

River Heights City

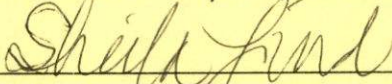
River Heights City PLANNING COMMISSION AGENDA

Tuesday, March 14, 2023

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. Pledge of Allegiance
- 6:32 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Comment on Land Use
- 6:40 p.m. Public Hearing to Discuss and Adopt Code Changes
- 7:30 p.m. Adjourn

Posted this 10th day of March 2023



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/87421572121?pwd=T0NLSDI4NGE3YXVvRE1BeU9yekhFZz09>

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
March 14, 2023

Present: Commission members: Noel Cooley, Chairman
Heather Lehnig
Lance Pitcher
Cindy Schaub
Troy Wakefield

Councilmember Blake Wright
Recorder Sheila Lind
Tech Staff Councilmember Chris Milbank

Others Present: Jacob Cameron and Alexander O'Connor

Motions Made During the Meeting

Motion #1

Commissioner Schaub moved to “approve the minutes of the February 28, 2023, Commission Meeting as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.

Motion #2

Commissioner Pitcher moved to “send the proposed code changes to the City Council.” Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield 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 14, 2023.

Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the February 28, 2023, Planning Commission Meeting were reviewed.

Commissioner Schaub moved to “approve the minutes of the February 28, 2023, Commission Meeting as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.

Public Comment on Land Use: There was none.

44 Public Hearing to Discuss and Adopt Code Changes: Commissioner Cooley opened the public
45 hearing. Jacob Cameron was interested in the commercial vehicle definition. He asked why it was
46 redefined. Commissioner Pitcher said there were currently a few instances in the city where
47 residents were parking commercial vehicles. The code needed a definition of 'commercial vehicle'
48 and the Commission referenced the state code in an effort to align with them as closely as possible.
49 Commissioner Cooley noted there was another part of the code which prohibited long term parking
50 of commercial vehicles. Short term was allowed.

51 Jacob Cameron asked what the commission planned to do with the JV Lawn Care's Conditional
52 Use Permit (CUP). Commissioner Cooley said there may be public hearing in two weeks. Mr.
53 Cameron asked what the process was for a CUP. Mr. Cooley expressed that they would review the
54 new permit after it was submitted, but that they couldn't speak about it at the evening's meeting
55 since it wasn't on the agenda.

56 Commissioner Cooley reviewed the proposed changes. Commissioner Schaub had an issue
57 with the wording on the kennel definition. Councilmember Wright said the definition made sense to
58 him. It also made sense to Recorder Lind, who would need to explain and help enforce it.

59 Commissioner Schaub asked for verification on fencing, which was discussed.

60 It was brought up that they needed an updated drawing of the fence diagram to include in the
61 code. Councilmember Wright said he would work on that and hoped to have it ready for review by
62 the Council.

63 **Commissioner Pitcher moved to "send the proposed code changes to the City Council."**
64 **Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and**
65 **Wakefield in favor. No one opposed.**

66 Councilmember Wright reported that JV's attorney had filed some amendments to their
67 recent CUP request. The city attorney was looking at the information and planned to make a
68 response shortly. Recorder Lind was asked to forward their attorney amendments to the
69 commissioners.

70 Councilmember Wright brought up 10-12-2, the Area Regulation Chart. He discussed setbacks
71 for residential (particularly R-1-8) properties including the side yard subscript, which states:
72 Properties built prior to 1940 in the R-1-8 zone are exempt from the 10-foot minimum side yard
73 setback with the following conditions . . ." He gave some history on why this verbiage was added a
74 few years ago. At some point there was a side yard setback of 9 feet. There is a home in this
75 situation which now wants to add an addition to their house and match the side yard setback of the
76 home. Current code says they need to be at least 10 feet. He suggested they consider striking "prior
77 to 1940" for their next code changes. He asked them to think about it and maybe drive around and
78 see if they thought it could work. They agreed to have further discussion on this at their next
79 meeting.

80 The meeting adjourned at 7:15 p.m.

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Noel Cooley, Commission Chair



Sheila Lind, Recorder

Proposed Code Changes Public Hearing
March 14, 2023

5-2-1: DEFINITIONS

KENNEL: Land or buildings used in the keeping of three (3) but no more than four (4) dogs over four (4) months old. Yard or space for the confinement and control of animals to be completely fenced in.

5-2-12: VIOLATION (Animal Control)

Any person violating the provisions of this Chapter shall be guilty of a ~~Class "C" Misdemeanor~~, an infraction, unless the specific violation has another classification. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such.

10-2-1: DEFINITIONS

AFFECTED ENTITY: Cache County, Logan City, Providence City, Cache County School District, Cache County Sheriff, ProLog Irrigation, public utility companies (gas, electricity, water and sewer), property owners, property owners associations, and any other special district defined in state code.

10-2-1: DEFINITIONS

KENNEL: Land or buildings used in the keeping of three (3) ~~or~~ but no more than four (4) dogs over four (4) months old. Yard or space for the confinement and control of animals to be completely fenced in.

