

# River Heights City

---

## River Heights City PLANNING COMMISSION AGENDA

**Tuesday, March 11, 2025**

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.

Pledge of Allegiance

Adoption of Previous Minutes and Agenda

Public Comment on Land Use

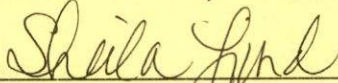
Public Hearing to Discuss Code Changes

Consider Council Request for Changes to the General Plan

Planning Commission Training

Adjourn

Posted this 7<sup>th</sup> day of March 2025



---

Sheila Lind, Recorder

To join by Zoom: <https://us06web.zoom.us/j/82854836028>

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

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 11, 2025

Present: Commission members: Noel Cooley, chairman  
Heather Lehnig, tech staff  
Keenan Ryan  
Cindy Schaub  
Troy Wakefield

Councilmember Mark Malmstrom, electronic  
Recorder Sheila Lind

Others Present: None

## Motions Made During the Meeting

### Motion #1

Commissioner Ryan moved to “approve the minutes of the February 25, 2025, Commission Meeting, as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which passed with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

### Motion #2

Commissioner Lehnig moved to “recommend the discussed code changes to the City Council for adoption, with the addition of “For private lanes see 11-6-4:A.2”” Commissioner Wakefield seconded the motion, which passed with Cooley, Lehnig, Ryan, 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 11, 2025.

### Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the February 25, 2025, Planning Commission Meeting were reviewed.

**Commissioner Ryan moved to “approve the minutes of the February 25, 2025, Commission Meeting, as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which passed with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.**

Public Comment on Land Use: There was none.

Public Hearing to Discuss Code Changes: Commissioner Cooley noted there was no public in attendance. He reviewed the changes which were discussed at their last meeting.

45 Recorder Lind explained her addition to the bottom of the document, which showed a code  
46 contradiction pointed out by Public Works Director Clayton Nelson. After discussion the Commission  
47 determined to add, "For private lanes refer to 11-6-4:A.2" at the end of 11-5-4:D. Commissioner  
48 Cooley suggested they have the city engineer look over it to give his opinion before it goes to the City  
49 Council.

50 **Commissioner Lehnig moved to "recommend the discussed code changes to the City Council**  
51 **for adoption, with the addition of "For private lanes see 11-6-4:A.2""** Commissioner Wakefield  
52 **seconded the motion, which passed with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No**  
53 **one opposed.**

54 Consider Council Request for Changes to the General Plan: Commissioner Cooley explained  
55 that at their last meeting, the Council approved rezoning the Taylor property from agricultural to R-1-  
56 12. They asked the Planning Commission to discuss changing the 800 South area in the General Plan  
57 to show the future of the area to be no less than R-1-12.

58 As part of the Council's discussion, Councilmember Milbank referenced the General Plan's  
59 Moderate Income Housing (MIH) section. Three council members felt the 800 South area should be  
60 zoned R-1-12 in the future.

61 Commissioner Cooley's opinion wasn't in favor or against changing the general plan. He asked  
62 them to think it over.

63 Commissioner Schaub pointed out the letter from Councilmember Hanover requesting the  
64 deletion of the MIH section of the general plan, in which she referenced state code, which says cities  
65 of the 5<sup>th</sup> Class were not required to include a MIH section. Commissioner Cooley clarified that the  
66 code she referenced was addressing which cities needed to file a MIH report to the state. He noted  
67 that state code (10-9a-408) does require an element of MIH for all cities in their general plan.

68 Commissioner Cooley asked Commissioner Wakefield to review the MIH section of the city's  
69 general plan to make some recommendations to the Commission on whether he felt it should stay or  
70 go.

71 Commissioner Ryan also heard the Council's discussion. Initially, he felt that by raising the  
72 minimum lot size, they were essentially not allowing people to live in River Heights who couldn't  
73 afford it. He stated that he had talked to several residents who live in the Vineyard (a mixed zone in  
74 Providence, which included town homes, as well as single family homes. Everyone he spoke to said  
75 they loved living there. He also spent a bit of time looking at lot sizes in River Heights and determined  
76 that most of the lots in R-1-8 zones were larger than 8,000 square feet. His thinking then changed  
77 from thinking the Council wanted to be elitist, to realizing that River Heights is made up of larger lots  
78 and they are wanting to protect the city's integrity.

