

River Heights City

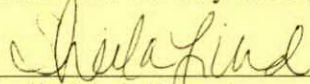
PLANNING COMMISSION AGENDA

Tuesday, August 20, 2019

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. ~~Review Concept Plan for Ty and Brennan Rees Minor Subdivision~~ Didn't show
- 7:20 p.m. Discuss Code Revisions to 10-1-3 and 11-1-2
- 7:30 p.m. Revisions to the General Plan
- 8:15 p.m. Adjourn

Posted this 16th day of August 2019



Sheila Lind, Recorder

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 August 20, 2019

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

Councilmember Blake Wright
Recorder Sheila Lind

Others Present: None

Motions Made During the Meeting

Motion #1

Commissioner Milbank moved to "approve the minutes of the August 6, 2019 Commission Meeting with changes." Commissioner Cooley 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 August 20, 2019.

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

Adoption of Prior Minutes and Agenda: Minutes for the August 6, 2019 Planning Commission Meeting were reviewed.

Commissioner Milbank moved to "approve the minutes of the August 6, 2019 Commission Meeting with changes." Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Milbank, Pitcher and Schaub in favor. No one opposed.

Councilmember Wright gave a review of the council's discussion concerning the latest fence changes. He presented to them the 50-foot road idea to see if that helped them decide between a 13 or 14.5 foot setback between asphalt and fence. It was a split vote. The mayor broke the tie in favor of 14.5 feet. They felt it was important that the area between the property line and the fence was landscaped. Mr. Wright pointed out, in regards to the 1000 East fence situation, there should be 12 feet from back of curb to fence. In that case their property line is close to the 14.5, if it weren't for the plat rules they could have a 6 foot fence near their property line. He said the council had the same safety and security concerns as the commission had discussed.

44 Review Concept Plan for Ty and Brennan Rees Minor Subdivision: The Rees' canceled.

45 Discuss Code Revisions to 10-1-3 and 11-1-2: Councilmember Wright informed that the city
46 attorney has suggested the removal of the last sentence of the paragraphs in 10-1-3 and 11-1-2. The
47 reason being, the city should have the option to get involved in restrictive covenants if they feel it's
48 needed. In the case of the Saddlerock Phase 3 plat, the city is involved because it is noted that the
49 property owners will work with the city on landscaping the property between the sidewalk and their
50 property line.

51 Commissioner Milbank asked why the city would get involved with restrictive subdivision
52 covenants. Councilmember Wright said it would depend on the covenants, which are usually
53 between parcel owners and doesn't typically involve an outside entity.

54 Commissioner Cooley asked if the city would be required to review restrictive covenants on a
55 proposed subdivision. Councilmember Wright answered that section 11-4A-5: Protective Covenants,
56 states they will be approved by the commission with the final plat, and sent to the council for their
57 approval, as well. The city most likely wouldn't be involved in enforcement of the covenants, but
58 they need to make sure they are not unreasonable.

59 Councilmember Wright explained, the mayor has hired a compliance officer to help police the
60 city code. The city code needs to be adjusted to 1) allow him the authority to enforce any part of the
61 code, and 2) to modify the zoning administrator language.

62 Commissioner Cooley suggested that similar protective covenant language, as in 4A should
63 probably be added to the subdivision ordinance. He suggested it could fit in 11-4-3C.

64 Councilmember Wright asked the commission if they felt restrictive covenants should be
65 reviewed by the city, if the city doesn't plan to get involved in enforcement. The commission felt it
66 would be a good idea.

67 Commissioner Lehnig took leave of the meeting at 7:45pm.

68 Commissioner Cooley suggested inserting "CCRs shall be approved by the planning
69 commission, together with the final plat, and approved by the city council," as 11-4-3:C.3. and move 4
70 and 5 down. And to add that the restrictions should be recorded with the final subdivision plat.

71 Commissioner Milbank noted that section 11-4A-5: "Protective Covenants" doesn't seem to
72 fit the usual definition of protective covenants. It discusses items that are already included in the
73 city's subdivision requirements.

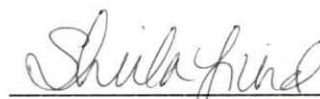
74 After discussion, they decided to replace 11-4a-5 with "Conditions Covenants and Restrictions
75 (CCR): The CCRs shall thereupon be recorded with the final plat." The rest of the section (A-F) would
76 be deleted. It was decided they will add the same language in 11-4-3:C.3., and move 3 and 4 to
77 become 4 and 5.

