



**RIVERDALE CITY PLANNING COMMISSION AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – SEPTEMBER 8, 2020**

6:00 p.m. – Planning Commission Work Session Meeting (Council Chambers)

The purpose of the work session is to review maps, plans, paperwork, etc. No motions or decisions will be considered during this session, which is open to the public.

Planning Commission Work Session Items -Planning Commission Training *to be determined*

6:30 p.m. – Planning Commission Meeting (Council Chambers)

A. Welcome & Roll Call

B. Public Comment

This is an opportunity to address the Planning Commission regarding your concerns or ideas. Please try to limit your comments to three minutes. No action will be taken during public comment.

C. Presentations and Reports

D. Consent Items

1. Consideration of Meeting Minutes from:
July 28, 2020 Work Session
July 28, 2020 Regular Meeting

E. Action Items

1. a. Discussion regarding proposed amendments to multiple chapters found within Title 10 of Riverdale City Code.

b. Consideration to set Public Hearing for Proposed Amendments to Title 10 of Riverdale City Code, specifically Chapters 13D, 14, 16, 21, 25, and 28.

All items presented by: Mike Eggett, Community Development

F. Discretionary Items

G. Adjournment

In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Offices (801) 394-5541 at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Riverdale City limits on this 3rd day of September, 2020 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html> and 4) A copy was also provided to the Standard-Examiner.

Shalee Evans
Riverdale City Recorder

**RIVERDALE CITY
PLANNING COMMISSION AGENDA
September 8, 2020**

AGENDA ITEM: D1

SUBJECT: Consideration of Meeting Minutes.

PRESENTER: Shalee Nay, City Recorder

INFORMATION: A. [July 28, 2020 Work Session](#)
B. [July 28, 2020 Regular Meeting](#)

[BACK TO AGENDA](#)

Minutes of the **Work Session** of the Riverdale City **Planning Commission** held Tuesday, July 28, 2020 at 6:00 p.m., at the Civic Center in the Administrative Offices, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

Commissioners:	Robert Wingfield, Commissioner Blair Jones, Commissioner Rikard Hermann, Commissioner – 6:12p.m. Wanda Ney, Commissioner Suzette DeMar, Commissioner
City Employees:	Mike Eggett, Community Development Shalee Evans, City Recorder
Excused:	Amy Ann Spiers, Chairman Kent Anderson, Commissioner

The Planning Commission Work Session meeting began at 6:05 p.m. Vice Chairman Wingfield welcomed the Planning Commissioners to the Work Session and stated for the record that Commissioner Spiers and Commissioner Anderson are excused from tonight's meeting.

Presentations and Reports:

Vice Chairman Wingfield turned the time over to Mike Eggett, the Community Development Director who reported the following:

- The site plan for Green Hill Apartments is underway
- The Starbucks building is continuing to move forward.
- Scandinavian Designs is slowly moving forward with their building.
- The Riverdale Department Phase 2 has completed footings.
- Zeppes is coming out of the ground, it is located next to the Buffalo Wild Wings.
- The Falcon Hill project is about to shift to Phase 2.
- 5600 S Interchange and Roy the public comment period is done.

Consent Items:

Vice Chairman asked for any changes or corrections to the minutes for July 14, 2020 Regular and Work Session Planning Commission meeting. There were no requested changes.

Action Items:

Vice Chairman Wingfield invited any discussion on the first action item, Consideration to forward recommendation to the City Council regarding a rezone request for properties located approximately 4100 S Pacific Ave, Riverdale, Utah; a zoning change from Regional Planned Commercial (CP-3) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

Mike Eggett, Community Development, went over the executive summary which explained, Riverdale Center North, LLC (as represented by AWA Engineering), the petitioner in this matter, is requesting a rezone of property located at approximately 4100 South Pacific Avenue from Regional Planned Commercial (CP-3) zoning to Multiple-Family Residential (R-4) zoning to allow for the possibility for future development of a multiple family residential development project on this property (see the application documents for further explanation). Neighboring properties to the north and east are currently zoned with C-3 zoning, properties to the west are zoned with M-1 zoning, and properties to the south are zoned with RCP zoning. This request is for approximately 2.59 acres of land located on this property along 300 West and Pacific Avenue that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing has been noticed and scheduled to receive and consider public comment on the proposed amendment to the zoning map. Following the public hearing, the Planning Commission may provide a recommendation to the City Council regarding this rezone request, with the appropriate findings of fact to support the Commission's recommendation.