79 Commissioner Lehnig discussed water usage. She had heard council members say they were  
80 concerned with the city's water system's ability to support smaller lots and more people. Ms. Lehnig's  
81 research had shown the opposite to be true. Larger lots use more water than smaller lots and  
82 multifamily housing. She suggested that if the city moved to requiring larger lots, they should  
83 consider a secondary water source. Commissioner Cooley informed that irrigation shares could be  
84 converted to culinary water rights, however the city would be required to prove they need the water.  
85 He agreed that an RPUD zone would use less water than single family lots.

86 Commissioner Ryan stated that residents were against growth, but the city couldn't refuse it.

87 Commissioner Schaub said she was surprised the Council didn't agree to R-1-8. She said  
88 councilmembers come and go and the issue is too large to take lightly.

90 Commissioner Cooley noted they should consider the recommendation of the Council to label  
the 800 South area as a zone, rather than leave it agricultural.

91 Commissioner Lehnig was disappointed the council went with R-1-12. Councilmember Ryan  
92 agreed.

93 Commissioner Cooley informed that they didn't need to take any action tonight. He asked  
94 them to also consider if they wanted to keep the RPUD zone in the city code since the two properties  
95 they labeled for this zone were no longer available.

96 Commissioner Ryan asked if the Weston property (along 600 South) were presented as a 55  
97 and older community, would it be allowed if RPUD was removed from the code.

98 Commissioner Cooley discussed a couple existing retirement subdivisions in other cities which  
99 were on 6,000 sq foot lots. The setbacks were small, and the homes were in a range of sizes.

100 Councilmember Malmstrom said he had talked with Providence. They didn't have an RPUD  
101 zone, but they did allow 6,000 sq foot lots (considered high-density, single-family zone).

102 Commissioner Cooley suggested looking at removing townhomes from the RPUD code and  
103 determining other revisions they could consider. He felt citizens should be the ones to call for the  
104 change or as a suggestion from the Council. Another option could be for the city to hold a public  
105 hearing to gather input from the community. The Weston property was the only place left for this as  
106 an option.

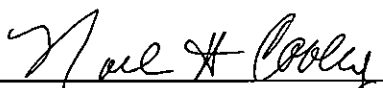
107 Commissioner Ryan asked what the feeling was when the Commission drafted the RPUD zone.  
108 Commissioner Cooley said the draft they sent to the Council didn't have enough details for them. He  
109 and (then) Councilmember Wright were tasked with making revisions before it's adoption.  
110 Commissioner Schaub felt they were pushed by the potential developer of the Riverdale area to come  
111 up with the zone and they shouldn't have done it. The citizens didn't like it. Commissioner Lehnig  
112 reminded that she and Councilmember Milbank wanted to see some diversity in the city.

113 Commissioner Cooley asked if they felt code to allow senior housing or smaller lot houses  
114 should be allowed. If so, they could ask Councilmember Malmstrom to present the idea to the  
115 Council and get their feedback. The Planning Commission would be willing to hold a public hearing to  
116 get citizen input. Councilmember Malmstrom said he would be happy to bring this up with the  
117 Council. He asked if there were other small cities with these types of zones. Commissioner Cooley  
118 suggested Hyde Park and North Logan and possibly Hyrum and Nibley. Mr. Cooley suggested the  
119 city's current RPUD zone as a starting point and modify it from there.

120 Planning Commission Training: Commissioners listened to 19:58 minutes of training video put  
121 out by the Utah League of Cities and Towns.

122 Commissioner Cooley asked Commissioner Wakefield to be ready with information to present  
123 on the MIH section of the general plan the next time they met.

124 The meeting adjourned at 7:45 p.m.

125  
126  
127  
128  
129 

130 Noel Cooley, Commission Chair

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

#### 11-4-2: Pre-application Meeting

- B. Preliminary Subdivision Application Approval: The planning commission shall act as the ALUA that receives, reviews, considers and issues its approval of preliminary plat subdivisions applications.
- C. The planning commission shall review the preliminary plat and may visit the site of the proposed subdivision if deemed appropriate. The applicant must submit the application within 16 business days prior to a scheduled planning commission meeting. The planning commission must review the subdivision application within ~~15~~30 business days from the date a complete application has been received.

#### 11-4-3-C. The Review Cycle is Capped

- 2. The DRC shall complete a review of the plat within twenty ~~20~~ 40 business days per review cycle after it is submitted for review. If the final plat complies, the city engineer shall sign the plat in the appropriate signature block. If the final plat or the construction plans do not comply, they shall be returned to the developer with comment.

#### 11-5-2: PROCEDURE FOR APPROVAL

- B. The Review Cycle is Capped. A maximum of three review cycles is permitted for determination of final approval. The DRC must complete each review cycle within ~~20~~30 business days following submittal and acceptance of the original application, and ~~20~~30 days for each subsequent review cycle as applicable.

