

River Heights City

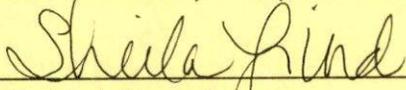
River Heights City PLANNING COMMISSION AGENDA

Tuesday, September 12, 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 Proposed Code Changes Regarding Subdivision Review and Plat Requirements and Landscaping Rights-of-Way
- 7:00 p.m. Public Hearing to Discuss and Decide on a Kennel Conditional Use Permit Submitted by Rebecca Paulsen to have Four Dogs
- 7:30 p.m. Adjourn

Posted this 7th day of September 2023



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/81659278548>

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
September 12, 2023

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6 Present: Commission members: Noel Cooley, Chairman
7 Heather Lehnig
8 Cindy Schaub, electronic
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10 Recorder Sheila Lind
11 Tech Staff Councilmember Chris Milbank
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13 Excused Commissioners: Lance Pitcher and Troy Wakefield
14 Councilmember Blake Wright
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16 Others Present: Rebecca Paulsen, Jean Sanchez
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19 Motions Made During the Meeting
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21 Motion #1

22 Commissioner Lehnig moved to “approve the minutes of the August 22, 2023, Commission
23 Meeting with corrections, as well as the evening’s revised agenda.” Commissioner Schaub seconded
24 the motion, which carried with Cooley, Lehnig, and Schaub in favor. No one opposed. Pitcher and
25 Wakefield were absent.
26

27 Motion #2

28 Commissioner Lehnig moved to “accept Rebecca Paulsen’s Kennel Conditional Use Permit
29 with the following conditions: 1. When she moved the permit would go away. 2. A limit of four dogs,
30 and 3. She would read the ordinance pertaining to dogs.” Commissioner Schaub seconded the
31 motion, which carried with Cooley, Lehnig, and Schaub in favor. No one opposed. Pitcher and
32 Wakefield were absent.
33

34 Proceedings of the Meeting
35

36 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council
37 Chambers on September 12, 2023.

38 Pledge of Allegiance

39 Commissioner Cooley announced he would cancel the public hearing for the code changes
40 due to updates made by the city attorney, which he felt needed more discussion among the
41 commissioners. He amended the agenda to include only a discussion on the proposed changes to the
42 city code.

43 Adoption of Prior Minutes and Agenda: Minutes for the August 22, 2023, Planning
44 Commission Meeting were reviewed.

45 **Commissioner Lehnig moved to “approve the minutes of the August 22, 2023, Commission**
46 **Meeting with corrections, as well as the evening’s revised agenda.” Commissioner Schaub**
47 **seconded the motion, which carried with Cooley, Lehnig, and Schaub in favor. No one opposed.**
48 **Pitcher and Wakefield were absent.**

49 Public Comment on Land Use: There was none.

50 Public Hearing to Discuss Proposed Code Changes Regarding Subdivision Review and Plat
51 Requirements and Landscaping Rights-of-Way: Commissioner Cooley discussed the changes made by
52 Attorney Jenkins, the main one of which was a replacement of “development review committee” to
53 “administrative land use authority.”

54 Commissioner Cooley reviewed the attorney’s other suggestions. They didn’t think the city
55 needed to provide hard copies of the city’s standards required for the project (4-1-3). They changed
56 the language to inform that copies could be found on the city’s website.

57 The last line of section 4 was changed to say, “...shall recommend and forward their approval
58 to the Planning Commission.”

59 In the definition section, “Administrative Land Use Authority” replaced “Development Review
60 Committee.” “Councilmember” was removed from being on the committee (based on state code).
61 Councilmember Milbank asked if the mayor should be included on the committee. Commissioner
62 Cooley said it would check with the attorney to see if the mayor would be considered as part of the
63 legislative body.

64 Public Hearing to Discuss and Decide on a Kennel Conditional Use Permit Submitted by
65 Rebecca Paulsen to have Four Dogs: Commissioner Cooley opened the public hearing for Ms.
66 Paulsen. There was no public in attendance to comment and no written comment had been
67 submitted prior to the meeting.

68 Ms. Paulsen was called to the podium to explain her desire, which was to receive permission
69 to have four dogs. She informed that they are very well taken care of, and she has a fully fenced
70 yard.

