

River Heights City

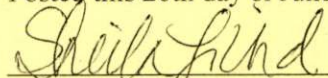
RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

Wednesday, July 1, 2015

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Discussion of Zoning Boundaries
- 7:35 p.m. Solar Ordinance Discussion
- 8:00 p.m. Adjourn

Posted this 26th day of June 2015



Sheila Lind, Recorder

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

1 River Heights City Planning Commission

2 Minutes of the Meeting

3 July 1, 2015

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5 Present: Commission members: Mark Malmstrom, Chairman
6 Nina Knowles
7 Danny Petersen
8 Jim Royle

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10 Councilmember Blake Wright
11 Recorder Sheila Lind

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13 Excused Commissioner Patti Seeholzer

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15 Others Present: Ted Wilson, Teri Peery, Todd and Jenny Condie,
16 Steve Nelson, Robert Kidd, Heather Lehnig

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18 Motions made During the Meeting

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20 Motion #1

21 Commissioner Royle moved to “approve the minutes of the June 17, 2015 Commission
22 Meeting.” Commissioner Petersen seconded the motion, which carried.

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25 Proceedings of the Meeting

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27 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie
28 Council Chambers on July 1, 2015.

29 Adoption of Prior Minutes: Minutes for the June 17, 2015 Planning Commission
30 Meeting were reviewed.

31 **Commissioner Royle moved to “approve the minutes of the June 17, 2015 Commission
32 Meeting.” Commissioner Petersen seconded the motion, which carried.**

33 Discussion of Zoning Boundaries: Commissioner Malmstrom gave some background on
34 the last meeting’s discussion. There was a lot of interest from the public about limiting
35 commercial properties in the General Plan. He has suggested stepping back to discuss the city’s
36 zoning boundaries. He’d like the city to have a plan, rather than have developers tell the city
37 what to do.

38 Ted Wilson hasn't seen a plan on what is being discussed, specifically. Commissioner
39 Malmstrom clarified that they are willing to discuss any area that may be brought up. Mr.
40 Wilson asked the Commission to consider what kind of impact the upcoming commercial
41 neighbors would have on the area before they decide to let them rezone more commercial
42 property.

43 Todd Condie asked about the Randy Weston shop. He was told it will be a personal
44 shop, not a business of any kind. He is concerned about the number of cars that may travel 800
45 South if it goes through. He'd like to see it blocked off. Jenny Condie would like to see
46 something put in place that would ensure the road won't go in. Commissioner Petersen said it
47 makes more sense for the city to have the road open, in regards to snow removal.

48 Teri Peery asked if any piece of property in River Heights could be rezoned commercial.
49 Councilmember Wright said the city would likely only consider properties that are contiguous
50 to other commercial property. She asked what will stop commercial development from moving
51 along 800 South. Commissioner Malmstrom reiterated, this is the basis of their discussion
52 tonight.

53 Councilmember Wright asked what Wasatch Property Management stated at the last
54 meeting, in regards to what they would like to use the Wilson properties for. He was told they
55 mentioned using it for parking and/or a small building.

56 Commissioner Malmstrom proposed the Commission visit the 800 South area within the
57 next couple weeks.

58 Todd Condie said it doesn't make sense to put a residential area between Conservice
59 and Randy Weston's shop.

60 Robert Kidd asked what the motivation was for the city to bring Conservice in.
61 Commissioner Malmstrom explained there is a tax benefit. They will also build 800 South along
62 their property, which will save the city a lot of money. Mr. Kidd asked what the projected tax
63 base would be. Councilmember Wright said they don't know at this point. Conservice did
64 agree to add some retail space which would boost the city's revenue.

65 Todd Condie asked what would be the city's benefit of having 800 South go through.
66 Commissioner Malmstrom said it would be convenience for those that live in the area to get to
67 100 East. Ted Wilson said the commercial area on 100 East has created a traffic jam, which is
68 their problem, not River Heights.' He said it's ridiculous to bring 800 South through for snow
69 plowing reasons alone.

