



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **August 25, 2009** at 6:35 p.m. at the Riverdale Civic Center, 4600 S. Weber River Drive.

Members Present: Allen Miller, Chairman
 David Gailey, Commissioner
 Norm Searle, Commissioner
 Brent Ellis, Commissioner
 Blair Jones, Commissioner
 Bart Stevens, Commissioner
 Braden Mitchell, Commissioner

Others Present: Randy Daily, Community Development Director; Marilyn Banasky, City Recorder; and 5 citizens.

A. Welcome & Roll Call

Chairman Miller welcomed everyone present and noted that all Planning Commission members were present.

B. Open Communications

None

C. Consent Items

- 1. Approval of meeting minutes from:
July 28, 2009 Work Session
July 28, 2009 Regular Planning Commission**

Motion: Commissioner Searle moved to approve the consent item. Commissioner Gailey seconded the motion.

Call the Question:

The motion passed unanimously.

D. Action Items

- 1. Consideration of Final approval of In-fill lot at approximately 5419 South Weber Drive.**

Randy Daily reported that this development meets all the criteria for an in-fill lot. He stated that a geotec study has been done and that Mr. Schneiter has received a letter from the State approving access to the property from South Weber Drive. He explained that the Department Heads met to review the development and the Residential Development Agreement and he reported that they did not impose any further conditions. Mr. Daily reported that the homes will not have a basement and that Mr. Moulding is looking at a proposal to drain the excess water by filling a drain with gravel and placing a sump there.

Mr. Daily recommended approval of the in-fill lot. He stated that the Residential Development Agreement will then be forwarded to the City Council for approval.

Jake Schneiter reported that they did meet with the City Departments last Thursday and reviewed the development. Chairman Miller inquired if once the two homes are built if they will be two separate units and if the property will be staying as one common piece of property, or will it be subdivided. Mr. Schneiter replied that the property will be subdivided. Commissioner Searle inquired if the potential accident zone from HAFB has been addressed. Mr. Daily reported that he contacted the Base Planner about the Air Installation Compatible Use Zone (AICUZ) and because Riverdale never officially adopted the AICUZ, it has only been used as a guideline. He explained that the State acquired an easement in the 1980-1990's for a potential accident zone for aircraft and wanted to control the density of the area. Mr. Daily reported that the HAFB Planner concluded that the AICUZ cannot hold up development of the property.

Motion: Commissioner Mitchell moved to give final approval for a twin home on an in-fill lot located at approximately 5419 South Weber Drive. Commissioner Ellis seconded the motion.

Call the Question:

The motion passed unanimously.

2. Discussion of changes to Title 10, Chapter 10, Article A, Commercial Zones.

Randy Daily reported that he received a request from City Administration to look at restricting the number of check cashing/payday loan businesses in the City. He stated that he created a new section E in the ordinance that would restrict check cashing, payday loan and pawn shop businesses to one for every 5,000 Riverdale City residential residents and would only be allowed in a C-3 zone as a conditional use. They would not be allowed closer than 500 feet to any residential zone or dwelling use. Mr. Daily reported that he added the Payday Loan/Check Cashing item under the Financial Institution category in the ordinance and changed the Pawnshop use so it would not be allowed in a C-2 zone and would be a conditional use in a C-3 zone. He explained that the Planning Commissioners can add or change any language to the ordinance before holding the public hearing at their next meeting. Commissioner Searle stated that he likes the way it is written and is in favor of it. He reported that he is concerned about the recent editorial comments that were published in the Standard Examiner after Roy City restricted the number of payday loan/check cashing businesses in their city. He read the editorial. Commissioner Searle expressed concern that the proposed changes would limit those types of businesses to one in Riverdale if the proposed one per 5,000 resident language stays. He feels that having only one type of business wouldn't allow any competition and felt there should be at least one competitor. Mr. Daily replied that he could change the ordinance to read one per 4,000 residents, which would allow two businesses. Commissioner Jones stated that he doesn't feel that having just one in Riverdale is unreasonable, because there are others just 10 minutes away. Commissioner Stevens stated that he doesn't like it and wouldn't support it. He stated that it is nice to have guidelines but feels that factors such as competition and the economy will dictate how many of these businesses the City would have. He reported that he is reluctant for the City to impose how many there can be and feels inclined to let the free market dictate what is there. Commissioner Mitchell stated that part of a Planning Commissioner's job is to

do what is best for the citizens and he is not sure that there is a real benefit in limiting them. Commissioner Jones reported that he likes the way it is written and doesn't want to see them popping up all over. Commissioner Ellis stated that he likes having the ordinance in place and having guidelines for the future. Commissioner Gailey stated that he would like to see the language changed to one per 4,000 residents in order to make it more fair. He reported that another concern he has is if there are too many of these businesses, one will go out of business and leave an empty building and he would like to stay away from empty buildings.

Chairman Miller asked for consensus to set a public hearing on September 8, 2009, on the proposed changes to Title 10, Chapter 10, Article A, Commercial Zones. Consensus was reached. Mr. Daily reported that he would amend the language to reflect one per 4,000 Riverdale City residential residents instead of one per 5,000, before sending it to public hearing.

3. Consideration of changes to Title 10, Chapter 8, Agricultural Zone (A-1).

Randy Daily reported that these changes create a new A-2 zone with uses that would only be permitted with a minimum two acre parcel. He stated that if someone wanted one of the uses that are allowed in an A-2 zone, they would need to rezone the property. He stated that the ordinance has been changed so that all dog related issues will be regulated by the police and animal control instead of the Planning Commission. Mr. Daily explained that the police department would be responsible for issuing kennel permits or issuing a permit for more than two dogs. He reported that conditional uses would only be allowed in the A-2 zone. He stated that a public hearing will also need to be set for these proposed changes to the A-1 zone. Commissioner Jones inquired if a property would need to be rezoned to have a kennel license. Mr. Daily replied that a kennel permit, animal hospital or clinic would only be allowed in an A-2 zone, but the police could issue a Regulatory Permit in an A-1 zone for more than two dogs with the proposed language. Commissioner Stevens stated that when the Combes brought their issue before the Planning Commission it sparked a lot of good debate and evaluation. He reported that it became clear that the City would never know that residents have more than two dogs until something happens. He stated that he likes the fact that the animal issues are going to be handled by the police department and hopes that the City Administration would encourage them to write their ordinance that governs more than two dogs to include allowances as it is difficult to do it on a "one size fits all" for the entire city. Mr. Daily reported that he sent the police department other city's ordinances to consider that have a Hobby or Fancier permit that regulates having more than two dogs, but isn't a kennel permit.

Chairman Miller asked for consensus to set a public hearing on September 8, 2009, on the proposed changes to Title 10, Chapter 8, Agricultural Zone (A-1). Consensus was reached.

E. Discretionary Business

Randy Daily reported that Commissioner Gailey has asked to step down in order to serve an LDS mission and that this may be his last meeting.

Commissioner Searle stated that it was discussed earlier that not many people attend public hearings. He was wondering if there was a better way to get the information to the public by

using the city newsletter. Mr. Daily replied that the newsletter publishes known public hearings when it is printed, but not all public hearings are set in time to make the publishing deadline.

F. Adjournment

There being no further business to come before the Planning Commission, Commissioner Gailey moved to adjourn the meeting. Commissioner Ellis seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:22 pm.

Approved: September 15, 2009

Attest:

Allen Miller, Chairman

Marilyn Banasky, City Recorder