

River Heights City

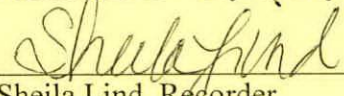
PLANNING COMMISSION AGENDA

Tuesday, July 31, 2018

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

- 7:00 p.m. Pledge of Allegiance and Adoption of Previous Minutes and Agenda
- 7:05 p.m. Public Hearing to Discuss Changes to the City Code
- 7:15 p.m. Discuss the Creation of a Parking Zone
- 8:15 p.m. Adjourn

Posted this 27th day of July 2018



Sheila Lind, Recorder

Meeting attachments, drafts of previous minutes and audio recordings can be found on the State's Public Notice Website (pnn.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
July 31, 2018

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6 Present: Commission members: Cindy Schaub, Chairman
7 Noel Cooley
8 Heather Lehnig
9 Chris Milbank
10 Lance Pitcher

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12 Councilmember Blake Wright
13 Recorder Sheila Lind
14 Mayor Todd Rasmussen

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16 Others Present Heather Cairns, Bob Kraus, Tyson Glover, Andy Bentley
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19 Motions Made during the Meeting
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21 Motion #1

22 Commissioner Cooley moved to "approve the minutes of the July 17, 2018 Commission
23 Meeting, as corrected." Commissioner Pitcher seconded the motion, which carried with Cooley,
24 Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.
25

26 Motion #2

27 Commissioner Milbank moved to "submit code changes to the City Council, as amended."
28 Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and
29 Schaub in favor. No one opposed.
30

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32 Proceedings of the Meeting
33

34 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council
35 Chambers on July 31, 2018.

36 Pledge of Allegiance: Commissioner Milbank led in the Pledge of Allegiance.

37 Adoption of Prior Minutes and Agenda: Minutes for the July 17, 2018 Planning Commission
38 Meeting were reviewed.

39 Commissioner Cooley moved to "approve the minutes of the July 17, 2018 Commission
40 Meeting, as corrected." Commissioner Pitcher seconded the motion, which carried with Cooley,
41 Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

42 Public Hearing to Discuss Changes to the City Code: Commissioner Schaub reviewed each of
43 the proposed changes. Slight revisions were made.

44 Commissioner Schaub asked for comments to the public. Bob Kraus asked for clarification on
45 home business closures if the owner moves. Commission Chair Schaub explained, the current
46 ordinance states the owner must live in the home with the business. The new language would allow
47 the owner to live somewhere else while having his business in a River Heights home he owns by way
48 of Conditional Use Permit. Mr. Kraus felt there was a lot of loopholes in the language that he wasn't
49 comprehending. He asked if he moved from his home, if he could still run his business from there.
50 He was told the upcoming changes provide a way to address the issue of a business owner moving
51 out. Councilmember Wright pointed out the changes will benefit Mr. Kraus' situation. Bob Kraus
52 would like a provision for family members to be able to run his business if he and his wife pass away.
53 Commissioner Milbank felt the proposed change would allow this to take place.

54 **Commissioner Milbank moved to "submit code changes to the City Council, as amended."**
55 **Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher**
56 **and Schaub in favor. No one opposed.**

57 Councilmember Wright asked Commissioners Schaub and Milbank to attend the next Council
58 meeting to provide clarification to the Council, if needed.

59 Discuss the Creation of a Parking Zone: The group reviewed and worked through each section
60 (up to 10-22-6) of the two drafts created by Commissioners Cooley and Schaub.

61 Heather Cairns asked the Commissioners if they had thought more about requiring a 15 foot
62 buffer. Commissioner Schaub pointed out it is addressed further down in the ordinance. Ms. Cairns
63 is concerned Conservice will cut out the hill up to her property line, in which case she would really
64 like a 15 foot buffer. Ms. Schaub assured Ms. Cairns, she doesn't want a paved parking lot right in
65 the backyard of any neighbors. Ms. Cairns said her neighbors have been approached by Conservice
66 about their desire to purchase a portion of their property to include with the parking lot.