Commissioner Hermann asked if this item is just preliminary. Mr. Eggett stated that if the Commission forwards this to the City Council with favorable recommendation, then at that point it is not preliminary. Commissioner Hermann asked if later this property needs to be changed back to commercial if it is possible to do so. Mike Eggett noted that if it is requested in the future to be changed back to commercial, it could.

Vice Chairman Wingfield invited discussion on the second action item, Consideration to forward recommendation to the City Council regarding a rezone request for properties located approximately 4113 S Pacific Ave, Riverdale, Utah; a zoning change from Retail/Commercial Park Overlay (RCP) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

Planning Commission Work Session Meeting, July 28, 2020

Mike Eggett went over the executive summary which explained, Riverdale Center North, LLC (as represented by AWA Engineering), the petitioner in this matter, is requesting a rezone of property located at approximately 4113 South Pacific Avenue from Retail/Commercial Park Overlay (RCP) zoning to Multiple-Family Residential (R-4) zoning to allow for the possibility for future development of a multiple family residential development project on this property (see the application documents for further explanation). Neighboring properties to the north and east are currently zoned with M-1 and CP-3 zoning, properties to the west are the Union Pacific railyards, and properties to the south are zoned with RCP zoning. This request is for approximately 2.715 acres of land located on this property along 300 West and Pacific Avenue that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing has been noticed and scheduled to receive and consider public comment on the proposed amendment to the zoning map. Following the public hearing, the Planning Commission may provide a recommendation to the City Council regarding this rezone request, with the appropriate findings of fact to support the Commission's recommendation.

Discretionary Items:

- . There were no discretionary items.

Adjourn:

Having no further business to discuss the Planning Commission adjourned at 6:22 p.m. to convene into their Regular Planning Commission Meeting located in the Council Chambers.

Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, July 28, 2020, at 6:30 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present: Commissioners: Robert Wingfield, Commissioner
Blair Jones, Commissioner
Rikard Hermann, Commissioner
Wanda Ney, Commissioner
Suzette DeMar, Commissioner

City Employees: Mike Eggett, Community Development
Shalee Evans, City Recorder

Excused: Amy Ann Spiers, Chairman
Kent Anderson, Commissioner

Visitors: Jake Tate

A. Welcome & Roll Call

The Planning Commission Meeting began at 6:30p.m. Vice Chairman Wingfield welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present with exception of Commissioner Spiers and Commissioner Anderson who are excused.

B. Public Comment

Vice Chairman Wingfield asked for any public comments and there were not any.

C. Presentations and Reports

Vice Chairman Wingfield turned the time over to Mr. Eggett who reported the following:

- The site plan for Green Hill Apartments is underway
- The Starbucks building is continuing to move forward.
- Scandinavian Designs is slowly moving forward with their building.
- The Riverdale Department Phase 2 has completed footings.
- Zeppes is coming out of the ground, it is located next to the Buffalo Wild Wings.
- The Falcon Hill project is about to shift to Phase 2.
- 5600 S Interchange and Roy the public comment period is done.

D. Consent Items

1. Consideration to approve meeting minutes from the Planning Commission Meeting held on July 14, 2020

Vice Chairman Wingfield asked for changes or corrections to the Planning Commission meeting minutes for the July 14, 2020 Work Session and Regular Meeting. There were no requested changes.

MOTION: Commissioner Hermann moved to approve the meeting minutes. Commissioner Jones seconded the motion.

There was no discussion regarding this motion.

E. Action Items

1A. Public hearing to receive and consider comments regarding a rezone request for properties located approximately 4100 S Pacific Ave, Riverdale, Utah; a zoning change from Regional Planned Commercial (CP-3) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

MOTION: Commissioner Jones moved to open the public hearing. Commissioner Ney seconded the motion. All voted in favor. The public hearing is now open.

No public comment made.

MOTION: Commissioner Jones moved to close the public hearing. Commissioner Hermann seconded the motion. All voted in favor. The public hearing is now closed.

