

River Heights City

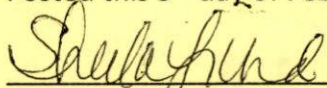
PLANNING COMMISSION AGENDA

Tuesday, February 8, 2022

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.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Nomination of Chair and Vice-Chair for 2022
- 6:40 p.m. Public Hearing to Discuss a Kennel Conditional Use Permit Application from Michelle Cordova
- 7:00 p.m. Adjourn

Posted this 3rd day of February 2022



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/84160458339?pwd=cXdHTFYvbXpPVG5rKzdpSnhYUIQ4QT09>

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
February 8, 2022

Present: Commission members: Lance Pitcher, Vice Chair
Noel Cooley
Heather Lehnig
Cindy Schaub, electronic
Troy Wakefield

Mayor Jason Thompson, electronic
Councilmember Blake Wright
Recorder Sheila Lind
Tech Staff Councilmember Chris Milbank

Others Present: Carl and Michelle Cordova, Mike Jablonski

Motions Made During the Meeting

Motion #1

Commissioner Lehnig moved to “approve the minutes of the November 23, 2021, Commission Meeting, as well as the evenings agenda.” Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub and Wakefield in favor. No one opposed.

Motion #2

Commissioner Cooley moved to “accept the Kennel Conditional Use Permit for Michelle Cordova, residing at 1098 Lamplighter Drive, for the request to have up to four dogs, with the conditions she stated in her application, as well as the conditions that a fence be built to enclose the yard and that the permit will expire when they move from the property.” Commissioner Wakefield seconded the motion, which carried with Cooley, Lehnig, Pitcher and Wakefield in favor. Schaub 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 February 8, 2022. Commissioner Pitcher chaired the meeting and led in the Pledge of Allegiance.

Adoption of Prior Minutes and Agenda: Minutes for the November 23, 2021, Planning Commission Meeting were reviewed.

Commissioner Lehnig moved to “approve the minutes of the November 23, 2021, Commission Meeting, as well as the evenings agenda.” Commissioner Cooley seconded the

44 **motion, which carried with Cooley, Lehnig, Pitcher, Schaub and Wakefield in favor. No one**
45 **opposed.**

46 Nomination of Chair and Vice-Chair for 2022: Commissioner Cooley nominated Commissioner
47 Lehnig as chair. Commissioner Lehnig nominated Commissioner Cooley as chair. Commissioner
48 Schaub seconded for Commissioner Cooley. Commissioner Pitcher called for a vote, which was
49 unanimous for Councilmember Cooley as chair.

50 Commissioner Schaub nominated Commissioner Lehnig as vice chair for 2022. Commissioner
51 Pitcher seconded and all were in favor.

52 Public Hearing to Discuss a Kennel Conditional Use Permit Application from Michelle Cordova:
53 Commissioner Pitcher read from Ms. Cordova's application and then opened the public hearing by
54 reading Cindy Johnson's written comment, who expressed support for Ms. Cordova's request.

55 Commissioner Lehnig asked if their yard was fully fenced. Ms. Cordova said it currently was
56 not, but they plan to do so in the spring. Presently the dogs have their own fenced area. They have
57 two dogs and would like to get an additional dog and maybe a fourth eventually. When the dogs go
58 out, she or her husband are always with them, and they clean up after the dogs immediately.

59 Commissioner Pitcher asked Recorder Lind if there had been any complaints about the
60 Cordova's dogs. She replied there hadn't been any. Councilmember Milbank informed that he lives
61 on the same street as the Cordovas and wasn't aware they had dogs.

62 Commissioner Cooley asked when the fence would be installed. Ms. Cordova thought it
63 would be done by the first of June.

64 Commissioner Schaub said ^{she} would agree to three dogs, but not four and that the use would go
65 away if the Cordovas moved from the property.

66 Commissioner Pitcher inquired of the dog's weight and breed. Ms. Cordova responded they
67 weight 45lbs and 65lbs and are both American Bulldogs. Commissioner Schaub asked if they were pit
68 bulls. Ms. Cordova said they are not specifically pit bulls and felt there was a negative connotation
69 associated with pit bulls. Her dogs have larger heads and are not aggressive at all.

70 Commissioner Pitcher didn't have a problem with allowing four dogs.

71 Commissioner Cooley asked Ms. Cordova if she'd read the kennel section of the city code. She
72 answered that she had and didn't have a problem complying to what was stated.

73 Mike Jablonski expressed support of Ms. Cordova's request. He informed that he and his wife
74 had hired her to take care of their dogs and she had done an excellent job. He had much positive to
75 say about her and her care of dogs. He also pointed out that state code states that no municipality
76 can limit the type of dog a person has. He also stated that there is no evidence that pit bulls are as
77 terrible as their reputation.

