properly, such a zone could meet the stated intent and purpose of "... consolidation of open spaces and the clustering of dwelling units," and "... diversity of design." Our concern is that development of a PUD, in Riverdale or elsewhere in River Heights be properly done, as opposed to being used as an excuse for increased density as is all too common in Cache Valley. The buildings should be attractive, compatible with the surrounding neighborhood, causing no light pollution pursuant to the River Heights Outdoor Lighting ordinance, with natural open space as well playground like open space, and for any PUD in Riverdale, protective of the Logan River adjacent to the PUD, with a 75-foot setback as preferred by the Logan River Task Force.

We are pleased that you are not proposing an increase in density over R-1-12. Allowing up to a 20% bonus for open space is acceptable to us. Anything over 20% is unacceptable. We are concerned that the proposed ordinance says, "... not to exceed 20%" (10-10-2 D) but the beginning of that sentence states that, "The actual bonus awarded for **each** incentive..... shall be determined by the city council and not exceed 20%". It would be more definitive to state that, "....the combined total density bonus for all incentives shall not exceed 20% for any R-PUD" to avoid the impression that the bonus for **each** incentive cannot exceed 20%, but they could be added together to total up to well over 20%.

We have further questions regarding the density bonus, generated by the language that follows:

1. **Additional** open space up to a maximum 10% bonus.
2. Pedestrian and bicycle circulation up to a maximum 5% bonus.
3. **Additional** amenities and improvements ... 5%"

The base open space requirement is not addressed until Section 10-10-3 L, which states that, "... the base open space requirements for zones R-8 through R-12 will be 25% of the developable land." There is no specific mention of any density bonus for providing the base open space. Is the intention to allow no density bonus for open space unless it exceeds the base level of 25% and becomes **additional** open space? If so, we are fully in support of that plan.

If, however, the intention is to allow a density bonus for the 25% base open space required **AND** up to 10% more density bonus for **additional** open space plus 5% each for pedestrian/bicycle circulation and **additional** amenities, this could be interpreted by a developer as allowing up to 40% density bonus, which is completely unacceptable.

It must be made abundantly clear how much, if any, of a density bonus would be allowed for providing the base open space required. Then, it must be made equally clear that any additional density bonus awarded for the three listed incentives cannot bring the total combined bonus **for the base density AND incentives** to greater than 20%. It would be best to have the City Attorney review the document for this and other legal ambiguities. A developer could seize on this and argue for higher density.

Although we appreciate the requirement for keeping existing single-family homes 300 feet or more from buildings that are not single-family homes, we are still adamantly opposed to the ordinance allowing multi-family housing units. Previous public hearings regarding proposed developments in River Heights have demonstrated that opposition to such housing is widespread and not just confined to our neighborhood, although we residents of Riverdale are unanimously opposed to adding more apartments and townhomes to our neighborhood than we already accommodate. It is likely that any current residents living near any remaining open space in River Heights will be similarly opposed to such high density housing. We would ask you to consider two questions:

1. Would you honestly be happy to have a development with fourplexes, destined to be rental units, built in your neighborhood?
2. Why exactly does River Heights need to break with decades of precedent as a community of single family homes when there are multiple opportunities for apartment rental immediately adjacent to the City in areas functionally indistinguishable from River Heights?

Here is a list of additional concerns we have:

- A height limit on buildings is not specified in the proposed ordinance. There should be a height restriction. We oppose anything above two stories.
- The developer should be bonded to all amenities, after she/he leaves the scene, unless River Heights City is willing to bear the cost for the failure of such things as the death of native vegetation planted, or the failure of landscaping with ornamental plants, when not properly cared for until the vegetation is well established. It would be prudent to require the developer to establish a trust fund that could support all reasonably foreseeable maintenance for the open space areas in the PUD using the interest from the fund only, preserving the principal of the fund for the future. Such funds are required by the U.S. Army Corps of Engineers to maintain mitigation wetlands required by permitting under Section 404 of the Clean Water Act after years of experience with sites that failed after the permitted development was completed and the responsible developer long gone. The City can either accept full fiscal responsibility for the open space areas or require a trust or escrow fund to pay for maintenance over the long-term, if there is no Homeowner's Association or other entity to do so. Assigning responsible parties may not be adequate if no funds are available and/or if the developer is one of those parties and has no incentive to fulfill their responsibilities once the development is complete.
- Not all open space should have "playgrounds, pathways, pavilions, and play courts." Some open space, such as the banks of the Logan River and other "Areas with natural features worthy of preservation" (10-10-3 L), should be preserved in a natural state.