67 The meeting adjourned at 8:25p.m.

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71 _____
Sheila Lind, Recorder

72 _____
73 Cindy Schaub, Commission Chair

Code Changes for Discussion

Public Hearing July 31, 2018

3-1-3 and 10-2-1 (home occupation definition)

A legal use or business, conducted within a dwelling or upon residential property. Business activity shall be clearly and obviously subordinate to the main purpose of the home as a residence. ~~The owner of the business must live in the home. The exterior of any home based business shall maintain the appearance of a residential dwelling at all times.~~ Conditional use of that property will become void when the business ~~owner moves from the home.~~

ceases

3-1-4:A.1. Home Occupation Licenses/Permitted Uses Requiring A Conditional Use Permit and License

Add:

j. Business Location: If an owner doesn't reside in the home where business is conducted.

5-2-4:A.2 Kennel Permits

Any Kennel Conditional Use Permit issued pursuant to this section shall automatically expire on December 31, immediately following date of issue. During the first two (2) months of each year the licensee shall apply for a renewal of the kennel license and pay the required fee. Any application made after March 1, except an application for a new establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee.

3-5-9: PERMITS AND BADGES

A. Issuance: ~~The City Recorder shall issue to each solicitor, an identification badge containing the words "Permitted Solicitor", the number of the permit, in letters with figures easily discernible from a distance of five feet (5').~~

1. The City Recorder shall issue to each solicitor, an identification badge containing the words "Permitted Solicitor", the number of the permit badge, in letters with figures easily discernible from a distance of five feet (5'). *(moved from above)*
2. A permit will be issued with a permit number, expiration date, solicitor and company information and signature of licensing administrator. Permit shall be carried by the registered solicitor at all times while soliciting in the city.

City

8-1-1: UTILITY SERVICE AGREEMENT REQUIRED FOR EACH RESIDENCE

Each residence receiving utility services from River Heights City is required to have a Utility Service Agreement on file with the City Office.

(Add this section and bump other sections down.)

8-1-7: LANDLORD UTILITY SERVICE AGREEMENT

Landlords are required to sign the River Heights Landlord Utility Service Agreement as held in the River Heights City Office for each property they rent in River Heights.

10-11 SENSITIVE AREA AND OTHER OVERLAY ZONES (rename the chapter)

10:11-6: HISTORIC LANDMARK OVERLAY ZONE AT 594 SOUTH 400 EAST

(Add this previously adopted ordinance to the code book.)

10-12-2: AREA REGULATIONS (Accessory Uses)

	A	R-1-8	R-1-10	R-1-12
Front Yard	50	25 <u>30</u>	25 <u>30</u>	30 <u>35</u>

10-12-2: AREA REGULATIONS (Fences and Walls)

~~Subscript 3. If the accessory building is located within 10 feet behind the front setback, the principle use setbacks will apply.~~

Subscript 4. Corner Lots: (See figure 10-12-2) (1-2018 ~~3-13-18~~) When the rear yard of a corner lot is adjacent to the front yard of a neighboring lot, a ^{SIX} ~~5~~ foot (6') fence is allowed in the part of the corner lot's rear and side yard that is adjacent to the neighboring lot's front-yard setback area. All fences on corner lots shall comply with 10-13-~~14~~15: Clear View of Intersecting Streets.

10-13-8: STORAGE OF JUNK AND DEBRIS ~~IN RESIDENTIAL ZONES~~ PROHIBITED

No yard or other open space surrounding an existing building in any ~~agricultural or residential~~ zone, or which is hereafter provided around any building in any ~~agricultural or residential~~ zone,

shall be used for the storage of junk, debris or obsolete vehicles; and no land shall be used for such purposes, except as specifically provided for by this title. (Ord., 1-22-2002)

10-13-15: CLEAR VIEW OF INTERSECTING STREETS

... Trunks of trees, ~~fence posts~~, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.

