

River Heights City

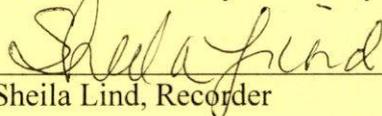
PLANNING COMMISSION AGENDA

Tuesday, January 26, 2021

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, through Zoom.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Hearing to Discuss a Kennel Conditional Use Permit Request from Kenneth and Andrea Bullen
- 6:50 p.m. Discuss Changes to the General Plan
- 8:00 p.m. Adjourn

Posted this 21st day of January 2021



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/83944699565>

Dial: 1 669 900 6833 US, Meeting ID: 839 4469 9565

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

January 26, 2021

Present: Commission members: Levi Roberts, Chairman
Noel Cooley
Heather Lehnig
Lance Pitcher
Cindy Schaub

Councilmember Blake Wright
Recorder Sheila Lind

Others Present: Councilmember Sharlie Gallup, Ken, Andrea and Andrew Bullen, Danny and Teri Petersen

Motions Made During the Meeting

Motion #1

Commissioner Schaub moved to "adopt the evening's agenda and postpone adoption of the previous minutes until the end of the meeting." Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts, and Schaub in favor. No one opposed.

Motion #2

Commissioner Schaub moved to "approve the Bullen's Kennel Conditional Use Permit, dated January 11, 2021, at their residence, with no additional conditions." Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts, and Schaub in favor. No one opposed.

Motion #3

Commissioner Pitcher moved to "approve the minutes of the January 12, 2021 meeting." Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts, and Schaub 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 January 26, 2021.

Pledge of Allegiance: Commissioner Roberts led in the Pledge of Allegiance.

Adoption of Prior Minutes and Agenda: Minutes for the January 12, 2021 Planning Commission Meeting were not in the Drive so it was suggested their adoption be postponed until the end of the meeting to allow time for Recorder Lind to make them available.

45 Commissioner Schaub moved to “adopt the evening’s agenda and postpone the adoption of
46 the previous minutes until the end of the meeting.” Commissioner Pitcher seconded the motion,
47 which carried with Cooley, Lehnig, Pitcher, Roberts, and Schaub in favor. No one opposed.

48 Public Hearing to Discuss a Kennel Conditional Use Permit Request from Kenneth and Andrea
49 Bullen: Commissioner Roberts read from the Bullen’s request. Their dogs are indoor with access to a
50 fenced backyard. Councilmember Gallup said she is supportive of the Bullen’s having the dogs, and
51 noted they take good care of them. Teri Petersen was appreciative of the notice from the city. She
52 said there are others in her neighborhood who have 3 dogs without kennel permits and wondered
53 what the process was. Commissioner Roberts recommended they let Recorder Lind know who they
54 are and she will notify them to apply for a permit.

55 Commissioner Roberts read a letter from the Keggeries’, which stated they had no issue with
56 the Bullens having their dogs and said they take good care of them.

57 Commissioner Roberts closed the public hearing and opened a discussion with the
58 commission.

59 Commissioner Cooley asked what kind of dogs they have. They answered, a chihuahua and
60 Black Mouth Cur. Commissioner Schaub asked how big the dogs are. Bullens said 35, 40 and 5 lbs.
61 Mr. Cooley asked the Bullens if they had read the ordinance on kennel permits to know their
62 obligations as owners. Ms. Bullen said she is aware they need to keep their property clean. Mr.
63 Cooley asked how often the dogs are outside. The Bullens said they have a dog door so they are free
64 to come in and out when the family is home.

65 Recorder Lind was asked if there had been any complaints about the Bullen’s dogs. She
66 answered, only one from PWD Nelson about the barking when he is at the well house. Andrea Bullen
67 agreed they do bark at Mr. Nelson, because they are protecting their property.

68 Commissioner Pitcher asked if any of the dogs were emotional support animals. Bullens said
69 they are not, but they are like their children.

70 Commissioner Cooley made sure the Bullens were aware that the Conditional Use Permit
71 expires every December and needs to be renewed at the first of each year.

72 Commissioner Schaub moved to “approve the Bullen’s Kennel Conditional Use Permit, dated
73 January 11, 2021, at their residence, with no additional conditions.” Commissioner Pitcher
74 seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts, and Schaub in favor. No
75 one opposed.

76 Discuss Changes to the General Plan: Commissioner Roberts explained that the planning
77 commission had been working on the General Plan revisions up until early 2020. They got close to
78 having a public hearing but had to pause due to the pandemic. They have recently decided to
79 proceed since the pandemic is still going and are hoping to find ways to get feedback from the public.
80 Each commissioner had been assigned a different section of the Plan to work on. Mr. Roberts
81 suggested they start a review of the first section.

