

River Heights City

River Heights City PLANNING COMMISSION AGENDA

Tuesday, April 14, 2026

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.

Pledge of Allegiance

Adoption of Previous Minutes and Agenda

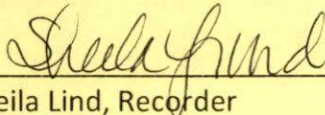
Public Comment on Land Use

Review Accessory Dwelling Unit (ADU) Ordinance and Other Minor Changes to the City Code

Public Hearing to Discuss a Conditional Use Permit Application from Katie and Michael King to Rent Space in the Old School (7:00pm)

Adjourn

Posted this 9th day of April 2026



Sheila Lind, Recorder

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov) and at riverheights.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
April 14, 2026

Present: Commission members: Keenan Ryan, Chairman
Noel Cooley
Anna Lisa Davidson
Steve Roberts

Councilmember Mark Malmstrom
Recorder Sheila Lind

Excused Commissioner Troy Wakefield

Others Present: Bryan and Brittany Cascio, Katie, Michael and daughter King

Motions Made During the Meeting

Motion #1

Commissioner Cooley moved to “approve the minutes of the March 24, 2026, Commission Meeting, as well as the evening’s agenda.” Commissioner Davidson seconded the motion, which carried with Cooley, Davidson, Roberts, and Ryan in favor. No one opposed. Wakefield was absent.

Motion #2

Commissioner Cooley moved to “approve a Conditional Use Permit for Katie and Michael King to rent room 11 in the old school, for the purpose of music instruction as well as development and with the condition that if they exit their lease, the conditional use permit would go away.” Commissioner Davidson seconded the motion, which carried with Cooley, Davidson, Roberts, and Ryan in favor. No one opposed. Wakefield was absent.

Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on April 14, 2026.

Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the March 24, 2026, Planning Commission Meeting were reviewed.

Commissioner Cooley moved to “approve the minutes of the March 24, 2026, Commission Meeting, as well as the evening’s agenda.” Commissioner Davidson seconded the motion, which carried with Cooley, Davidson, Roberts, and Ryan in favor. No one opposed. Wakefield was absent.

45 Public Comment on Land Use: Brittany Cascio said she was excited to have the Kings be part
46 of the old school renters and offered her support.

47 Review Accessory Dwelling Unit (ADU) Ordinance and Other Minor Changes to the City Code:
48 Commissioner Ryan led a discussion on the updates the Commissioners had made to the ADU draft.
49 At 7:00 they paused their discussion.

50 Public Hearing to Discuss a Conditional Use Permit Application from Katie and Michael King to
51 Rent Space in the Old School: Katie King explained that she has a business called "Let's Play Music"
52 for children, which she would like to locate at the Old School. She would have up to seven children
53 for music and piano lessons on Monday-Thursday. Her husband, Michael, does parent coaching,
54 music therapy, and emotional health. He wasn't exactly sure yet what he would use the room for, but
55 something along those lines.

56 Ms. King informed that she did a sound test in room 11 with the audiologist in his room to
57 make sure the noise level wouldn't be too high for his work. They banged drums and screamed and
58 the audiologist said it wasn't at all too loud. They agreed to keep each other's contact information in
59 case any problems came up in the future.

60 Commissioner Davidson asked about the number of cars Ms. King expected per day. Ms. King
61 said there would be about seven cars dropping off and picking up each hour on the days she worked.
62 Some days she only taught in the afternoon and sometimes it was just in the mornings.

63 Commissioner Cooley asked for more clarification on what her husband's work was. Ms. King
64 explained that he was a marriage and family therapist. He offered emotional health and parent and
65 child coaching. He may use the space for on-line classes or creating content to post on-line. They
66 would use the same space at different times.

67 They didn't have plans to alter the structure of the room.

68 Commissioner Roberts asked if there were any plans for the exterior of the building. He was
69 told there wasn't. Commissioner Cooley explained that the city had hired a property manager for the
70 building. The only thing the Commission was involved in was the conditional use permit. External
71 signs were also not allowed.

72 Commissioner Davidson asked about parking. The renters could use the parking lot across the
73 street as well as along the street. Ms. King explained that at the beginning of her sessions she had
74 strict guidelines for the parents, which could include information about parking. She required parents
75 to walk their children in the building to her.

