

River Heights City Planning Commission
Minutes of the Meeting
June 4, 2019

Present: Commission members: Cindy Schaub, Chairman
Noel Cooley
Heather Lehnig
Chris Milbank
Lance Pitcher

Councilmember Blake Wright
Recorder Sheila Lind

Others Present Tyson Glover

Motions Made During the Meeting

Motion #1

Commissioner Pitcher moved to “approve the minutes of the May 21, 2019 Commission Meeting.” Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

Proceedings of the Meeting

The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council Chambers on June 4, 2019.

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

Adoption of Prior Minutes and Agenda: Minutes for the May 21, 2019 Planning Commission Meeting were reviewed.

Commissioner Pitcher moved to “approve the minutes of the May 21, 2019 Commission Meeting.” Commissioner Milbank seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

1000 East Property Owner’s Request of an Amendment to the Saddle Rock Phase 3 Final Plat, Note #5: Tyson Glover read restriction #5, which states, “Lots 58-62 and 72 have a fence height limit on 1000 East Street of 4’ above the sidewalk grade. Fencing for all lots at street intersections shall conform to River Heights City Ordinance to provide clear sight distance.” He had previously applied for a fence but was denied because the plat precluded his request. He is requesting an amendment to the plat verbiage to strike the first sentence of Note #5. He asked what the reason was for the plat language and the current fence code.

Councilmember Wright confirmed that Mr. Glover had been to the city council about this and they seemed to unanimously agree that they would consider an amendment to the plat to include

45 the allowance to follow the current city code of allowing a 4 foot solid or 6 foot, 90% transparent
46 fence, like the existing current code. Mr. Glover was told at that meeting that his request would start
47 at the planning commission. The city attorney has given direction on the process for amending the
48 final plat, which starts with a petition to amend the plat, signed by all affected property owners.
49 Attorney Jenkins offered to help with the petition, which Mr. Wright suggested doing so it's done
50 correct from the beginning. He suggested, to preclude any future misunderstandings, that the plat
51 language include that the fence requirements to be followed are as of the date of the plat
52 amendment.

53 Tyson Glover clarification that he is asking this for his lot only. Councilmember Wright said the
54 council was under the assumption, that the change would be for all affected lots. Mr. Glover
55 brought up that some of the lot owners already have permits for their fences, granted by the appeal
56 authority. Mr. Wright agreed that the permits were signed, however, the appeal authority's ruling
57 stated that they still needed to abide by the final plat. Mr. Glover said none of them are interested in
58 a four foot fence or a transparent one; they would have no privacy. He felt the city was trying to
59 cover the intersection in two different ways, by requiring a 40 foot site triangle and 90%
60 transparency. He sees all kinds of different fence situations in town, which are not being enforced to
61 match the current code. He asked what the background was on the code decisions.

62 Councilmember Wright pointed out, the commission and council have gone over the fence
63 code many times over the last few years in meetings that are always open to the public. There has
64 been little to no input from citizens, which would have been appreciated at the time. Commissioner
65 Milbank stated, everyone on the commission doesn't always agree with what has been put to a vote.

66 Councilmember Wright informed Mr. Glover, if he wanted to request a code change, he'd
67 need to contact Commissioner Chair Schaub to get on the agenda. If he wanted to request a change
68 to the subdivision final plat, to what the current code allows, he would start with a petition. Mr.
69 Grover stated he wanted to be treated like everyone else in the city who lives on a corner lot and not
70 be more restricted because of the final plat. He will consider what he'd like Note #5 to state. Mr.
71 Wright believed the city council would only consider something that is currently allowed by city code.
72 Mr. Glover agreed, although he felt the current code doesn't consider security and privacy for his
73 family. He will first address the final plat, before he discusses changes to the current fence code.

74 Commissioner Milbank said Mr. Glover's view probably reflects the view of many landowners
75 in the area. Mr. Glover was confused why a four foot solid with two feet transparent on top wouldn't
76 be allowed.

77 Councilmember Wright recommended having Attorney Jenkins help draft the petition. Mr.
78 Wright offered assistance, as well. Commissioner Schaub asked who would cover the costs. Mr.
79 Wright said it would be the petitioners. He will discuss costs with Attorney Jenkins and run it past Mr.
80 Glover before they get started.

81 Revisions to the General Plan: Commissioner Lehnig explained her suggested changes to 1.2,
82 Demographics, with a focus on Projected Population. She considered all property being built out at
83 some point, not including the county Chugg property, which is in the process of going to Providence.
84 Commissioner Cooley pointed out that the Zollinger property will never be developed.
85 Councilmember Wright suggested moving 'past years' from the projections section up to the
86 historical section. Commissioner Milbank informed, the American Community Survey is where he has
87 been getting his projected populations. At this time, it is unknown whether the property east of the

88 church will stay in River Heights or go to Providence. At the time of adoptions to the General Plan,
89 there may be more information about the church property.

90 Commissioner Cooley reviewed a handout showing his proposed changes to Section 4.1,
91 Infrastructure and City Utilities. He has talked to Will Atkins, the state water conservation person,
92 who recommended the city consider using a pump or gravity flow system on the city parks to utilize
93 the city's irrigation water, in an effort to preserve the city's water shares. PWD Nelson has said he
94 doesn't like to use irrigation water because it brings weeds. Mr. Cooley suggested adding this as a
95 goal to be considered. A few minor changes were discussed.

96 Councilmember Wright suggesting the commission consider changing the Old School property
97 zone from Residential to Parks and Recreation, shown in the General Plan on the land use map.

98 Commissioner Milbank explained his dilemma on affordable housing. River Heights is
99 landlocked and small but is still required to turn in a Moderate Income Housing Report. He has talked
100 to David Fields at Workforce Services, who reiterated, it is required because of Cache County's size.
101 Mr. Milbank pointed out that River Heights doesn't have the ability to supply affordable housing.
102 There are no zones which allow apartments. Councilmember Wright suggested some of the
103 older/smaller homes might be considered as affordable housing. Mr. Milbank will check on the
104 values of some of the smaller homes. He will try to describe the city's limitations and point out that
105 Logan and Providence are providing a number of moderate housing areas. He desires to be honest
106 and upfront in the report, which is due December of 2019,

107 The meeting adjourned at 8:35 p.m.

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111 Sheila Lind, Recorder

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113 Cindy Schaub, Commission Chair