70 Commissioner Malmstrom asked if 800 South is on the city's master plan.
71 Councilmember Wright said it is but only from 100 East to 600 East. From 100 East to Main it
72 will not go through. The easement is being sold to Nyman Mortuary. Mr. Wright continued, it's
73 designated as a collector road but it's a small one that will not serve a lot of population. Robert
74 Kidd feels 800 South going through would deal with the fallout traffic from Conservice.

75 Councilmember Wright feels the city should consider what the development of 800 South will
76 do regionally, (localized residents), since there isn't a need for a collector road on 800 South.

77 Councilmember Wright suggested Commissioner Malmstrom could invite the council
78 members to a commission meeting. Or, he could attend a council meeting to present what the
79 Commission has discussed and ask for direction on what they would like the Commission to do.

80 Councilmember Wright agreed that it's prudent to determine how far the city wants to
81 allow commercial to move east on 800 South. He explained the history of the past General Plan
82 zoning changes.

83 Ted Wilson informed there have been 11 houses along 700 South, which abut the
84 commercial property, who have had their property values go down. Their privacy has also been
85 affected. He loves River Heights because there hasn't been commercial but now it's ruined.
86 The tax gain for the city isn't good enough for destroying 11 homes. Conservice's present
87 parking situation at their 700 South building is terrible. Councilmember Wright explained that
88 their new building and parking should have helped alleviate that. Now, it seems they need
89 additional property for parking. Ted Wilson reiterated that its' not up to River Heights to solve
90 Conservice's growth problem.

91 Commissioner Malmstrom explained, if the General Plan gets changed to allow more
92 commercial areas, then there will be a public hearing for the rezone.

93 Robert Kidd explained that he moved to River Heights because he didn't like the politics
94 in Logan. He is nervous about the situation that is developing here in River Heights. They
95 would like some protection.

96 Jenny Condie asked what can be done right now to prevent commercial development.
97 Councilmember Wright said the fail safe way is to purchase the property and then refuse to sell.

98 It was decided that the Commission will go on a field trip of the 800 South area at their
99 next meeting and then Commissioner Malmstrom will address the Council the following week
100 at the meeting.

101 Councilmember Wright thanked the public for showing interest. It's helpful to hear their
102 input.

103 Ted Wilson said when previous Mayor Baker pushed the Commercial zone through for
104 the Weston piece there wasn't much public involved and it walked right through.

105 Solar Ordinance Discussion: Commissioner Malmstrom asked Commissioner Knowles
106 how the solar ordinance was going. She explained that Councilmember Wright was going to
107 review it, but hadn't had time.

108 Ted Wilson asked about the design of the solar panels. Councilmember Wright discussed
109 the different designs of panels he's seen.

110 Teri Peery asked what the purpose of an ordinance was. Councilmember Wright
111 explained it's to regulate what goes in and how.

112 Commissioner Malmstrom reminded that they wanted to regulate ground mounts by
113 screening and location. Councilmember Wright suggested solar panels would be considered an
114 accessory use and fall under the guidelines as such.

115 Councilmember Wright doesn't want to see the city's street tree ordinance sacrificed for
116 the solar ordinance. Discussion was held on the possibilities of neighbors granting sky
117 easements for solar panels. Commissioner Knowles said this should be a recorded document.

118 Discussion was held on height restrictions. They felt the current house limit of 35 feet
119 limit would be good.

120 Councilmember Wright suggested he could try to work with Commissioners Knowles
121 and Seeholzer before the next meeting and then present the draft back to the Commission.

122 The meeting adjourned at 8:20 p.m.

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Sheila Lind, Recorder

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129 Mark Malmstrom, Chairman

Solar Zoning Ordinance

1.0 Purpose

This ordinance aims to promote the accommodation of distributed, on-site residential and non-residential solar energy systems installed to reduce on-site energy consumption and associated equipment, as well as adequate access to sunlight necessary for such systems. This ordinance does not address utility-scale solar energy systems, intended for the sale of electricity to utilities, industries, and/or businesses.

This ordinance permits, as an accessory use, solar energy systems, while protecting the safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls.

A solar energy system shall be permitted in any zoning district as an accessory ^use, subject to specific criteria as set forth below. Where general standards and specific criteria overlap, specific criteria shall supersede general standards.