76 **Commissioner Cooley moved to "approve a Conditional Use Permit for Katie and Michael**
77 **King to rent room 11 in the old school, for the purpose of music instruction as well as development**
78 **and with the condition that if they exit their lease, the conditional use permit would go away."**
79 **Commissioner Davidson seconded the motion, which carried with Cooley, Davidson, Roberts, and**
80 **Ryan in favor. No one opposed. Wakefield was absent.**

81 Continued Discussion on ADUs: The Commission continued their discussion on the ADU draft.
82 They discussed the possibility of having an ADU become an Airbnb. Commissioner Cooley reminded
83 that the state's reasoning for allowing ADUs was to help provide more affordable housing. Airbnbs
84 didn't serve this purpose.

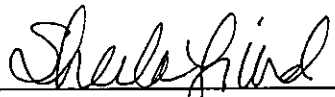
85 Recorder Lind took note of all the changes they had discussed and would send the updated
86 draft for one more review. After the Commission had a chance to look it over, she would forward it to
87 the city attorney and engineer. Their hope was to be ready for a public hearing on May 12.

88 They would not hold a meeting on April 28.

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The meeting adjourned at 8:45 p.m.


Keenan Ryan, Commission Chair


Sheila Lind, Recorder

Accessory Dwelling Unit Code Draft
April 14, 2026

10-13-28: ACCESSORY DWELLING UNITS

- A. Purpose:
1. Provide a limited, neighborhood compatible option for additional housing on existing single-family lots.
 2. Ensure ~~external~~ accessory dwelling units remain accessory to and subordinate to the primary dwelling.
 3. Preserve neighborhood character through clear standards for size, placement, parking, and appearance.
 4. Ensure basic life safety and code compliance through required inspection prior to occupancy.
- B. Intent:
This ordinance is intended to create a regulated ~~conditional use~~ framework for ~~external~~ accessory dwelling units, consistent with River Heights City. *regulations.*
- C. Applicability: *detached*
1. ~~An external~~ ADU is allowed only on a residential zoning lot containing a lawfully existing single family ~~detached~~ dwelling. *detached*
 2. Only one ADU (internal or ~~external~~) is allowed per zoning lot.
 3. ~~An external~~ ADU is allowed on lots 11,000 square feet or larger and may not occupy more than 40% of said lot. *detached*
- D. Approval Required:
A Zoning Clearance Permit is required for construction, conversion, or establishment of an ADU, in addition to any permits required by the Cache County Building Department.
- E. Ownership and Occupancy Requirements:
1. Owner Occupancy Required. The owner must occupy either the primary dwelling or the ADU as the owner's primary residence.
 2. Shared Ownership. The primary dwelling and the ADU must be owned by the same owner or ownership entity.
 3. Temporary Absence. Owner occupancy may be waived during a bona fide temporary absence if:
 - a. The owner provides written notice to the city recorder or zoning administrator prior to or during the absence, including the anticipated absence duration, a forwarding address, and a local responsible agent contact, and
 - b. The absence does not exceed 36 months, and
 - c. The owner intends to return to the residence.
- F. Size and Configuration:
1. Subordinate size. The ADU must be clearly subordinate in size to the primary dwelling.
 2. Maximum size. An external ADU may not exceed the lesser of:
 - a. Fifty percent of the gross floor area of the primary dwelling, or
 - b. 1,200 square feet of gross floor area. If the ADU is an extension of or part of

an accessory building, the ADU portion shall be no more than 1,200 sq ft.

The design and size of the ADU shall conform to all applicable standards for fire, building, and health.

3. Living Space. The ADU building shall maintain complete independent living facilities for one or more people including permanent provision for living, sleeping, eating, cooking, and sanitation, including a separate kitchen on a year-round basis.
4. Occupancy Limits. Occupancy is limited to ^{two} ~~two~~ people per bedroom and may not exceed more than ^{four (4)} ~~6~~ related people. ~~if related. Occupancy is to follow the same occupancy guidelines found in 10-2-1: Dwelling, Singles. The occupants of the ADU shall not sub-lease any portion of the ADU to other individuals.~~

G. Placement, Height, and Setbacks

1. Setbacks.

- a. Side Yard: ADU building located at least 10 feet ^{behind} the primary building and may have a side yard of five (5) feet except the street side yard on a corner lot shall be a minimum of twenty (20) feet.
- b. Front Yard: If the ADU is in a side yard, setback must meet the front setback requirement of the residential zone where it is located. Side yard must be at least five (5) feet. ^{primary building in the}
- c. Rear Yards: Five (5) feet. Corner lots rearing on the side yard of another lot, the minimum rear yard shall be ten (10) feet.

