

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held **Tuesday, July 26, 2005** at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Don Farr
Kathy Eskelsen
Don Hunt
Kathy Tanner

Members Excused: Greg Limburg, Chair
Brent Coleman
Alan Miller

Others Present: Jan Ukena, City Planner
Michelle Douglas, Planning Commission Secretary
Shannon Cox

Commissioner Farr called the meeting to order and welcomed all those in attendance. He excused Commissioners Limburg, Coleman and Miller, acknowledged that all other members were in attendance and welcomed Staff. Note for the permanent record: for the meeting of July 28, 2005, there was only a minimum quorum present for the meeting and all votes have to be unanimous to pass.

Consideration of Minutes

Motion Commissioner Tanner moved to approve the minutes of the preplanning work session minutes of April 26, 2005; for approval of the preplanning work session and regular meeting minutes of May 10, 2005; for approval of the preplanning work session and regular meeting minutes of May 24, 2005; for approval of the preplanning work session and regular meeting minutes of June 14, 2005; and for approval of the preplanning work session and regular meeting minutes of June 28, 2005 with the minor grammatical and spelling corrections as noted during the preplanning work session and to waive the reading. Commissioner Eskelsen seconded the motion; the motion passed unanimously.

Conditional Use Permit / Home Occupation Application

Jason & Shannon Cox - Haitian Roots

Mrs. Shannon Cox was present at the meeting to discuss her conditional use permit for a home-based business for a non-profit organization, specifically to collect money to send Haitian children to school in Haiti.

Mrs. Cox explained that she and her husband have licensed themselves with the State as a 5031 corporation, and they have identified 20 children in Haiti to send to school. She went on to explain that their hope is to help bring about change in Haiti through education. Mrs. Cox indicated that it costs approximately \$200 a year to send a child to school and the majority of families in Haiti live off \$250 a year, which makes it virtually impossible for families to send their children to school. She noted that Haiti is the second poorest country in the world - second to Somalia.

Mrs. Cox informed the Commission that there will not be any shipments from the dwelling. The home occupation will consist of bank transfers; work over the internet and the phone; and they have a website.

Commissioner Farr inquired what they will do if their corporation gets larger; will they find another location to operate from. Mrs. Cox informed the Commission that the corporation consists of her husband, herself, and a Haitian couple from Orem; she explained that they are not salary, and they hope to control their organization with volunteers. If they get larger, which they hope to do, they will find another location. She added that they hope to build a school in Haiti.

Motion Commissioner Hunt moved to grant the conditional use permit for a home occupation located at 609 West 3850 South for Jason and Shannon Cox, Haitian Roots, as requested. Commissioner Tanner seconded the motion. The motion passed unanimously.

Discretionary Business

Mrs. Ukena informed the Commission that Mr. Ted Combe has petitioned the City for a boundary adjustment located at approximately 5450 South 600 West, which would be a proposed boundary adjustment with Washington Terrace. The proposed boundary adjustment consists of approximately 16 acres and the property is zoned R-2.

Mrs. Ukena presented the Commission with what Mr. Combe presented to the City, and she informed the petitioners that what they brought in would not be acceptable; there are several issues with the proposed boundary adjustment. Mrs. Ukena proceeded to outline the key issues: first, the boundary adjustment leaves out a 3,330 square foot parcel to the north by itself; second, it isolates a group of Riverdale City parcels to the north; and third, the proposed alignment changes the 4-plex parcel to the east and makes the parcel even more non-conforming.

Mrs. Ukena noted that the item is not before the Commission as a formal agenda item; however, she wanted the Commission to know the boundary adjustment is in the works. She went on to say it is the petitioner's desire to develop the parcel and it cannot be developed in Riverdale City; Mr. Moulding has said that the City cannot provide services because the property is currently on septic tanks. It was inquired who the developer is. Mrs. Ukena indicated that she believes Norm Frost is the individual that would like to develop the property.

Commissioner Farr expressed that he believes the City Council and Planning Commission should discuss this at further lengths. It was questioned if Washington Terrace is doing something to facilitate the development of the property; Mrs. Ukena did not know but thought Mr. Frost has property to the southeast.