1B. Consideration to forward recommendation to the City Council regarding a rezone request for properties located approximately 4100 S Pacific Ave, Riverdale, Utah; a zoning change from Regional Planned Commercial (CP-3) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

Mike Eggett, Community Development, went over the executive summary which explained, Riverdale Center North, LLC (as represented by AWA Engineering), the petitioner in this matter, is requesting a rezone of property located at approximately 4100 South Pacific Avenue from Regional Planned Commercial (CP-3) zoning to Multiple-Family Residential (R-4) zoning to allow for the possibility for future development of a multiple family residential development project on this property (see the application documents for further explanation). Neighboring properties to the north and east are currently zoned with C-3 zoning, properties to the west are zoned with M-1 zoning, and properties to the south are zoned with RCP zoning. This request is for approximately 2.59 acres of land located on this property along 300 West and Pacific Avenue that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing has been noticed and scheduled to receive and consider public comment on the proposed amendment to the zoning map. Following the public hearing, the Planning Commission may provide a recommendation to the City Council regarding this rezone request, with the appropriate findings of fact to support the Commission's recommendation.

Commissioner Jones asked the applicant, Jake Tate, if they have any extra measures to help eliminate noise from the trains since the property is located next to the train tracks. Mr. Tate stated that if there is an opportunity in the future to add extra measures to help with noise, that he will take that opportunity. He also noted that he is going to be making sure there is post and panel fencing to help eliminate noises from traffic etc. Commissioner Jones asked if he is concerned about the homeless shelter being located within miles of the property. Mr. Tate stated that residents usually like to self-patrol their neighborhoods and he is not concerned about the homeless shelter right now.

MOTION: Commissioner Jones moved to forward with favorable recommendation to the City Council regarding the rezone request for properties located approximately 4100 S Pacific Ave, Riverdale Utah. Commissioner Hermann seconded the motion.

ROLL CALL VOTE: All voted in favor. Motion passes.

2A. Public hearing to receive and consider comments regarding a rezone request for properties located approximately 4113 S Pacific Ave, Riverdale, Utah; a zoning change from Retail/Commercial Park Overlay (RCP) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

MOTION: Commissioner Hermann moved to open the public hearing. Commissioner Jones seconded the motion. All voted in favor. Public hearing is now open.

No public comment was made.

MOTION: Commissioner Hermann moved to close the public hearing. Commissioner Jones seconded the motion. All voted in favor. Public Hearing is now closed.

2B. Consideration to forward recommendation to the City Council regarding a rezone request for properties located approximately 4113 S Pacific Ave, Riverdale, Utah; a zoning change from Retail/Commercial Park Overlay (RCP) to Multiple-Family Residential (R-4); requested by Riverdale North LLC and AWA Engineering Group.

Mike Eggett went over the executive summary which explained, Riverdale Center North, LLC (as represented by AWA Engineering), the petitioner in this matter, is requesting a rezone of property located at approximately 4113 South Pacific Avenue from Retail/Commercial Park Overlay (RCP) zoning to Multiple-Family Residential (R-4) zoning to allow for the possibility for future development of a multiple family residential development project on this property (see the application documents for further explanation). Neighboring properties to the north and east are currently zoned with M-1 and CP-3 zoning, properties to the west are the Union Pacific railyards, and properties to the south are zoned with RCP zoning. This request is for approximately 2.715 acres of land located on this property along 300 West and Pacific Avenue that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing has been noticed and scheduled to receive and consider public comment on the proposed amendment to the zoning map. Following the public hearing, the Planning Commission may provide a recommendation to the City Council regarding this rezone request, with the appropriate findings of fact to support the Commission's recommendation.

Planning Commission Regular Meeting, July 28, 2020

MOTION: Councilmember Jones moved to forward with favorable recommendation to the City Council regarding the rezone request for properties located approximately 4113 S Pacific Ave. Riverdale, Utah. Commissioner DeMar seconded the motion.

ROLL CALL VOTE: All voted in favor. Motion passes.

F. Discretionary Items

There were no discretionary items.

G. Adjournment

MOTION: There being no further business to discuss, Commissioner Hermann moved to adjourn the meeting. Commissioner DeMar seconded the motion; all voted in favor.

The meeting adjourned at 6:56 p.m..

Amy Spiers
Planning Commission Chair

Shalee Evans
City Recorder

Date Approved:

**RIVERDALE CITY
PLANNING COMMISSION AGENDA
September 8, 2020**

AGENDA ITEM: E1b

SUBJECT: b. Consideration to set Public Hearing for Proposed Amendments to Title 10 of Riverdale City Code, specifically Chapters 13D, 14, 16, 21, 25, and 28.