71 Commissioner Schaub noted that Ms. Paulsen currently had two medium sized dogs and two
72 small dogs. She suggested a condition that if she exchanged dogs they would stay the sizes of her
73 current dogs, so she wouldn’t end up with four large dogs. Commissioners Lehnig and Cooley felt this
74 wasn’t something they could stipulate.

75 Commissioner Cooley asked Ms. Paulsen if she was aware of and had read the code regarding
76 the care of dogs and the city’s expectations. Commissioner Lehnig reviewed a few of the items. Ms.
77 Paulsen said she would read 5-2 of city code.

78 **Commissioner Lehnig moved to “accept Rebecca Paulsen’s Kennel Conditional Use Permit**
79 **with the following conditions: 1. When she moved the permit would go away. 2. A limit of four**
80 **dogs, and 3. She would read the ordinance pertaining to dogs.” Commissioner Schaub seconded**
81 **the motion, which carried with Cooley, Lehnig, and Schaub in favor. No one opposed. Pitcher and**
82 **Wakefield were absent.**

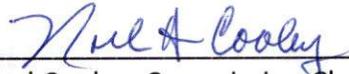
83 Return to Discussing Code Changes: Commissioner Cooley said he hadn’t heard any
84 comments from Engineer Rasmussen, who had been copied on the emails with he and the city
85 attorney. Mr. Cooley will reach out and check with him. He said he would also check with the
86 attorney to see if the mayor considered part of the legislative body.

87 The next meeting would include a Conditional Use Permit public hearing for a home lawn care
88 business, a public hearing for the code changes, and another public hearing for a swimming pool.

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Commissioner Cooley also informed that the city had received a petition for a rezone by the new owners of the Demars and Ellis properties in the Riverdale area. It was his desire to rezone from R-1-12 to agricultural. Mr. Cooley pointed out there have been some recent complications that he would notify the applicant of.

The meeting adjourned at 7:15 p.m.



Noel Cooley, Commission Chair



Sheila Lind, Recorder

CHAPTER 4

REVIEW AND PLAT REQUIREMENTS

SECTION:

- 11-4-1: Development Review Process
- 11-4-2: Preliminary Plat
- 11-4-3: Final Plat

11-4-1: DEVELOPMENT REVIEW PROCESS

- A. Intent: By the time a subdivider creates a preliminary plat, both the subdivider and the city have made a substantial investment in time and money. In addition, once the preliminary plat has been completed, it is difficult and expensive to rework the plans for the project. In an effort to better meet the needs of the city and the subdivider, the city has adopted the following development review process.
- B. Pre-application Meeting:
 - 1. Intent: The purpose of the pre-application meeting is to allow the subdivider the opportunity to share with the administrative land use authority (as defined by Utah Code Ann. § 10-9a-604.1) Development Review Committee (DRC) his/her proposed project plans. It also gives the DRC-administrative land use authority the opportunity to share with the subdivider the city's thoughts and ideas. The administrative land use authority~~DRC~~ will comment on the compatibility of the proposed development with the general plan and general compliance with the zoning ordinance, this title, and other ordinances and/or city regulations.
 - 2. Process: The subdivider shall obtain and review a copy of the subdivision ordinance and application from the city or the city's website. After submittal of the application and payment of the fee, the subdivider ~~can~~may ~~He/she shall then~~ contact the ~~planning commission chairperson~~city recorder to schedule a pre-application meeting ~~with the Development Review Committee (DRC). The planning commission chairperson~~The City Recorder will ~~shall~~ ~~inform the subdivider that there is a DRC administrative expense and will~~ schedule a conference with the DRC-administrative land use authority within ~~fifteen~~ve (15) business days of ~~receiving the request~~all the fee being paid and application submitted. The subdivider shall provide the following information to the administrative land use authority~~DRC~~:
 - a. A general description of the existing conditions of the site.
 - b. A sketch drawing (hard copy or digital copy in pdf format) showing the proposed subdivision layout, including the numbers of lots and street locations.
 - c. The relationship of the proposed subdivision to existing utilities and streets.

the city's website where the applicable land use regulations can be found.