Discussion followed regarding the proposed amendments to Title 10, Chapter 14, Regulations Application to All Zones, Specifically 10-14-12 Nonresidential Development Landscape Requirements. Mrs. Ukena explained that the proposed amendments are going to be a little bit more than scratching out one line. She went on to explain Staff is proposing to add residential landscaping to the section as well, which of course is ultimately up to the Planning Commission and City Council. Mrs. Ukena proceeded to read the added verbiage to the Commission. She described the basic concept of passing the cost of landscaping - for the front yard - onto the developer, who

would in turn, pass the cost onto the homeowner. Commissioner Farr expressed concern that Mrs. Ukena's proposed amendment is impossible when the builder is building in the winter; he added that costs are rising so fast right now too. Mrs. Ukena stated that a builder would be able to escrow funds from November 1 through April 1. Commissioner Farr indicated by springtime, the escrow funds would be worthless. Mrs. Ukena explained in her experience, escrow funds have been established at one-dollar a square foot, and Commissioner Farr is correct; she would have the escrow set a little bit more than that.

Mrs. Ukena informed the Commission this not a departmental recommendation but a Staff idea. She went on to explain the reason being is this is one of the complaints on the citizen's survey. Residents would like yards on new homes put in on a timelier manner.

Commissioner Farr pointed out that Roy City allows their residents 18 months to install their yard. He noted that everyone wants to place the responsibility on the builder and it should not be. The City should hire a code enforcement officer. He went on to say after the City conducts the final inspection, the resident should have 18 months to put in their yard, and as soon as the 18 months is up, the code enforcement officer should check up on the resident. Commissioner Hunt inquired how the City would enforce that ordinance. Mrs. Ukena stated it is very hard to enforce. Commissioner Farr reiterated the City should hire a full-time code enforcement individual.

Mrs. Ukena referred to the opening paragraph for nonresidential landscape; she explained at the Planning Commission discretion a combination of plant cover, xeriscape and decorative hardscape might be used.

Commissioner Tanner inquired if there were any percentages of materials specified. Mrs. Ukena indicated that were not; the opening paragraph is stating the City will look at all those things in a landscaping plan. Commissioner Tanner questioned don't you see a need to say it cannot be more than a certain percentage; and it cannot exceed a certain percentage of stamped concrete. Mrs. Ukena explained landscaping is at the Planning Commission's discretion to determine percentages of landscaping.

Mrs. Ukena referred to the various options available: Option A: Landscaping on-site or off-site within the City; Option B: Other beautification efforts of equal value, but not limited to, i.e., planters, hardscape, xeriscape, etc.; and Option C: Funds, equal in value to the required twenty percent (20%) landscaping as determined in the landscaping plan, contributed to allow the City to install landscaping elsewhere within the City limits.

Mrs. Ukena explained with Option B the petitioner could provide off-site improvements and the improvements do not have to be landscaping in nature. If the City wants to have some type of signage that indicates "Welcome to Riverdale", and the petitioner is willing to provide this type of "other beautification effort of equal value", it would be allowed under Option B. Mrs. Ukena indicated that she is not sure how Option C works, nor is she sure if the City has utilized this Option.

Discussion followed regarding new developments. Mrs. Ukena noted that the majority of the paragraph has been rewritten. The main points of the amended paragraph are as follows: at the

Planning Commission's discretion, floodways, wetlands and undisturbed hillsides, up to five percent, can be counted toward the overall 20 percent landscaping requirement. In addition, if the Planning Commission determines that the landscaping in the area adds to the overall aesthetic value of the entire site, the percentage may be increased.

Mrs. Ukena referred to the Ruby River development and the hillside associated with the development. She said the hillside adds to the landscaping; it is the overall beautiful picture. Mrs. Ukena explained the situation regarding wetlands; she indicated that they do not want a developer to fence off a wetland area and alienate it. She would rather have a developer incorporate a wetland area into their landscape plan and give them credit for a portion of it.

Commissioner Tanner pointed out Saturn, which is a development the City approved and allowed to utilize natural grasses. She stated that Saturn did not utilize natural grasses; they have nothing but weeds and have not done anything to enhance the area. She said natural hillside areas are great if they are great; however, they are bad if they are bad. Mrs. Ukena acknowledged Commissioner Tanner's concerns and indicated that sometimes you do not get exactly what you thought you were going to get after it has been proposed; however, you only get burned one time - it does not happen again.

With no further business to come before the Commission at this time, Commissioner Eskelsen moved to adjourn the meeting. Commissioner Tanner seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:21 p.m.

Attest:

Approved: August 23, 2005

Michelle Douglas
Planning Commission Secretary

Don Farr
Chair