



**RIVERDALE CITY PLANNING COMMISSION AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – AUGUST 27, 2024**

6:00 p.m. – Planning Commission Work Session Meeting (Conference Room)

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

1. Community Development update on new or upcoming businesses and projects.
2. Update on recent City Council actions.
 - Ken Garff Site Plan
 - Kent Hill/Peacock Ridge
 - Pending Ordinances

D. Consent Items

1. [Consideration of Meeting Minutes from:](#)
 - August 13, 2024 Work Session
 - August 13, 2024 Regular Meeting

E. Action Items

1. Motion to un-table extension request for Goldcrest Homes LLC.
2. Consideration of Coleman Vu Estates Subdivision Plat Approval Extension request for a six-month period to February 15, 2025, Coleman Vu Estates PRUD Subdivision located at approximately 5368 S. 1050 W, Riverdale UT, as requested by Goldcrest Homes LLC.
3. [a\) Public hearing regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.](#)

[b\) Consideration to forward a recommendation to City Council for proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.](#)

Items presented by: Brandon Cooper, Community Development

F. Comments

1. Planning Commission
2. City Staff

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 on this 23rd day of August, 2024 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdalecity.com/> and 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

Michelle Marigoni
Riverdale City Recorder

Minutes of the **Work Session** of the Riverdale City **Planning Commission** held Tuesday August 13, 2024, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr, Riverdale City, Weber County, Utah.

Present: Commissioners: Kent Anderson, Chair
Amy Ann Spiers, Vice Chair
Rikard Hermann, Commissioner
Wanda Ney, Commissioner
Celeste Noland, Commissioner
Randy Poulsen, Commissioner
Colleen Henstra, Commissioner

City Employees: Brandon Cooper, Community Development Director
Michelle Marigoni, City Recorder

Excused:

Visitors:

A. Welcome & Roll Call

The Planning Commission Work Session began at 6:00 p.m. Chair Anderson welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present. Members of the city staff were also present.

B. Public Comment

C. Presentations and Reports

Community Development update on new or upcoming businesses and projects.

- Panera was approved and is working on getting a building permit. The RDA funding has been approved.
- Tesla opening in August.
- Chucky Cheese opening in September.
- Ichiban Sushi has opened and will have a grand opening August 28th.
- America First has been moving along.
- RDA work is going on behind the scenes for the West Bench.
- The AFCU roundabout will hopefully be done by the end of October.

D. Consent Items

1. Consideration of Meeting Minutes from:

July 23, 2024 Work Session
July 23, 2024 Regular Meeting

Chair Anderson asked if there were any changes or corrections to the minutes. There were none.

E. Action Items

1. Consideration of Ken Garff Parking Lot Site Plan approval extension request for a six-month period to February 1, 2025, for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Items 1-3 are all related, as they are all parts of the Ken Garff Property. The first item is a plat extension, not a site plan. Input is required from the Planning Commission regarding the number of parking spaces. The current number is 150.

2. Consideration of a Conditional Use Permit request for Ken Garff parking lot located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

3. **Consideration of forwarding a recommendation to City Council for Final Site Plan for Ken Garff parking lot improvements for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.**
4. **Consideration of Coleman Vu Estates Subdivision Plat Approval Extension request for a six-month period to February 15, 2025, Coleman Vu Estates PRUD Subdivision located at approximately 5368 S. 1050 W, Riverdale UT, as requested by Goldcrest Homes LLC.**

This is another extension request with no amendments, Goldcrest has run into delays. They are developing in phases; the extension would be for all three phases. They may need a second extension for phase 3. There was discussion about the amenities being required in phase 1.

5. **a) Discussion regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.**
b) Consideration to set a public hearing regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendment.
6. **Consideration to approve proposed amendments to Planning Commission Bylaws and Rules of Ethical Conduct.**

F. Comments

G. Adjournment

As there was no further business to discuss, the Planning Commission Work Session adjourned at 6:30 p.m.

Date Approved:

Minutes of the **Regular Session** of the Riverdale City **Planning Commission** held Tuesday, August 13, 2024, at 6:30 p.m., at the Civic Center, 4600 S Weber River Drive., Riverdale City, Weber County, Utah.

Present:

Commissioners:	Kent Anderson, Chair Amy Ann Spiers, Vice Chair Rikard Hermann, Commissioner Wanda Ney, Commissioner Celeste Noland, Commissioner Randy Poulsen, Commissioner Colleen Henstra, Commissioner
City Employees:	Brandon Cooper, Community Development Director Michelle Marigoni, City Recorder
Excused:	
Visitors:	Logan Johnson Thatiam Falls

A. Welcome & Roll Call

The Planning Commission Meeting began at 6:30 p.m. Chair Anderson welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present. Members of the city staff were also present.