PRESENTER: Mike Eggett, Community Development

INFORMATION:

- A. [Summ Reas Code Change – 20200902](#)
- B. [Title 10 Propose Amend Lang \(LIT, Signs, Bonds, Landscape\) – 20200901](#)
- C. [Title 10 Propose Amend Clean \(LIT, Signs, Bonds, Landscape\) – 20200901](#)
- D. [USC 10-9a-S604.5](#)

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Summary of Reasoning for Proposed Code Change

- Title 10, Chapter 13D – Tag associated with Low-Impact Transition Overlay Zone should be “LIT” and not “C-L”.
- Title 10, Chapter 14 – Suggested revision for accessory buildings to only be allowed to be one-story in height to halt the potential modification of an accessory building into an above-garage apartment/rental unit use within an accessory building. Requests for modification of an accessory building to this format have occurred in the past and these uses are currently a violation of all residential zoning codes within Riverdale City.
- Title 10, Chapter 16 – Suggested changes for commercial zones signage for signage heights along a freeway/interstate due to requests from property owners along freeway/interstate, as well as future planning for additional development needs and options for commercial signage along a freeway/interstate in RDA areas and other developed/developable areas within the current commercial district or future planned commercial areas.
- Title 10, Chapter 21 – Changes need to be made in the performance security section of the chapter due to updated State Codes adopted in February 2019 as affecting performance security rules for all cities to follow in working with developers, as found in State Code 10-9a-604.5.
- Title 10, Chapter 25 – Changes need to be made in the performance security section of the chapter due to updated State Codes adopted in February 2019 as affecting performance security rules for all cities to follow in working with developers, as found in State Code 10-9a-604.5.
- Title 10, Chapter 28 – Changes need to be made to the landscaping ordinance language regarding landscaping escrow on residential properties to match previously amended language approved, as found in City Code 10-14-12. Also included a small change to definition of “Hardscape Space” to include “artificial grass/turf” since it is a non-irrigable surface and more in alignment with the other materials listed in “Hardscape Space” definition; further removed a redundancy of the term “planters” from “Hardscape Space” definition.

CHAPTER 13 SPECIAL USE DISTRICTS

ARTICLE D. LOW-IMPACT TRANSITION OVERLAY ZONE (C- LIT)

CHAPTER 14 REGULATIONS APPLICABLE TO ALL ZONES

10-14-5: HEIGHT REGULATIONS:

A. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks and water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits prescribed in the zone height regulations, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and no heights are permitted above the maximum allowed under airport area height provisions. Prior to the construction or erection of flagpoles, towers, wireless or television masts (not including typical roof TV antennas) and any similar structure over thirty five feet (35') in total height, including any supporting structures in or adjacent to any residential zone, a conditional use permit must be applied for and reviewed and approved by the planning commission and city council.

B. No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty feet (20'), nor greater than one thousand (1,000) square feet in area unless the residential lot has a minimum lot area of forty thousand (40,000) square feet, then the accessory building shall not exceed two thousand five hundred (2,500) square feet and shall not exceed twenty five feet (25') in height to the peak of the roof. All accessory buildings may only be built to include no more than one-story, with an exception for the addition of a mezzanine level in the accessory buildings. (Ord. 823, 12-4-2012)

CHAPTER 16 SIGN REGULATIONS

10-16-8: SIGN/ZONE REGULATIONS:

A. Residential Districts: In residential districts RE-20, RE-15, A-1, R-1-4.5, R-1-10, R-1-8, R-1-6, R-2, R-3, R-4, R-5 and Rmh-1, the following regulations apply:

B. Commercial And Manufacturing Districts: In commercial districts C-1, C-2, C-3, and CP-1, CP-2, CP-3, and manufacturing districts M-1, M-2, MP-1 and MP-2, the following regulations apply:

1. Development Signs: One or more signs of a temporary nature for main buildings or uses under development provided such signs shall not exceed in combined total area one hundred (100) square feet.

2. Public Necessity Signs: These signs are informational and not advertising in nature. One or more public necessity signs are allowed, provided that no such sign shall exceed twenty four (24) square feet in area.