#### Code Contradiction

#### 11-5-4: REQUIRED IMPROVEMENTS (minor subdivisions)

- D. Street Improvements. Streets which are interior and/or act as ingress/egress to minor subdivisions shall have a minimum width of twenty-two feet (22') paved with six and one-half foot (6 1/2') graveled shoulders on each side, and a thirty five foot (**35'**) right of way. *For private lanes refer to 11-6-4:A.2.*

#### 11-6-4: PRIVATE LANES (public improvements chapter)

- A.2. For three (3) or four (4) houses, the right of way shall be twenty six feet (**26'**) in width with asphalt pavement of eighteen feet (18') in width minimum. No sidewalk or curb and gutter shall be required.



Suggested Code Changes  
Feb 25, 2025

**10-3-4 DEVELOPMENT REVIEW COMMITTEE**

- B. The DRC is comprised of the following members: city attorney, public works director, city engineer, planning commission chair, and citizen planner with demonstrated experience, education, certification and knowledge in city and land use planning. These individuals are to provide their respective expertise in the technical and policy requirements and standards regarding development applications subject to the development review provisions of this title and other city ordinances. The mayor shall nominate and appoint a citizen planner and a chairperson of the DRC with the advice and consent of the City Council.

**10-11-6:G. Allowed Uses Specific to 420 S 500 E**

7. Daycare/preschool

**11-2-1 DEFINITIONS**

Development Review Committee (DRC)

The administrative land use authority responsible for receiving, reviewing and considering final plat and minor subdivision applications. If all requirements and standards are met, the DRC shall issue final plat approval. The committee is comprised of the city attorney, public works director, city engineer, planning commission chair, and a citizen planner with demonstrated experience, education, certification and knowledge in city planning and land use planning. These individuals are to provide their respective expertise in the technical and policy requirements and standards regarding development applications subject to the development review provisions of this title and other city ordinances.

**11-4-1.A.5 Review Cycle, Exceptions**

- b. Additional Time for Review. If the applicant does not submit a revised plan within twenty (~~20~~) 40 business days after notification by the ALUA that a modification or correction is required, the ALUA shall have an additional twenty (~~20~~) 40 business days to respond.

To Planning and Zoning Commissioners:

This is an official request to amend River Heights City's General plan to remove all PUD zoning designations within River Heights City boundaries and to remove all language in the General plan referring to the need to provide low-cost or mid-cost housing to future or current residents.

River Heights city is designated as a "fifth class" municipality which is a municipality with a population of 1,000 or more but fewer than 10,000 residents. (p.2 Powers and Duties Handbook, Utah Code 10-2-301,) Because of this, River Heights is not mandated to provide low income housing options to guide the decision making process in new subdivision developments.

As per Utah Code 10-9a-408, a municipality is not required to comply with the low income housing requirements if the municipality is a 5<sup>th</sup> class municipality, which River Heights city is. The requirement only applies to 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> class municipalities.

I propose River Heights City remove section 5 of the General plan as it does not pertain to River Heights city in any meaningful way with respect to how we should shepherd growth in the available areas left within River Heights City where growth is expected.

In my experience, those residents who have taken the time to make their voices heard in public meetings and other communications to city officials, have consistently voiced their opposition to high density housing. This is not to say that there are not citizens who favor high density housing. As a private citizen and a member of city council, I am of the opinion that River Heights should attempt to preserve what small amount of open space is left in the city. The proliferation of multiple housing developments in River Heights and the surrounding cities is distressing to some who would like to preserve the small town atmosphere that exists in River Heights. I believe this does not constitute a biased attitude toward low income individuals or others who might want those options. It is simply an attempt to preserve the atmosphere that exists in River Heights and to preserve what little open space is left.

In the Introduction section of the current River Heights City General Plan, it states: (taken from several sections of the introduction)

"This plan functions within a community to: Promote the public interest of the community at large, rather than the interest of individuals or special interest groups."

"It sets the direction which the city should take but it is not static."

"Future events may necessitate a change in course. It should be reevaluated on a regular basis and updated as it becomes necessary to guarantee its relevancy"

In summary, I respectfully request the Planning Commission consider my request to consider the changes I have proposed and hold a public hearing to get citizen input.

I would also like to request that planning and zoning modify the general plan zoning map to show all properties that are currently designated as agriculture along 800 South to be designated as R-12 zoning.

Thank you for your consideration,



Lana Hanover