- Playgrounds for children should not be required if the PUD is designed to be an Adult Only or Over 50 community.
- Why does section D, item 3, refer to the Mixed-Use Zone? It is our understanding that the City had decided to eliminate the Mixed-Use zone.
- We understand that this draft ordinance was written, under pressure, following the Planning and Zoning meeting held on May 11, once you reached your conclusions after several months of discussion, as the City is up against a six-month moratorium that expires soon. Heather Lehnig, who researched PUD ordinances from other cities and contributed most of the writing, deserves compliments. That said, however, the draft needs considerable cleanup and revisions before it could, or should, be adopted as code. The ambiguities about density that confused us must be clarified. It also merits proof reading and revisions as it contains numerous phrases, as opposed to complete sentences, making parts of it difficult to understand. We could go into more detail about this, but that is beyond the scope of these written comments for the public hearing.

We hope this helps. As we are emailing this to each of you, could you please kindly acknowledge that you received our comments prior to the May 25 12:00 noon deadline for written comments for the public hearing.

Respectfully,

Cynthia and Michael



Sheila Lind <office@riverheights.org>

Fwd: Zoning

1 message

Todd Rasmussen <toddrasmussen@riverheights.org>

Tue, May 25, 2021 at 5:34 PM

To: Levi Roberts <levi12roberts@gmail.com>, Sheila Lind <office@riverheights.org>

----- Forwarded message -----

From: **peter son** <snp4516@gmail.com>

Date: Tue, May 25, 2021 at 5:31 PM

Subject: Zoning

To: <toddrasmussen@riverheights.org>

Hello,

I'm emailing to voice my concern about the development down by the falls. I'm in support of single family homes. Thank you for your time.

- Noraina Peterson

--

Todd Rasmussen
Mayor, River Heights





Sheila Lind <office@riverheights.org>

Fwd: PUD and zoning changes

1 message

Todd Rasmussen <toddrasmussen@riverheights.org>

Tue, May 25, 2021 at 5:18 PM

To: Levi Roberts <levi12roberts@gmail.com>, Sheila Lind <office@riverheights.org>

----- Forwarded message -----

From: **Kevin Larson** <kclarson2425@gmail.com>

Date: Tue, May 25, 2021 at 5:12 PM

Subject: PUD and zoning changes

To: <toddrasmussen@riverheights.org>

We heard about the proposed changes to the zoning for River Heights. We know this is due to the pending sale and development for the property near the Falls apartments down by the river. Sure that area does not seem to affect me. It is blocks away and down the hill from everyone. It is amazing how the slightest changes do affect everyone.

I have been against the building of townhomes and duplexes from the start. We haven't lived in River Heights as long as most but we have been here going on 6 years. The things that we loved about this area and attracted us to buy a home here and put down roots to raise our children here are all about to be changed. We loved the small town feeling. We love being able to take the time to get to know our neighbors and create lasting friendships. Building a bunch of town homes, duplexes, fourplexes, ect. will greatly increase the traffic in our area. Already there are concerns for our children being able to safely ride their bikes or walk to school and to their friend's homes. This will be a greater concern when you have such dense population housing.

And then we learned the change to the zoning was not just for the proposed development of this one area but it is also proposed for all of River Heights. Any development to the empty lots throughout the city will be affected by this one decision being made right now.

This decision is going to determine the future of River Heights. This idea is not a new one. Since we moved here to River Heights, we are aware of 3 proposed dense housing developments proposed in River Heights area. Already the residents have made it known, WE DON'T WANT IT. Our voices were heard back then. Please listen to the voice of the people again right now.

These developers don't live here. The developer, for this recent proposed project, is from out state. Again, THEY DON'T LIVE HERE. This isn't their neighborhood being destroyed! They are only here to make money and then they will be gone. We are then left to live with the results of these developments for years and years and years to come. These types of dense housing attract transient families and individuals. They are not here to stay and invest in the future of our town and neighborhoods. Why do we need to double the size of our community? It creates needs we as citizens and tax payers have to pay for, and the cost is not just in money. What about increased classroom sizes and the need for road repairs due to increased traffic. We get to deal with the increased crime and drugs brought in. The developer does help pay for nor deal with these things. No, we and our children get to pay the consequences for these types of developments.

WE DON'T WANT IT!

We do want single family homes with limits for a minimal amount of property allowed for a home to be built. We want to keep the atmosphere River Heights already has, to attract families and individuals willing to be a part of the community and invest into the future of this wonderful area of Cache Valley.

The valley is going to continue to become less and less farm land and more and more developments. It is inevitable. We may not be able to stop it from happening, but WE CAN control where and how much it will happen here to River Heights.

Please really think this through. Please listen to the citizens. Please don't change the zoning for this development and future developments. Let's take pride in determining the future of River Heights!

Thank you for your time- Kevin and Camillia Larson (and children)

--

Todd Rasmussen
Mayor, River Heights