2. Height. The ADU shall not exceed the height of the primary dwelling. ~~Fifteen (15) feet maximum for a single-family dwelling.~~ If above an accessory building (shop or garage), thirty ^{feet} ~~(30)~~ feet or whichever is lower.

Location on lot. The ADU shall be located to reduce neighborhood impacts and shall, to the maximum extent practical, maintain the privacy of residents in adjoining dwellings as determined by the physical characteristics of surrounding the ADU, including: ⁽³⁵⁾

- a. Window placement and privacy
- b. Landscape screening
- c. Fencing
- d. Door placement
- e. Access and circulation
- f. Outdoor lighting
- g. Snow storage and winter parking needs

H. Appearance and Neighborhood Compatibility

1. The street view of an ADU shall be substantially similar in design as the street view of the primary dwelling unit.
2. Entrances. Any new streetside entrance added to the primary dwelling lot for the purpose of establishing an ADU access shall be located on the side or rear of the primary dwelling when feasible.

I. Parking

1. Parking required. Two off-street parking spaces must be provided for ADU's ~~exceeding 1000 sqft and 1 off-street parking space for ADU's less than 1000 sqft.~~ Parking must follow Chapter 10-14.
2. Minimum standard. The lot shall provide not less than three off-street parking spaces total, unless the City Planning Commission requires more based on-site specific conditions. Parking location and design must comply with Chapter 10-14.
3. Parking impacts. ~~The Planning Commission shall consider~~ Winter parking conditions, street safety, and neighborhood congestion shall be considered.

d. ADUs are not allowed in any utility easements and shall be located five(s) feet from any easement.

Singles are limited to three (3) occupants as noted in from

2. Residential units that use an existing septic tank for sewer must obtain a permit from the health department for a DADU.

J. Utilities

1. One service. The primary dwelling and ADU shall share utility services to the maximum extent allowed by the utility provider, including water and sanitary sewer service lines.
3. 2. One billing point. Municipal billing shall be directed to the property owner.
4. 3. Owner will be billed for each separate dwelling on the property (on one bill)
 - a. Water: Billed at the monthly base rate times the number of units. Overage credit will be given for each unit.
 - b. Sewer: Billed the monthly rate times the number of units.
 - c. Garbage: Billed for the number of cans on the property.
 - d. 911 charge: Billed the monthly rate times the number of units.

K. Rental Term and Leasing

Minimum rental term. The ADU and the primary dwelling may not be rented for periods of time less than 30 days.

ninety (90)

L. Life Safety Inspection and Code Compliance

1. Code compliance. Any new construction, remodeling, or renovation done to create the ADU shall comply with the building code in effect at the time of permit application.
2. Inspection required. Prior to occupying the ADU, ~~the owner shall submit evidence of a building inspection by the applicable building authority. Any required corrections must be completed prior to occupancy.~~

M. Revocation and Enforcement

1. External ADU approval may be revoked for noncompliance with the conditions of approval or any provision of Title 10.
2. Notice and cure. The city shall provide written notice stating the violation and allow fourteen days to cure before revocation, unless an emergency condition exists.
3. Appeal. A decision to revoke may be appealed pursuant to the city's appeal procedures.

Code Changes Affected by the Addition of ADU Code

10-2 DEFINITIONS

Add the following:

ACCESSORY DWELLING UNIT (ADU):

A habitable residential dwelling unit added to, created within, or detached from a primary single-family dwelling and contained on one lot.

DETACHED ACCESSORY DWELLING UNIT, EXTERNAL (DADU) (DETACHED ADU):

A subordinate residential dwelling unit that is detached from the primary single-family dwelling, located on the same zoning lot, and that meets all requirements of Title 10, including the requirements of 10-13-28.

INTERNAL ACCESSORY

A second dwelling unit that is part of the home on the same a parcel.

DWELLING UNIT
(IADU):

PRIMARY DWELLING: The principal single family detached dwelling on a zoning lot.

OWNER OCCUPIED: The legal owner of record occupies either the primary dwelling or the ADU as the owner's primary residence.