Chapter 22: SPECIFIC COMMERCIAL ZONE PARKING (CZP)

SECTION

(Revised 7-31-18)

- 10-22-1 INTENT
- 10-22-2 PURPOSE
- 10-22-3 PERMITTED USES
- 10-22-4 CONDITIONAL USES
- ~~10-22-5 CLASSIFICATION OF NEW AND UNLISTED USES~~
- 10-22-6 DESIGN REVIEW AND APPROVAL
- 10-22-7 SITE PLAN REVIEW REQUIRED
- 10-22-8 ARCHITECTURAL STANDARD
- 10-22-9 LANDSCAPING REQUIREMENTS
- 10-22-10 WALLS, FENCES, AND SCREENING
- 10-22-11 PARKING LOT LIGHTING
- 10-22-12 DARK SKY COMPLIANT
- 10-22-13 SLOPES/DRAINAGE/STORM WATER
- 10-22-14 BUILDING WITH TOPOGRAPHY
- 10-22-15 SNOWPLOWING/NOISE RESTRICTIONS
- 10-22-16 SETBACKS
- 10-22-17 FINAL PLANS/TIME FRAME
- 10-22-18 RESTRICTIONS OF ZONING
- 10-22-19 REVERSIONARY CLAUSE
- 10-22-20 SUPPLEMENTARY REGULATIONS

10-22-1: DECLARATION OF LEGISLATIVE INTENT

It is the intent of the City of River Heights, ~~the River Heights Planning Commission, and the River Heights City Council~~ to establish a COMMERCIAL PARKING ZONE (CPZ) in River Heights, Utah ~~84321~~. This site is not to conflict with the atmosphere of the surrounding residential neighborhood, nor bring about noxious or nuisance activities.

Use should minimize disruptions to

10-22-2: PURPOSE: Provide additional one-level parking area for any Commercially Zoned building.

Can established, adjacent commercial use.

10-22-3: PERMITTED USES: Parking only.

10-22-4: CONDITIONAL USES: None.

~~10-22-5: CLASSIFICATION OF NEW AND UNLISTED USES; PROCEDURE:~~

Should the Zoning Administrator and the Building Inspector determine that a type or form of land use which an applicant is seeking to locate in the city does not appear as a permitted or conditional use, he or she shall refer the request to the Planning Commission which shall determine the appropriate classification as follows:

- A. Should the Planning Commission determine that the new or unlisted use for all intents and purposes, is listed under another name or category, they shall so inform the Zoning Administrator and/or Building Inspector to proceed accordingly; or

- ~~B. The Planning Commission shall gather facts concerning the nature of the use, types of activities, impacts, etc., and shall transmit its findings and recommendations to the Mayor and City Council, who shall amend the land use chart. (Ord., 1-22-2002)~~

10-22-6: DESIGN REVIEW AND APPROVAL

Proposals for the Commercial Parking zone shall be submitted as both a zone change and design review to be heard by the Planning Commission and Municipal Council. It is the responsibility of the City Council to approve or disapprove such zone change and design review.

- A. A developer proposing to develop or expand a land use with unique parking requirements shall submit a parking study that provides justification for the number of off-street parking spaces proposed.

~~B. The City and City Engineer shall review this study and any other traffic engineering and planning data relevant to the establishment of an appropriate off street parking standard for the proposed use.~~

~~C. A parking study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the City, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, location, or parameters of the use that may be estimated to parking requirements.~~

~~D. The study shall document the source of data used, and methods used to develop the recommendations. After reviewing the parking study, the City and City Engineer shall establish a minimum off street parking standard for the proposed use.~~

10-22-7: SITE PLAN REVIEW REQUIRED

Concurrent with any request to rezone property to the Commercial Parking Zone, a preliminary project plan shall be submitted for review and recommendation to the City. The planning commission shall review and approve all commercial parking site plans and follow the application, hearing, notice and appeals procedure as outlined in the *subdivision (?)* ordinance. Final approval of the site plan is vested with the city council, after approval by the planning commission.