3. Business Signs: One or more business signs not exceeding three (3) square feet in combined total area for each linear foot of occupied frontage (building width facing street), except that the maximum size of any single business sign shall not exceed three hundred (300) square feet in area and the total area of all commercial or industrial uses shall be six hundred (600) square feet, if the linear building width is sufficient to allow this size of sign. Each commercial or industrial use backing onto a freeway shall be permitted not more than one business sign on the freeway side. New car sales automobile dealerships that have multiple manufacturer makes of vehicles are permitted three hundred (300) square feet of sign area for each new car line. (Ord. 837, 6-4-2013)

4. Pole/Pylon Signs Height Regulations: No pole/pylon sign shall be erected to a height exceeding forty feet (40') above the ground, without the approval and issuance of a conditional use permit from the City. A pole/pylon sign located along a UDOT designated interstate/freeway may be erected to a height not to exceed sixty feet (60') above the ground, upon approval and issuance of a conditional use permit from the City. All pole/pylon type signs shall be positioned on the site in a landscaped area. All pole/pylon signs shall be internally illuminated.

5. Existing Signs: Any lawful sign completely constructed, in existence, and lawfully installed in the city at the time of the passage hereof, shall be allowed to exist at its present height. At such time that the existing sign structure or location is changed, in any manner whatsoever, then said sign must come into compliance with the height limitation, as set forth in subsection B4 of this section.

CHAPTER 21

SUBDIVISIONS

10-21-6: FINANCIAL GUARANTEES FOR IMPROVEMENTS:

Prior to the final plat being presented to the city council for approval, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following requirements:

A. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

B. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs~~to one hundred twenty five percent (125%) of the cost of the improvements required for the subdivision~~, with said bond to be released pursuant to the terms and conditions of the developer's agreement. (Ord. 871, 9-1-2015)

CHAPTER 25

DEVELOPMENT IN ALL ZONES

10-25-7: IMPROVEMENTS:

A. Time Of Construction: The improvements listed in this section shall be installed prior to final inspection and issuance of a certificate of occupancy except as provided in subsection B of this section. No improvements shall be installed until their design and specifications are reviewed by the city engineer for conformance with this chapter. Water and sewer mains and laterals and fire hydrants shall be installed prior to the installation of road base, curbs, gutters, sidewalks and the surfacing of streets.

B. Performance Bonds:

1. In lieu of actual completion of the improvements listed in this section and before final approval by the city council, the developer may deposit with the city a surety or cash bond to ensure the actual construction of said improvements within a period of two (2) years after final approval by the city council in a manner satisfactory to and in an amount specified by the council. Improvements shall include part or all of the following: streets, curbs, gutters, sidewalks, water supply systems, fire hydrants, sewer systems, surface water disposal systems, protection from hazards of canals and ditches, safety fences, landscaping, monuments, street signs, or other improvements required by the city council and planning commission.

2. The developer shall be responsible for the satisfactory performance of improvements dedicated to the city for a period of one year after inspection and final acceptance by the city. These improvements include, but are not limited to: streets, curbs, gutters, sidewalks, water main lines, fire hydrants, sewer mains and manholes, storm sewer mains and catch boxes, monuments, and street signs which are in a dedicated easement and are controlled solely by the city.

3. Prior to the final plat being presented to the city council for approval, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following improvement performance requirements:

a. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

b. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs~~to one hundred twenty five percent (125%) of the cost of the improvements required for the subdivision~~, with said bond to be released pursuant to the terms and conditions of the developer's agreement.

CHAPTER 28

RESIDENTIAL LANDSCAPING

10-28-4: DEFINITIONS:

HARD SURFACE: Shall consist of concrete, asphalt, brick or concrete pavers, rock or gravel and cobblestones. All hard surface material must be kept free of weeds.

HARDSCAPE SPACE: Any space made up of water features, benches, ~~planters,~~ artificial grass/turf, walls, decorative ornaments, stamped concrete, small decorative rocks as well as boulders, mulch, curbing, and planters or other like materials, approved by the planning commission, that are not of a vegetative nature.

LIVING LANDSCAPE: Consists of turf, trees, shrubs, plant material both flowering and nonflowering, it shall include indigenous plants that are not noxious weeds so long as they are maintained as set out within this chapter.

NONLIVING LANDSCAPE: Shall consist of boulders, rock, lava rock, wood chips, decorative curbing and masonry work.

