



Minutes of the **Joint Work Meeting** of the **Riverdale City Council and Riverdale Planning Commission** held Tuesday, **January 27, 2009** at 6:38 p.m. at the Riverdale Civic Center, Riverdale Utah.

City Council Members Present:

Bruce Burrows, Mayor
David Gibby, Councilor
Don Hunt, Councilor
Shelly Jenkins, Councilor
Gary Griffiths, Councilor
Doug Peterson, Councilor

Planning Commission Members Present:

Allen Miller, Chairman
Dave Gailey
Brent Ellis
Blair Jones
Norm Searle
Bart Stevens

Excused: Braden Mitchell

Others Present: Larry Hansen, Chief Administrative Officer; Steve Brooks, City Attorney; Randy Daily, Community Development Director; Marilyn Banasky, City Recorder; and 1 citizen.

Welcome & Opening Comments

Mayor Burrows welcomed all those present and noted that Commissioner Mitchell is excused and that Councilor Peterson will join the meeting in progress. Mayor Burrows gave an overview of the items on the agenda.

Councilor Peterson arrived at 6:42 p.m.

1. Discussion of R-2 to R-1 zoning issues.

Randy Daily reported that he and Steve Brooks spoke with Attorney Jody Burnett regarding rezoning some of the R-2 areas in the city to R-1-8. He stated that after that conversation he is recommending proceeding with rezoning parts of the city to include the parcels, as outlined on the map provided, from R-2 to R-1-8 and hold the public hearings to begin the process. He stated that any lot that doesn't meet the requirements of the R-1-8 zone will not be considered as non-conforming but as a legal existing lot. He further recommended that the R-1 ordinance be

changed to allow for a 25 foot setback instead of a 30 foot setback to accommodate the legal existing lots with a 25 foot setback.

Chairman Miller stated that there are other areas of the City that are zoned R-2 that don't have any legal duplexes in them and wondered if they could rezone those properties at the same time. Mr. Daily replied that he felt the areas that he outlined was a start, but that they could look and see if there are other areas that could easily be rezoned. Councilor Hunt stated that if there are areas that can be easily isolated, then they should identify them and rezone them now. Councilor Gibby stated that they ought to develop criteria for areas that they want to rezone, regardless of where they are, and do them all, if the areas meet that criteria. **Mayor Burrows asked the City Council for consensus to develop criteria that will work to rezone areas of the City from R-2 to R-1-8 and that the approach could be different for different areas. Consensus was reached.** Councilor Jenkins stated that she feels that the rezone should be done systematically and not all at once, and feels that the less inflammatory areas will become supportive of those areas that may be more difficult to rezone. **Mayor Burrows asked the Planning Commission for consensus to look at areas to rezone that contain single family dwellings. Consensus was reached.**

Mayor Burrows stated that based on the consensus that they will look at and evaluate each area and that they systematically look at all areas of the City to see what can be rezoned without devaluing property or adversely affecting property rights. He stated that they will look at individual areas as a whole, if possible, and down to smaller sections, if necessary, to review them and go through the community to make this a better place to live.

Councilor Gibby suggested allowing property owners who are currently in an R-2 zone and may want to convert their single family dwelling into a duplex, the ability to preserve that right. He stated that there could be a deadline for them to file and become a legal duplex. Steve Brooks stated that is the exact approach he would recommend that they take and would suggest setting up criteria to establish making that claim. Commissioner Stevens stated that he would like to see the rezone proposal and hold the public hearings and see what comes out. Councilor Peterson stated that there may be a small minority of property owners who think they may want to make their home into a duplex and suggested quickly finding out who those are and then set a deadline so that no more duplexes will be allowed in the rezoned area. Commissioner Gaily stated that he feels the more input that is received in one public hearing would better help them develop criteria. Commissioner Searle stated that when the Planning Commission worked on this ordinance, the goal was to protect as many neighborhoods in the City as they could. He thinks the whole thing could be done at once and feels they should look at other cities that have gone through this same kind of thing in order to find out what worked and what didn't.

Mayor Burrows asked for consensus from the City Council to look at any non controversial areas in the first go round. Consensus was reached. Mayor Burrows asked for consensus from the Planning Commission to look at all areas that are non controversial in the first public hearing. Consensus was reached.

2. Discussion of development of isolated residential lots.

Randy Daily reported that he re-wrote the current ordinance that would allow for development of isolated residential lots and presented it to the Planning Commission and then discussed it with the City Council. He stated that his problem with the ordinance is allowing a twin home next to a single family dwelling and that he feels they should not be allowed within a developed subdivision. Mr. Daily read the proposed ordinance language. He displayed several maps that depicted properties where the new ordinance would apply. Councilor Gibby stated that he feels that the Planning Commission could evaluate requests to build twin homes on these properties and feels that giving the Planning Commission the authority to evaluate them makes sense. Mr. Daily suggested allowing the Planning Commission to look at the in-fill lots on a case by case basis. Councilor Hunt wondered about the legality of allowing the Planning Commission to have the power to base their decision on criteria such as the density of the area and appearance of the proposed building. Larry Hansen suggested that the ordinance could be written with conditions such as if the area of the proposed twin home has single family homes the criteria would be different than if the twin home is to be built next to current two family dwellings. Councilor Peterson stated that they look at these lots and what kind of restrictions and requirements can be placed on the builders. He suggested that if the twin home is being built in a neighborhood where the homes are made of stucco and brick, then they could require that similar building materials be used. Mayor Burrows inquired if they could do a residential development agreement like the commercial development agreements. Mr. Brooks replied that he doesn't know why they couldn't. Mayor Burrows suggested putting general guidelines in the ordinance and then have a development agreement that outlines specific requirements based on the area. Councilor Gibby stated that they are looking to upgrade neighborhoods and feels that if they put criteria in the ordinance that developing the in-fill lots will upgrade the area and leave discretion to the Planning Commission to determine that, it would solve the problem. Mr. Daily stated that he agrees with Councilor Gibby and feels that if the Planning Commission is given discretion to determine if the dwelling is an improvement to the surrounding area, that would resolve the problem. Councilor Jenkins read an excerpt from an Ogden City ordinance regarding residential in-fill development that gives conditional discretion to the Planning Commission. She inquired if the properties could be identified as an overlay and put on the map and would be developed conditionally. Mr. Daily replied that our situation is different than Ogden's but that they could do it that way. **Mayor Burrows asked the City Council for consensus to begin the process of refining the ordinance language and then turning it back to the Planning Commission for their proceeding forward on these lots. Consensus was reached.**

With no further business to come before the Council and Planning Commission at this time, Councilor Gibby moved to adjourn the meeting. Councilor Peterson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:10 p.m.

Attest:

Approved: February 3, 2009

Marilyn Banasky, City Recorder

Bruce Burrows, Mayor