82 Commissioner Lehnig didn’t have changes to the first section, but brought up the Riverdale
83 area. She hoped they could address a protection area along the creek. She would like to extend the
84 preservation idea brought up by the Jablonski/Johnsons. They all liked the idea of a 30 foot corridor
85 along the bank and felt it could be addressed in Section 2. Jablonski and Johnson have agreed to
86 preserve 30 feet of their property along the Logan River. Commissioner Pitcher suggested looking at
87 Logan City’s code language and using something similar. Discussion was held on the city code
88 needing to back up whatever the General Plan requires for trail development. Commissioners

88 Schaub and Lehnig will work together on writing up some verbiage, which will include some ordinance changes which support it.

91 Commissioner Cooley asked if the demographics in section one are still up to date.
92 Commissioner Lehnig said they were 6 months ago. Commissioner Roberts suggested adding 2040
93 and 2050 to extend the life of the Plan more than 10 years and suggested using UofU, Kem C.
94 Gardener Policy Institute's numbers since they do the population projections for the state.

95 Commissioner Schaub led a discussion on the Land Use Section. They agreed to add a
96 consideration to rezone the Saddlerock Park property to parks and rec. They discussed the engineer's
97 question about possibly adding a zone that would accommodate senior housing. They decided to
98 leave it as is.

99 They discussed the engineer's comments on the possibility of a buffer zone on 800 South. It
100 was brought up that Conservice doesn't have a buffer zone. Commissioner Pitcher asked about the
101 potential for COG money. Councilmember Wright said the city would have to apply and be on the
102 list. If they think Providence traffic will use 800 South, it could prompt COG funding. Mr. Roberts said
103 they fund collector streets. They decided to require a 30-foot green space buffer zone for any new
104 major development, which is adjacent to a collector street.

105 Commissioner Schaub handed out and discussed a map showing the areas in the city (and just
106 outside) which are undeveloped at this point. She asked them to discuss the city's vision for these
107 areas. The question was raised on how to dictate a particular zone on a parcel that isn't currently in
108 River Heights. Commissioner Roberts suggested labeling them high, medium or low density.
109 Discussion was held on how they may want to rework some of the zones.

110 Councilmember Wright said there has been talk of a desire for over 55 housing, which could
111 incorporate the property east of the LDS church. He suggested the possibility of labeling this and the
112 parcel north of it (currently belonging to Lois Weston) as PUD.

113 Commissioner Roberts asked the commissioners to mull over zone designations, including the
114 largest residential zone they may want, and bring their ideas to the next meeting.

115 Councilmember Wright stated the city attorney reviewed the plan but didn't have anything
116 substantial to suggest.

117 Commissioner Cooley informed of the upcoming topics on the water section, which will be
118 discussed at the next meeting.

119 **Commissioner Pitcher moved to "approve the minutes of the January 12, 2021 meeting."**
120 **Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts**
121 **and Schaub in favor. No one opposed.**

122 The meeting adjourned at 8:00 p.m.
123
124
125

126 _____
Sheila Lind, Recorder

127 _____
128 Levi Roberts, Commission Chair

Public hearing date: Jan 26, 2021

River Heights City
Kennel Conditional Use Permit Application
The Keeping of Three or More Dogs

Name of Dog Owner: Kenneth & Andrea Bullen Date: 1/11/2021

Phone #: _____ Email: _____

Address: 690 E. 400 S. River Heights 02-022-0008

Number of dogs requested: 3 Property for animal support (sq ft): .18 acres, 7,846.8 sqft

Description of shelter provided, care of animals, etc: Indoor dogs with
access to the fenced yard. Walked daily and
are our family

Application fee is \$100 and is nonrefundable.

Date paid 100.00 Check number 7099 By SL

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.

Levi Roberts

to Ron, me

Thanks for your comment. It will be recorded as part of the public record.

Levi Roberts

On Tue, Jan 26, 2021, 10:45 AM Ron Kegerries <rkegerries@gmail.com> wrote:

I wanted to provide a written comment to address the application from Ken and Andrea Bullen for a kennel permit. As their neighbor, we have NO issues with them having 3 or more dogs. They tend to their property, train their dogs, and we have never had any issues with noise. Their past and current dogs have always been enclosed or leashed and friendly to friends and neighbors. I recommend granting the conditional use permit to the Bullens.

Thank you for your time.

Ron and Shannon Kegerries
398 S 700 E
River Hieghts

Bullen's dogs

Sheila Lind <office@riverheights.org>
to Blake, Cindy, Heather, Lance, Levi, Noel
Commissioners,

Mon, Jan 25, 11:36 AM (4 day

Clayten has sent a video/audio which I have dropped in your Drive. It records the Bullen's dogs when he goes to the well house. The barking continues the entire time he is there. neighborhood dogs join in.

Clayten is not against them having dogs, but the excessive barking is an issue.

—
Have a great day!

Sheila Lind