78 Commissioner Schaub said she was not comfortable with four dogs. She reminded of a family
79 who had four dogs and the Commission made them find a new home for one of them. It was brought
80 up that this particular situation had been complained about by neighbors.

81 Councilmember Wright clarified that Kennel Conditional Use Permits automatically expire on
82 December 31. They need to be renewed every year for the permit to continue.

83 Commissioner Wakefield didn't see a problem with the Cordovas having four dogs if they take
84 good care of them and there hadn't been any complaints.

85 **Commissioner Cooley moved to "accept the Kennel Conditional Use Permit for Michelle**
86 **Cordova, residing at 1098 Lamplighter Drive, for the request to have up to four dogs, with the**
87 **conditions she stated in her application, as well as the conditions that a fence be built to enclose**

89 **the yard and that the permit will expire when they move from the property.” Commissioner**
90 **Wakefield seconded the motion, which carried with Cooley, Lehnig, Pitcher and Wakefield in favor.**
91 **Schaub opposed.**

92 Councilmember Wright gave a heads up on an issue in the code dealing with sidewalks. There
93 are several references in the code and some that conflict. He will work through it with Commissioner
94 Cooley before having it on the agenda.

95 Commissioner Cooley informed the Commission that the Council had questions about the
96 General Plan Transportation Plan the Commission passed on. They decided to have a traffic study
97 done. Mr. Cooley asked Councilmember Wright if this might come back to the Commission. Mr.
98 Wright explained the Land Use, Sensitive Areas and Annexation maps were adopted. The maps for
99 Parks and Transportation, along with the document, have not been adopted. Councilmember Glover
100 is working with the mayor on getting a traffic study before they classify future roads which may not
101 be necessary. There was also the question on what type of label to add to certain roads since it could
102 affect possible funding opportunities. Mr. Wright thought if the traffic study showed a major change,
103 then the transportation plan would come back to the Commission. If it's minor, he guessed the
104 Council would take care of it.

105 Commissioner Cooley suggested the commissioners take a good look at the RPUD section of
106 the code which was recently adopted by the Council. They made several changes to it after it left the
107 Commission.

108 Councilmember Wright reported that the developer who was interested in the Riverdale area
109 has pulled out. The developers of the property east of the church have picked up an application for a
110 rezone. They are currently working on purchasing the property.

111 The meeting adjourned at 7:10 p.m.

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116 _____
117 Sheila Lind, Recorder

118 _____
Lance Pitcher, Commission Vice Chair

Public hearing date: Feb 8, 2022

River Heights City Kennel Conditional Use Permit Application

The Keeping of Three or More Dogs

Name of Dog Owner: Michelle Cordova Date: 1-22-22

Phone #: _____ Email: _____

Address: 1098 Lamplighter Drive (03-094-0022)

Number of dogs requested: 3-4 Property for animal support (sq ft): 20 acres / 2600+ sq ft house

We are empty nesters and our dogs are our kids now. I am self employed and can be at my house quite a bit. My husband is home about 4 days out of the week, so we are with our dogs the majority of the time. Instead of having a doggy door, we always go outside with our dogs to immediately clean up after them and be sure they aren't barking or disturbing the neighbors. The dogs live inside of our house with us like family members. Our veterinarian can attest that they are seen at least once a year if not more if an issue arises. We've never had an issue with our dogs and the neighbors in the 15 years we've lived here and I think what we've been doing is the reason why. -Michelle Cordova

Application fee is \$100 and is nonrefundable.

Date paid 1-22-22 Check number 7779 By Michelle Cordova

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.

From: Cindy Johnson <nrcon@comcast.net>

Date: February 8, 2022 at 12:25:30 PM MST

To: Cindy Schaub <cindy_schaub@hotmail.com>, Heather Lehnig <heather.lehnig@gmail.com>, Lance Pitcher <lancepitcher@comcast.net>, Noel Cooley <nhcooley@comcast.net>

Subject: Michelle Cordova's kennel license

To the commissioners:

I would like to speak in support of granting Michelle Cordova a kennel license to allow her to have more than 2 dogs at her home. Michelle is a professional petsitter to whom Mike and I have often trusted our animal family when we were out of town. She takes excellent care of her own animal family just as she takes excellent care of her clients' animals. There is no question that she can handle, with no problem, additional animals above the standard number.

Not only is she able to take excellent care of any number of animals, she will do so without affecting her neighbors. Michelle treats her pets like family and they will be living most of their lives inside her home, not outside barking or wandering the neighborhood. Michelle is a very considerate person and she is well aware of the consequences of animal disturbance to the neighborhood. She will not allow her animals to be the source of any such disturbance for their own sakes', as well s those of the neighbors.

I can think of no one who would be better able and more likely to manage a kennel license to the benefit of her animal family but without detriment to her neighbors or the City than Michelle Cordova.

Please vote in favor of granting Michelle a kennel license. Thank you!

Cindy Johnson