OPEN SPACE: All the space on the property not occupied by the residence, a driveway equivalent to the carport, or attached garage, and/or swimming pool.

XERISCAPE: Includes plant material that can survive on low or minimal water usage. (Ord. 715, 8-19-2008)

10-28-5: GENERAL STANDARDS AND REQUIREMENTS:

Every applicable place of property within the city of Riverdale shall maintain landscape in a well cared for manner that enhances the appearance of the property.

A. In no case shall hardscape of a residential dwelling exceed forty percent (40%) of the open space of the property, unless said hardscape exists prior to passage of this chapter;

B. Yards shall consist of a balance of living and nonliving landscape that do not violate any other federal, state, or municipal statute, ordinance, or law;

C. Yards shall comply with the fencing and setback requirements of all Riverdale City ordinances;

D. Yards shall be maintained as not to cause "interference from landscaping" with public property or right of way;

E. All living landscape shall be maintained in an orderly, attractive and healthy condition. This shall include, but not be limited to, proper pruning, mowing, weeding, and removal of litter; and

F. All hardscape shall be maintained to be free from defects and maintain an orderly and attractive appearance.

G. No vehicles shall be allowed to park overnight on anything other than hard surfaces.

H. All new and refurbished single-family and two-family homes, apartments, condominiums and townhouses shall be required to approve and maintain, as landscape yards, the front, corner street side yard and park strip and install an appropriate irrigation system, so that the landscaping will receive the appropriate amount of water in order to flourish in good health, before final approval or certificate of occupancy is issued. An escrow agreement may be issued with a temporary certificate of occupancy which includes a time certain for installation of the landscaping and irrigation system by the owner/developer. Failure to install landscaping by the end of the next planting season (October of the following year) shall lead to forfeiture of the escrow funds and may lead to revocation of the temporary certificate of occupancy. ~~An escrow~~

~~agreement may be issued between November 1 to March 31 with a temporary certificate of occupancy which includes a time certain for installation of the landscaping by the owner/developer.~~ Landscaping may include a combination of grass, plant cover and Xeriscape. (Ord. 655, 4-4-2006)

CHAPTER 13

SPECIAL USE DISTRICTS

ARTICLE D. LOW-IMPACT TRANSITION OVERLAY ZONE

(LIT)

CHAPTER 14

REGULATIONS APPLICABLE TO ALL ZONES

10-14-5: HEIGHT REGULATIONS:

A. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks and water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits prescribed in the zone height regulations, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and no heights are permitted above the maximum allowed under airport area height provisions. Prior to the construction or erection of flagpoles, towers, wireless or television masts (not including typical roof TV antennas) and any similar structure over thirty five feet (35') in total height, including any supporting structures in or adjacent to any residential zone, a conditional use permit must be applied for and reviewed and approved by the planning commission and city council.

B. No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty feet (20'), nor greater than one thousand (1,000) square feet in area unless the residential lot has a minimum lot area of forty thousand (40,000) square feet, then the accessory building shall not exceed two thousand five hundred (2,500) square feet and shall not exceed twenty five feet (25') in height to the peak of the roof. All accessory buildings may only be built to include no more than one-story, with an exception for the addition of a mezzanine level in the accessory buildings. (Ord. 823, 12-4-2012)

CHAPTER 16

SIGN REGULATIONS

10-16-8: SIGN/ZONE REGULATIONS:

A. Residential Districts: In residential districts RE-20, RE-15, A-1, R-1-4.5, R-1-10, R-1-8, R-1-6, R-2, R-3, R-4, R-5 and Rmh-1, the following regulations apply:

B. Commercial And Manufacturing Districts: In commercial districts C-1, C-2, C-3, and CP-1, CP-2, CP-3, and manufacturing districts M-1, M-2, MP-1 and MP-2, the following regulations apply:

1. Development Signs: One or more signs of a temporary nature for main buildings or uses under development provided such signs shall not exceed in combined total area one hundred (100) square feet.

2. Public Necessity Signs: These signs are informational and not advertising in nature. One or more public necessity signs are allowed, provided that no such sign shall exceed twenty four (24) square feet in area.