78 All changes discussed will be included in a hearing at the next meeting.

79 Revisions to the General Plan: Postponed until next meeting.

80 The meeting adjourned at 8:15p.m.

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Cindy Schaub, Commission Chair

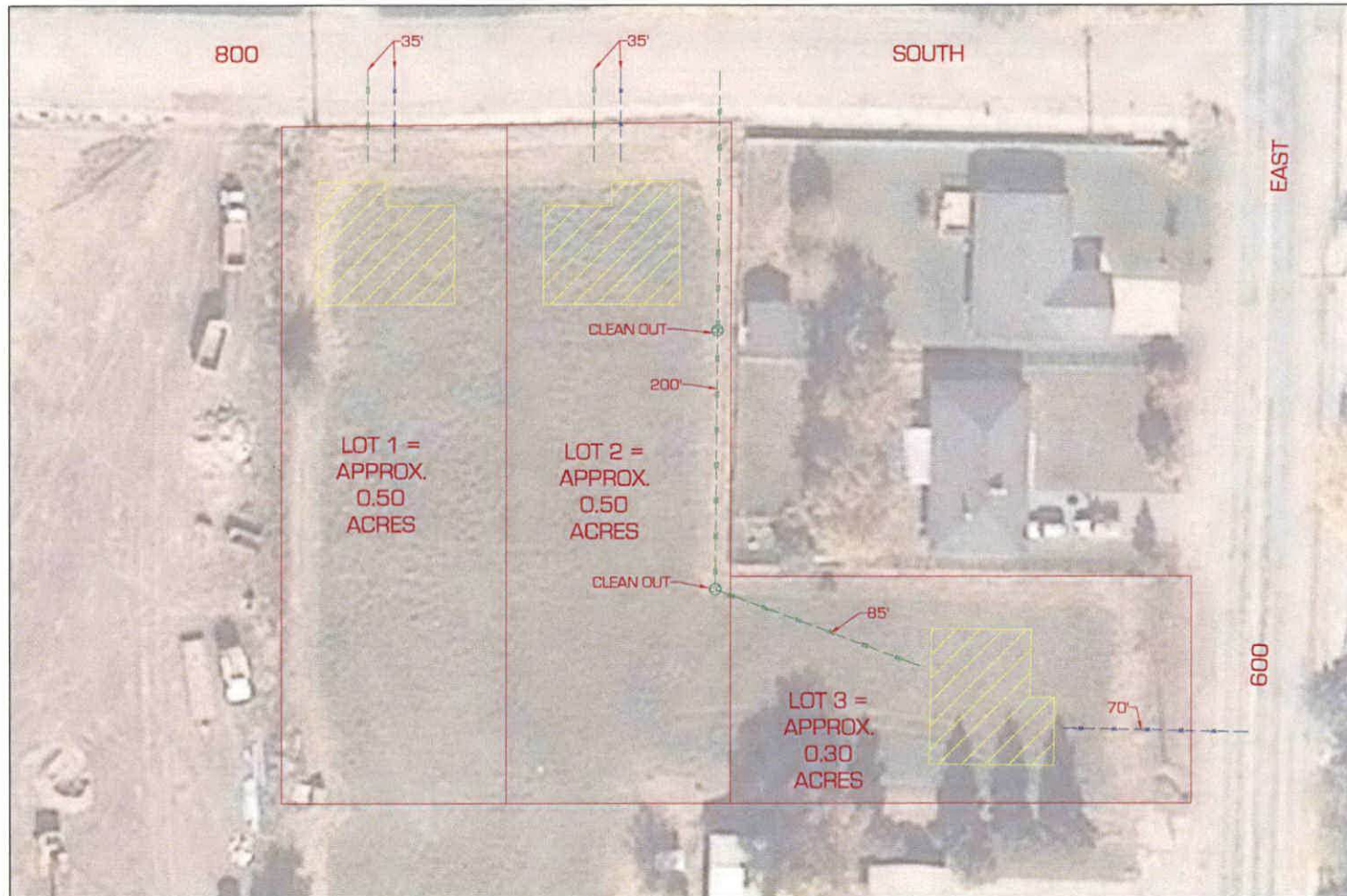

Sheila Lind, Recorder



VICINITY MAP

RIVER HEIGHTS SUBDIVISION

800 SOUTH 600 EAST, RIVER HEIGHTS, UTAH



10-1-3: INTERPRETATION

The provisions of this title are in addition to all other city ordinances, the laws of the state, the laws of the United States, and applicable common law. The ordinances shall not supersede any private land use regulations in deeds or covenants which are more restrictive. Whenever a conflict exists, the more restrictive provision shall apply to the extent allowed by law. ~~The city does not enforce private restrictive covenants, nor shall any such covenant have the effect of modifying the regulations herein.~~ (Ord., 1-22-2002)

11-1-2: INTERPRETATION

The provisions of this subdivision title are in addition to all other city ordinances, the laws of the state, the laws of the United States, and applicable common law. Whenever a conflict exists, the more restrictive provision shall apply to the extent allowed by law. ~~The city does not enforce private restrictive covenants, nor shall any such covenant have the effect of modifying the regulations herein.~~ (Ord., 8-12-2003)