2.0 Definitions

3.0 Applicability

- 3.1 This ordinance applies to all distributed solar systems installed and constructed after the effective date of this Ordinance. For purpose of this Ordinance, "solar energy system" means a distributed solar energy system as defined herein.
- 3.2 Solar energy systems constructed prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance.
- 3.3 All solar energy systems shall be designed, erected, and installed in accordance with applicable local, state, utility, and national codes, regulations, and standards.

4.0 Solar Energy System Requirements

- 4.1 To the extent practicable, and in accordance with (Utah ?) law, the

- accommodation of solar energy systems and associated electrical equipment, and the protection of access to sunlight for such, shall be encouraged in the application of the various review and approval provisions of the Utah?? code.
- 4.2 Solar energy systems are permitted in all zoning districts as an accessory use to permitted, conditional, and special exception uses.
- 4.3 A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located.
- 4.4 The installation and construction of a roof-mount solar energy system shall be subject to the following development and design standards:
- A. A roof or building mounted solar energy system may be mounted on a principal or accessory building.
- B. Any height limitations of the ???Code shall not be applicable to solar collectors provided that such structures are erected only to such height as is reasonably necessary to accomplish the purpose for which they are intended to serve, and that such structures do not obstruct solar access to neighboring properties.
- C. Placement of solar collectors on flat roofs shall be allowed by right provided that panels do not extend horizontally past the roof line.
- 4.5 All electrical equipment associated with and necessary for the operation of solar energy systems shall comply with the following:
- A. Electrical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district.
- 4.6 Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, solar panel placement should be prioritized to minimize or negate any solar glare onto nearby properties or roadways, without unduly impacting the functionality or efficiency of the solar system.

- 4.7 A solar energy system shall not be used to display permanent or temporary advertising, including signage, streamers, pennants, spinners, reflectors, banners or similar materials. The manufacturers and equipment information, warning or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- 4.8 A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.

5.0 Safety and Inspections

- 5.1 The design of the solar energy system shall conform to applicable local, state and national solar codes and standards. A building permit reviewed by department staff shall be obtained for a solar energy system. All design and installation work shall comply with all applicable provisions in the National Electric Code (NEC), the International residential Code (IRC), International Commercial Building Code, State Fire Code, and any additional requirements set forth by the local utility (for any grid-connected solar systems).
- 5.2 The solar energy system shall comply with all applicable River Heights City Ordinances and Codes as to ensure the structural integrity of such solar energy system. Please note that the existing roof structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit.
- 5.3 Prior to operation, electrical connections must be inspected by (an appropriate electrical inspection person or agency, as determined by the (municipality))??
- 5.4 Any connection to the public utility grid must be approved by the appropriate public utility. (Utah Power and Light)???
- 5.5 If solar storage batteries are included as part of the solar collector system, they must be installed according to all requirements set forth in the National Electric Code and State Fire Code when in operation. When no longer in operation, the batteries shall be disposed of in accordance with the

laws and regulations of River Heights City And any other applicable laws and regulations relating to hazardous waste disposal.

- 5.6 Unless other wise specified through a contract or agreement, the property owner of record will be presumed to be the responsible party for owning and maintaining the solar energy system.

6.0 Abandonment and Removal

- 6.1 If a ground mounted solar energy system is removed, any earth disturbance as result of the removal shall be landscaped in accordance with River Heights City.
- 6.2 A ground mounted solar energy system is considered to be abandoned or defective if it has not been in operation for a period of twelve (12) months. If abandoned, the solar energy system shall be repaired by the owner to meet federal, state, and local safety standards, or be removed by the owner within the time period designated by River Heights Building Code Official. If the owner fails to remove or repair the defective or abandoned solar system, River Heights City may pursue a legal action to have the system removed at the owner's expense.

7.0 Restrictions on Solar Prohibitions

In Accordance with the Utah Code Utah Code 57-13 and Utah Code 10-9a-610, River Heights City maintains and reserves the right to refuse any plat or subdivision plan if deed restrictions, covenants or other agreements running with the land prohibit or have the effect of prohibiting reasonably sited and designed solar collectors or other renewable resource divices.