3. Pre-application Meeting. At the pre-application meeting, the City shall provide copies of applicable land use regulations, a complete list of standards required for the project, preliminary and final application checklists, and feedback on the concept plan. The meeting may be in a public setting or at a municipal staff level.

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4. Administrative Land Use Authority DRG Recommendation: Once the administrative land use authority DRG has a general idea of what is desired for the proposed development, he or she they will forward it to the planning commission for further consideration along with notes of the pre-application meeting and a recommendation to approve, conditionally approve or reject the proposed development. If a preliminary subdivision application complies with applicable city ordinances, the administrative land use authority shall recommend approval.

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3.
C.

Concept Plan:

The Administrative Land Use Authority

and forward approval to the planning commission.

1. Intent: With the administrative land use authority DRG's recommendation and pre-application meeting notes, the planning commission and the subdivider can review the proposed development to get a general idea of what is desired and how each visualizes the final product. While this is not a full preliminary plan (it will not contain the technical aspects of a fully engineered plan), the concept plan is the step where major decisions are made and agreed to.

2. Process:

- a. At least one week prior to a regularly scheduled planning commission meeting, the subdivider shall inform the planning commission chairperson of his/her desire to be on the agenda and shall submit the concept plan, overlayed on the site analysis map. If the concept plan, overlayed on the site analysis map, is not submitted or notice not given one week prior to the next regularly scheduled planning commission meeting, discussion of the project may be placed on the agenda of the following regularly scheduled planning commission meeting. Seven (7) copies 11" x 17" and a digital copy in pdf format of the concept plan shall be submitted.
- b. For areas where development is planned to occur in phases, the concept plan shall show the entire area for which all final plat approvals will be requested. The concept plan will be a guide but will have no official standing. It may be amended or modified from time to time by the subdivider. Only the final plat shall have official standing which shall permit the subdivider to proceed with subdivision construction.

3. Site Analysis

- a. Intent: The purpose of having a site analysis map completed is to better understand what parts of the land are buildable, what land must be left alone, and what features the community may want to preserve.
- b. Process: The subdivider prepares a site analysis map of the property of the proposed project site. The site analysis map shall be prepared in a digital pdf format and shall include all existing resources, including, but not limited to:

(1) environmental features such as streams, slopes, wetlands, and floodplains,

- (2) historical sites and building,
 - (3) cultural features,
 - (4) unusual vegetation,
 - (5) wildlife habitats and paths,
 - (6) unusual rock formations,
 - (7) any other features that make the property distinctive. (See title 10, chapter 11 of this code for additional information.)
4. Concept Plan Requirements: The concept plan, prepared on the site analysis map, shall include the following items:
- a. The proposed name of the subdivision.
 - b. A contour map (request for these maps can be made from the U.S. Geological Survey [USGS]).
 - c. A map showing soil types (requests for these maps can be made through the Soil Conservation Service [SCS]).
 - d. A map showing flood hazard areas, including the 100-year recurrence interval flood; or where such data is not available, the maximum flood of record.
 - e. A map showing potential geographical hazards, e.g., earthquake fault lines.
 - f. The property boundaries of the proposed subdivision.
 - g. The names of the owner, subdivider, if other than the owner, and the engineer or designer of the subdivision.
 - h. Boundaries of adjacent properties and names of adjacent property owners.
 - i. Approximate number of lots proposed and street layout, indicating general scale dimensions of lots.
 - j. Approximate total acreage of the development as well as size of the individual lots.
 - k. All property under the control of the subdivider, even if only a portion is being subdivided.
 - l. Location, width and names of existing streets within two hundred feet (200') of the subdivision and of all previously platted streets or other public ways, railroad and utilities rights of way, parks and other public open space, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract.