COMMERCIAL VEHICLE: A motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of person, but which has been fitted or adopted for the conveyance of goods, merchandise or materials referred to, and is in fact used for that purpose. A vehicle that has a gross vehicle weight rating (GVWR) or gross combination weight rating of 10,000 lbs. or more, whichever is greater. It must be registered by the Department of Transportation.

10-12-3:A. FENCE AND WALL REGULATIONS WITHIN SETBACKS/Residential Maximum Height

4. Side Yard and Rear Yard on a Street
 - a. If a fence is installed on the property line, a four (4) foot solid fence is permitted. If a greater than four (4) foot fence is desired, the entire fence must be 70% transparent and may not be taller than six (6) feet.
 - b. In areas where the conditions listed below are present ~~if the fence setback distance from the paved asphalt road surface is fourteen and a half (14.5) feet or greater~~, an up to six (6) foot solid fence is allowed. Measure the actual condition(s) present and use the following formulas to determine the fence set back from the edge of the asphalt road ~~payment if~~

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pavement exists, and if pavement does not exist, then from the edge of the unpaved roadway. **Use a value of zero (0.0) if a condition does exist.**

Required Fence Setback (RSB)
Sidewalk (S)
Curb (C)
Curb/Gutter (CG)
Park Strip (P)
Present Required Set Back (SB)

Standard River Heights Widths	Feet
Sidewalk	4.0
Curb	2.0
Curb/Gutter	2.5
Park Strip	4.0
Present Required Set Back	14.5
Property line from sidewalk	1.0

If there is a curb/gutter present: $RSB = SB - S - CG - P$

If there is curb only use: $RSB = SB - S - C - P$

Examples:

- (1) If only sidewalk is present: $RSB = 14.5 - 0.0 - 2.5 - 4.0 = 8.0$ ft from edge of paved asphalt. (using standard widths)
- (2) If only curb/gutter and sidewalk: $RSB = 14.5 - 0.0 - 0.0 - 4.0 = 10.5$ ft from edge of paved asphalt. (using standard widths)
- c. Minimum distance allowed: A six foot (6) solid fence is allowed if it is eight feet (8) from the edge of the paved asphalt road or four feet (4) from the existing sidewalk or property line whichever is greater.

10-12-3 FENCE AND WALL REGULATIONS WITHIN SETBACKS

D. Fire hydrants shall not have access blocked by fences or walls. Front access shall be totally open and unrestricted.

E. On a drainage or irrigation easement, an owner may fence their property, but the water flow cannot be interrupted and must allow full access to the holder of the easement for the purpose of the easement. This may require gates to access the property with both foot traffic and equipment required to maintain the ditch or pipe. It is the responsibility of the property owner to contact those who own the easements to get approval of the fence, gate, etc.

Move current D & E down to F & G.

10-13-15: CLEAR VIEW OF INTERSECTING STREETS AND DRIVEWAYS

A. Intersecting Streets

1. Obstruction of vision on corner lots within forty feet (40') of edge of pavement of intersection shall not be permitted from three feet (3') to ten feet (10') above finished grade. Trunks of trees,

light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted. (Ord., 1-22-2002) (6-2016, 9-27-16)

2. If tree trunks become more than twelve inches (12") inches in diameter at a mature size and are located within the forty feet (40') triangle, they must be spaced more than eight feet (8') apart.

B. Intersecting Street and Driveway

1. When the rear yard of a corner lot is adjacent to the front yard of a neighboring lot obstruction of vision within twenty-five feet (25') of edge of driveway and asphalt pavement of intersection of the rear yard fence with the street shall not be permitted from three feet (3') to ten feet (10') above finished grade. Trunks of trees, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.
2. If tree trunks become more than twelve inches (12") inches in diameter at a mature size and are located within the twenty five (20') triangle, they must be spaced more than eight feet (8') apart.

C. Shrubbery

Ornamental grasses, flowers, and shrubs are permitted if they are spaced six feet (6') apart and are not higher than three feet (3') above street or sidewalk grade. Above ground transformers are allowed if they are less than forty inches (40") above street or sidewalk grade. All plantings and obstructions shall maintain an overall clear visibility of 70% or greater. (3-2020, 5-19-20) 10-13-16:

10-15-7 LANDSCAPING

E. Maintenance of Trees Near Sidewalks and Streets: Pruning trees is required so that any overhang is at least seven (7) feet above the elevation of the adjoining sidewalk or and ~~10'~~ fourteen feet (14') above street to keep a clear view and not interfere with service vehicles. (2-2019, 5-28-19)

10-16-1 SIGNS REGULATED

C. Screening Requirements: All signs shall display thereon only information pertaining to products to services sold on the premises. Community events or public information may be displayed on a temporary basis. ~~No more than thirty percent (30%) of the sign area or message shall be used for this purpose.~~

10-20-2: CONDITIONAL USE PERMITS

D. Issuance of Approved Conditional Use Permit: Upon approval of the application for a conditional use permit, the zoning administrator shall prepare the permit, a written decision with findings supporting the issuance of the permit, and the conditions of the permit, if any. The permit shall be signed by the applicant and notarized ~~and must be recorded against the property and tax identification number with the county recorder.~~