10-12-1: ZONE REGULATIONS, Table 1 Land Use Chart

Land Use Description	A	R-1-8	R-1-10	R-1-12	PUD
Accessory Dwelling Unit (ADU)	P N/A	P	P	P	

10-12-A: AREA REGULATIONS, Table 2, Residential Space Requirement Chart

Residential Uses	A	R-1-8	R-1-10	R-1-12	PUD
<u>ADU Accessory Uses (in feet)</u>					
Front Yard	50 N/A	20	20	25	*
Side Yard ⁴	20 N/A	5	5	5	*
Side Yard on a Street	30 N/A	20	20	25 20	*
Rear Yard ⁵ <i>superscript 6</i>	20 N/A	5	5	5	*
Height (single/two story)	15/30	15/30	15/30	15/30	*

Superscript 4: ADU must be located at least 10 feet behind primary building.

Superscript 5: Corner lot rearing side of another lot, minimum rear yard shall be 10 feet.

Superscript 6: Reference 10-13-28:6.2.

10-13-3: ~~YARD SPACE FOR ONE BUILDING ONLY~~

~~No required yard or other open space around an existing building, or hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established.~~

10-13-4: ~~EVERY DWELLING TO BE ON A ZONING LOT~~

~~Only one building which contains a dwelling shall be located and maintained on a "zoning lot", as defined in section 10-2-1 of this title, except for dwellings within a planned unit development.~~

10-13-7: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS

Living and sleeping quarters in any building other than the main residential building are prohibited.

- A. Living and sleeping quarters in any building other than the main residential building are prohibited.
- B. Exception. *Detached* An external Accessory Dwelling Unit is permitted only when approved by the City as a conditional use and operated in compliance with Section 10-13-28 of this title."

Additional Code Changes

5-2-5: PROHIBITED ACTS AND ACTIVITIES

- E.5 No animals are allowed in ~~City parks~~ on City property unless the area is otherwise posted designated for animals. This shall not apply if a city sponsored event includes animals to be allowed for the event.
- H.6. Barks, whines or howls in an excessive, continuous or untimely fashion at any time of day or night. For purposes of this subsection, continued means animal noise lasting 30 minutes or longer at any time of day. Short breaks in the noise of three (3) minutes or less do not interrupt the disturbance and are still considered continued. ~~Excessive behavior is considered as such as would warrant the complaint by an otherwise prudent person who understands what another prudent person would do to properly restrain, correct and/or train a pet to refrain from excessive and/or offensive behavior;~~

(Changes requested by animal control.)

10-14-8: ON-STREET PARKING

- E. It shall be unlawful to park any vehicle on any public street from November 15th through March 15th during the hours of four o'clock (4:00) a.m. to twelve o'clock (12:00) p.m. noon. *during snow accumulation*
Violators may be towed.

11-7-5: SEWER SYSTEM

- C. Gravity Operation, *Preferred: Unless approved by the city* ~~Preferred: Unless unfeasible,~~ The system shall be designed so that the system operates by gravity means only. ~~Sewage lift stations and force mains should be used only as a last resort.~~

River Heights City Conditional Use Application

For office use	
Date Received:	<u>4/1/26</u>
Hearing Date:	<u>2/14/26 @ 1pm</u>
Amount Paid:	<u>100.00</u>
Approved _____	Denied _____

APPLICANT

Name: Katie & Michael King

Mailing Address: River Heights

Phone: _____ email: _____

Please check one of the following: owner buyer renter agent other

PROJECT INFORMATION

Name: Let's Play Music w/ Katie LLC & Rising Generation Solution LLC

Address/Location: Old River Heights School-Business Complex

Property Tax ID: _____ Existing Zone: _____

What is the current use of the property? business complex

How many employees will be working at this location including applicant, immediate family, and non-family members? 3 (Michael, Katie & 1 employee)

How many vehicles will be coming and going daily, weekly, or monthly? approx 80 weekly

I agree to abide by the River Heights City Parking Ordinance (10-14). Initial KK

I agree to abide by the River Heights City Sign Ordinance (10-16). Initial KK

Description of Request: We'd like to use room 13 at the old school

for our businesses Katie does music & piano classes

for kids around ages 0-12. 0-4 yr olds (mommy & me classes)

ages 4+ (piano/musicianship classes). Michael runs a youth

development and parent education/coaching program.

He works with youth ages 5-12.

SUBMITTAL REQUIREMENTS

Completed and signed application form

\$100 application fee

8 1/2 x 11 copy of plans

Provide a Fire Protection evaluation from the fire department.