- m. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision, including, but not limited to, sites for parks, playgrounds, schools or other public uses.
 - n. Location of natural drainage channels and the proposed storm and surface water drainage system.
 - o. Description of the types of water systems proposed, both culinary and irrigation, along with any and all water rights.
 - p. Description of the type of sewer or sanitary waste system proposed.
 - q. Present zoning.
 - r. Date of preparation, scale of drawing and north arrow.
5. Site Visit:
- a. Intent: Seeing the property and its features will aid in understanding the dimensions and elements of the property. Important features may be very different in reality than they appear on paper; not all natural resources are alike or have the same value. Before the planning commission agrees to modifications of the property, they should know the full impact on the surrounding area.
 - b. Process: After an acceptable concept plan, prepared on the site analysis map, has been received, the planning commission, with the subdivider encouraged to attend, will walk or drive around the proposed project site property. The site visit may be made as part of the same planning commission meeting where the concept plan is discussed.
6. Action by Planning Commission:
- a. The planning commission shall review the concept plan presented by the subdivider and compare it to the general plan, the zoning ordinance, this title, and other ordinances and/or regulations to determine compliance.
 - b. A public hearing will be held in accordance with section 10-3-9 of Title 10.
 - c. After the public hearing, the planning commission will coordinate with the subdivider any changes to the concept plan which will be reflected on the updated drawings.
 - d. After the agreed upon changes are reflected the planning commission will forward the concept plan to the city council for their consideration. They may approve, conditionally approve, or reject the concept plan.
 - e. Not later than thirty (30) days after the city council's consideration, the planning commission will communicate to the subdivider, in writing, its comments, requirements and recommendations. Upon approval, the subdivider may then proceed with the preparation of a preliminary plat. In the event a preliminary plat for at least one phase of the proposed subdivision has not been submitted to the

planning commission for approval within twelve (12) months from the date of said communication from the planning commission, a new concept plan must be submitted and approved before a preliminary plat can be submitted for approval.

11-4-2: PRELIMINARY PLAT

- A. Submittal Process: Seven (7) 11"x17" hard copies and one (1) digital copy in pdf format of the preliminary plat shall be submitted to the city for review. These copies are to be submitted at least five (5) working days prior to the next regularly scheduled planning commission meeting. The planning commission may, if said preliminary plats are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.
1. City Engineer Review: One copy of the preliminary plat in digital format shall be delivered to the city engineer for review. After his/her review, the city engineer shall transmit any conclusions and recommendations to the planning commission.
 2. Planning Commission Review: Seven (7) 11"x17" hard copies and one (1) digital copy in pdf format of the preliminary plat shall be submitted to the planning commission for the commission and other city departments, as required, to review. After completion of all reviews deemed necessary, the planning commission shall approve, conditionally approve, or reject the preliminary plat, or the planning commission may table the preliminary plat for consideration at the next regularly scheduled planning commission meeting.

11-2-1: DEFINITIONS

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|--|---|
| CONCEPT PLAN: | A conceptual drawing of the proposed development prepared in accordance with the requirements of this title. |
| DEVELOPMENT REVIEW COMMITTEE (DRC): | Consists of varied members including: mayor, zoning administrator (or council member assigned to the DRC) ; planning commission chairperson, public works director, and city engineer. |
| PRE-APPLICATION CONFERENCE: | A conference meeting between a developer and the DRC to discuss a proposed development. |
| SKETCH PLAN: | A simplified drawing of a proposed subdivision. |

Administrative Land Use Authority ←

Public hearing date: Sep 12, 2023

River Heights City Kennel Conditional Use Permit Application

The Keeping of Three or More Dogs

Name of Dog Owner: Rebecca Paulsen Date: 8-22-23

Phone #: _____ Email: _____

Address: 4116 E 500 S

Number of dogs requested: 4 Property for animal support (sq ft): 1,255 sqft

Description of shelter provided, care of animals, etc: dogs are mostly indoor

Backyard is fully fenced and .24 acres. They get two to

three walks a day and are rarely left alone outside. (not more than an hour at a time)

I work from home so they are rarely home alone. When

they are home alone, they will usually be inside.

two border collie mixes & two chihuahuas.

Application fee is \$100 and is nonrefundable.

Date paid 8/23/23 Check number cash By Sy

After receipt of the application and fee, the city will schedule a public hearing with the Planning Commission, within one month. Neighbors within 300 feet of your property will be notified of your request, intent and of the hearing.

If granted, the conditional use permit shall be on indefinite duration, non-transferrable but subject to revocation for violation of City Code or regulation, or failure to meet imposed conditions. Revocation will be only by majority vote of the River Heights City Council after written notice to the permit holder has been served and a hearing has been held.