Said preliminary project plan shall be drawn to scale and shall contain the following information:

- A. Location of all existing and buildings and structures on the site, including an indication of the proposed uses;
- B. The location of all parking spaces, driveways, and points of vehicular ingress and egress;
3. A conceptual landscaping plan showing planting materials to be used together with the location of fences, walls, hedges, and decorative materials shall be provided.

10-22-8: ARCHITECTURAL STANDARD

The commercial parking zone site shall be designed in accordance to chapter 10-14-3 (Street and Roadway Parking Standards); 10-14-4 (Parking Lot Requirements) Parking requirements.

All parking spaces shall be paved with asphaltic cement or concrete and shall have paved access from a public street.

10-22-9: LANDSCAPING REQUIREMENTS

The following landscaping provisions shall apply in the Commercial Parking Zone:

- A. The areas adjacent to a public street shall be maintained with suitable landscaping of plants, shrubs, trees, grass, and similar landscaping materials. The landscaping plan shall be approved by the City Council as to type, size and amount of landscaping.
- B. Plantings: Plantings in front setbacks may not impede the vision of traffic.
- C. Parking Areas: Parking areas shall be landscaped around the periphery and at the end parking rows in accordance with the landscaping plan approved as part of the project plan approval procedure. Landscaping shall adhere to the existing Landscaping regulation in accordance to chapter 10-15-8 Parking Lot Landscaping.

10-22-10: WALLS, FENCES AND SCREENING

- A. Fencing: The Commercial Parking Zone area shall be fenced around the periphery of the area not adjacent to existing parking lot in accordance to Zoning Title 10-12-2 Area Regulations, sub-paragraph B: Nonresidential Space Requirements Chart.

10-22-11: PARKING LOT LIGHTING

Parking lot lighting shall be provided to meet industry standards for outdoor lighting of the intended use. (5-2014, 8-26-14) (Title 9, Chapter 3)

~~10-22-12: DARK SKY COMPLIANT:~~

10-22-13: SLOPES/DRAINAGE/STORM WATER:

- A. The Parking lot area within the Commercial Parking zone shall not exceed an maximum slope of ?. Where other site functions are located on steep terrain; terracing of the non-parking area shall be required.

~~10-22-14: BUILDING WITH TOPOGRAPHY: (Combine with # 13 above/SLOPES?)~~

~~Where parking and other site functions are located on steep terrain, terracing of the site is required.~~

10-22-15: SNOW PLOWING/NOISE RESTRICTIONS

10-22-16: SETBACKS: This is covered in 10-22-10

10-22-17: FINAL PLANS/TIME FRAME

All final plans must be approved by the City Council after a formal recommendation from the River Heights Planning Commission ("Commission").

Upon approval of a final site plan by the City Council, no building or uses of land other than those depicted on such plan shall be permitted.

Any failure to submit a final project plan within one (1) year from date of submission of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void.

Completion of the parking lot must be completed within one (1) year from the date the final approval plan is signed by the City Council.

10-22-18: RESTRICTIONS OF ZONING

If the site or parking pad is removed or totally destroyed by fire, flood, winds, or an act of God, the zoning of the property shall immediately revert to the prior existing zoning district.

Street level parking only. (*Covered parking okay?*)

No signage on property.

~~No overnight parking.~~

Upon approval of a final side plan by the City Council, no building or uses of land other those depicted on such plan shall be permitted.

No building, structure, or parking garage shall be constructed in this zone. Solar Panels permitted.

10-22-19: REVERSIONARY CLAUSE

Should the property become vacant nor used in compliance with the Commercial Parking Zone for a period of two (2) years or more, then the property shall automatically revert to the prior existing zoning without further notice.

10-22-20: SUPPLEMENTARY REGULATIONS

Uses within this zone shall also comply with the applicable requirements set forth in the provisions of the land use ordinance.