3. Business Signs: One or more business signs not exceeding three (3) square feet in combined total area for each linear foot of occupied frontage (building width facing street), except that the maximum size of any single business sign shall not exceed three hundred (300) square feet in area and the total area of all commercial or industrial uses shall be six hundred (600) square feet, if the linear building width is sufficient to allow this size of sign. Each commercial or industrial use backing onto a freeway shall be permitted not more than one business sign on the freeway side. New car sales automobile dealerships that have multiple manufacturer makes of vehicles are permitted three hundred (300) square feet of sign area for each new car line. (Ord. 837, 6-4-2013)

4. Pole/Pylon Signs Height Regulations: No pole/pylon sign shall be erected to a height exceeding forty feet (40') above the ground, without the approval and issuance of a conditional use permit from the City. A pole/pylon sign located along a UDOT designated interstate/freeway may be erected to a height not to exceed sixty feet (60') above the ground, upon approval and issuance of a conditional use permit from the City. All pole/pylon type signs shall be positioned on the site in a landscaped area. All pole/pylon signs shall be internally illuminated.

5. Existing Signs: Any lawful sign completely constructed, in existence, and lawfully installed in the city at the time of the passage hereof, shall be allowed to exist at its present height. At such time that the existing sign structure or location is changed, in any manner whatsoever, then said sign must come into compliance with the height limitation, as set forth in subsection B4 of this section.

CHAPTER 21 SUBDIVISIONS

10-21-6: FINANCIAL GUARANTEES FOR IMPROVEMENTS:

Prior to the final plat being presented to the city council for approval, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following requirements:

A. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

B. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said bond to be released pursuant to the terms and conditions of the developer's agreement. (Ord. 871, 9-1-2015)

CHAPTER 25 DEVELOPMENT IN ALL ZONES

10-25-7: IMPROVEMENTS:

A. Time Of Construction: The improvements listed in this section shall be installed prior to final inspection and issuance of a certificate of occupancy except as provided in subsection B of this section. No improvements shall be installed until their design and specifications are reviewed by the city engineer for conformance with this chapter. Water and sewer mains and laterals and fire hydrants shall be installed prior to the installation of road base, curbs, gutters, sidewalks and the surfacing of streets.

B. Performance Bonds:

1. In lieu of actual completion of the improvements listed in this section and before final approval by the city council, the developer may deposit with the city a surety or cash bond to ensure the actual construction of said improvements within a period of two (2) years after final approval by the city council in a manner satisfactory to and in an amount specified by the council. Improvements shall include part or all of the following: streets, curbs, gutters, sidewalks, water supply systems, fire hydrants, sewer systems, surface water disposal systems, protection from hazards of canals and ditches, safety fences, landscaping, monuments, street signs, or other improvements required by the city council and planning commission.

2. The developer shall be responsible for the satisfactory performance of improvements dedicated to the city for a period of one year after inspection and final acceptance by the city. These improvements include, but are not limited to: streets, curbs, gutters, sidewalks, water main lines, fire hydrants, sewer mains and manholes, storm sewer mains and catch boxes, monuments, and street signs which are in a dedicated easement and are controlled solely by the city.

3. Prior to the final plat being presented to the city council for approval, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following improvement performance requirements:

a. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

b. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said bond to be released pursuant to the terms and conditions of the developer's agreement.

CHAPTER 28

RESIDENTIAL LANDSCAPING

10-28-4: DEFINITIONS:

HARD SURFACE: Shall consist of concrete, asphalt, brick or concrete pavers, rock or gravel and cobblestones. All hard surface material must be kept free of weeds.

HARDSCAPE SPACE: Any space made up of water features, benches, artificial grass/turf, walls, decorative ornaments, stamped concrete, small decorative rocks as well as boulders, mulch, curbing, and planters or other like materials, approved by the planning commission, that are not of a vegetative nature.

LIVING LANDSCAPE: Consists of turf, trees, shrubs, plant material both flowering and nonflowering, it shall include indigenous plants that are not noxious weeds so long as they are maintained as set out within this chapter.

NONLIVING LANDSCAPE: Shall consist of boulders, rock, lava rock, wood chips, decorative curbing and masonry work.

OPEN SPACE: All the space on the property not occupied by the residence, a driveway equivalent to the carport, or attached garage, and/or swimming pool.

XERISCAPE: Includes plant material that can survive on low or minimal water usage. (Ord. 715, 8-19-2008)

10-28-5: GENERAL STANDARDS AND REQUIREMENTS:

Every applicable place of property within the city of Riverdale shall maintain landscape in a well cared for manner that enhances the appearance of the property.

A. In no case shall hardscape of a residential dwelling exceed forty percent (40%) of the open space of the property, unless said hardscape exists prior to passage of this chapter;

B. Yards shall consist of a balance of living and nonliving landscape that do not violate any other federal, state, or municipal statute, ordinance, or law;

C. Yards shall comply with the fencing and setback requirements of all Riverdale City ordinances;

D. Yards shall be maintained as not to cause "interference from landscaping" with public property or right of way;

E. All living landscape shall be maintained in an orderly, attractive and healthy condition. This shall include, but not be limited to, proper pruning, mowing, weeding, and removal of litter; and

F. All hardscape shall be maintained to be free from defects and maintain an orderly and attractive appearance.

G. No vehicles shall be allowed to park overnight on anything other than hard surfaces.

H. All new and refurbished single-family and two-family homes, apartments, condominiums and townhouses shall be required to approve and maintain, as landscape yards, the front, corner street side yard and park strip and install an appropriate irrigation system, so that the landscaping will receive the appropriate amount of water in order to flourish in good health, before final approval or certificate of occupancy is issued. An escrow agreement may be issued with a temporary certificate of occupancy which includes a time certain for installation of the landscaping and irrigation system by the owner/developer. Failure to install landscaping by the end of the next planting season (October of the following year) shall lead to forfeiture of the escrow funds and may lead to revocation of the temporary certificate of occupancy. Landscaping may include a combination of grass, plant cover and Xeriscape. (Ord. 655, 4-4-2006)

Effective 5/14/2019

10-9a-604.5 Subdivision plat recording or development activity before required infrastructure is completed -- Improvement completion assurance -- Improvement warranty.

- (1) A land use authority shall establish objective inspection standards for acceptance of a landscaping or infrastructure improvement that the land use authority requires.
- (2)
 - (a) Before an applicant conducts any development activity or records a plat, the applicant shall:
 - (i) complete any required landscaping or infrastructure improvements; or
 - (ii) post an improvement completion assurance for any required landscaping or infrastructure improvements.
 - (b) If an applicant elects to post an improvement completion assurance, the applicant shall provide completion assurance for:
 - (i) completion of 100% of the required landscaping or infrastructure improvements; or
 - (ii) if the municipality has inspected and accepted a portion of the landscaping or infrastructure improvements, 100% of the incomplete or unaccepted landscaping or infrastructure improvements.
 - (c) A municipality shall:
 - (i) establish a minimum of two acceptable forms of completion assurance;
 - (ii) if an applicant elects to post an improvement completion assurance, allow the applicant to post an assurance that meets the conditions of this title, and any local ordinances;
 - (iii) establish a system for the partial release of an improvement completion assurance as portions of required landscaping or infrastructure improvements are completed and accepted in accordance with local ordinance; and
 - (iv) issue or deny a building permit in accordance with Section 10-9a-802 based on the installation of landscaping or infrastructure improvements.
 - (d) A municipality may not require an applicant to post an improvement completion assurance for:
 - (i) landscaping or an infrastructure improvement that the municipality has previously inspected and accepted;
 - (ii) infrastructure improvements that are private and not essential or required to meet the building code, fire code, flood or storm water management provisions, street and access requirements, or other essential necessary public safety improvements adopted in a land use regulation; or
 - (iii) in a municipality where ordinances require all infrastructure improvements within the area to be private, infrastructure improvements within a development that the municipality requires to be private.
- (3) At any time before a municipality accepts a landscaping or infrastructure improvement, and for the duration of each improvement warranty period, the municipality may require the applicant to:
 - (a) execute an improvement warranty for the improvement warranty period; and
 - (b) post a cash deposit, surety bond, letter of credit, or other similar security, as required by the municipality, in the amount of up to 10% of the lesser of the:
 - (i) municipal engineer's original estimated cost of completion; or
 - (ii) applicant's reasonable proven cost of completion.
- (4) When a municipality accepts an improvement completion assurance for landscaping or infrastructure improvements for a development in accordance with Subsection (2)(c)(ii), the municipality may not deny an applicant a building permit if the development meets the requirements for the issuance of a building permit under the building code and fire code.

(5) The provisions of this section do not supersede the terms of a valid development agreement, an adopted phasing plan, or the state construction code.

Amended by Chapter 384, 2019 General Session