B. Public Comment

Commissioner Anderson asked if any members of the public were present with comments. There were none.

C. Presentations and Reports

Community Development update on new or upcoming businesses and projects.

- Panera was approved and is working on getting a building permit. The RDA funding has been approved.
- Tesla opening in August.
- Chucky Cheese opening in September.
- Ichiban Sushi has opened and will have a grand opening on August 28th.
- America First has been moving along.
- RDA work is going on behind the scenes for West Bench.
- The AFCU roundabout will hopefully be done by the end of October.

D. Consent Items

1. Consideration of Meeting Minutes from:
July 23, 2024 Work Session
July 23, 2024 Regular Meeting

Chair Anderson asked if there were any changes or corrections to the minutes. Commissioner Noland moved to approve the consent items. Commissioner Spiers seconded the motion, and all were in favor.

E. Action Items

1. **Consideration of Ken Garff Parking Lot Site Plan approval extension request for a six-month period to February 1, 2025, for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.**

Mr. Cooper presented information for items 1, 2 and 3, all regarding the Ken Garff Parking Lot, and clarified that the extension is for a plat approval extension (there was an error on the agenda wording). The developer has had complications with adjacent landowners on a land swap and coordinating finances with the site plan approval. The site must be developed to accommodate the apartments.

Logan Johnson with Wright Development answered questions for commissioners. Commissioner Poulsen asked if the developers were confident that all parties would be able to meet the new deadline. Mr. Johnson felt more confident today than a year ago.

Motion: Commissioner Noland moved to approve the Ken Garff Parking Lot Plat approval extension request for a six-month period to February 1, 2025, for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Second: Commissioner Henstra

Vote:

Commissioner Spiers:	Yes
Commissioner Ney:	Yes
Commissioner Hermann:	Yes
Commissioner Henstra:	Yes
Commissioner Noland:	Yes
Commissioner Anderson:	Yes
Commissioner Poulsen:	Yes

Motion passes unanimously.

2. Consideration of a Conditional Use Permit request for Ken Garff parking lot located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Mr. Cooper went over the conditional use permit approval considerations.

Motion: Commissioner Spiers moved to approve the Conditional Use Permit request for Ken Garff parking lot located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Second: Commissioner Poulsen

Commissioner Noland noted that commissioners felt the area would not increase the traffic adversely or have other detrimental effects on the residential area.

Vote:

Commissioner Noland:	Yes
Commissioner Anderson:	Yes
Commissioner Poulsen:	Yes
Commissioner Spiers:	Yes
Commissioner Ney:	Yes
Commissioner Hermann:	Yes
Commissioner Henstra:	Yes

Motion passes unanimously.

3. Consideration of forwarding a recommendation to City Council for Final Site Plan for Ken Garff parking lot improvements for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Mr. Cooper went over the site plan background, code, general plan compliance and land use plan compliance. Landscaping requirements have been met or exceeded and slats will be added to the fencing.

The purchase of water shares or transfer of water rights and the stormwater prevention plan are still pending, but the developers are aware and have a plan to submit these items. Commissioner Noland asked if the slats will go all the way around the property. Mr. Johnson confirmed that the lot would be obscured from the residents. Commissioner Noland asked about the traffic to and from the lot. Mr. Johnson said it is an excess storage lot for their main operation, so there should be minimal traffic.

Commissioner Ney asked if they were planning to have more cars than spaces. Mr. Johnson clarified that the lines will be painted and there will be no more than one car per slot. They are hoping to have it paved by October 15. Commissioners agreed it would be an improvement. Commissioner Poulsen asked about semi-truck and nighttime traffic, which Mr. Johnson believed would be over at their main property. Mr. Cooper noted that conditions could be added to the conditional use permit if necessary.

Commissioner Anderson asked about security fencing. The current application does not include any barbed-wire fencing, so Garff is looking into other security options, including lighting and possible security systems. Commissioner Noland inquired about the lights, which would be down-facing and should not affect the residents.

Motion: Commissioner Hermann moved to forward a positive recommendation for Final Site Plan for Ken Garff parking lot improvements for property located at 667 W 4400 S, Riverdale UT, as requested by Wright Development and Garff Properties Riverdale, LLC.

Second: Commissioner Henstra.

Vote:

Commissioner Hermann:	Yes
Commissioner Henstra:	Yes
Commissioner Noland:	Yes
Commissioner Spiers:	Yes
Commissioner Ney:	Yes
Commissioner Anderson:	Yes
Commissioner Poulsen:	Yes

Motion passes unanimously.

4. **Consideration of Coleman Vu Estates Subdivision Plat Approval Extension request for a six-month period to February 15, 2025, Coleman Vu Estates PRUD Subdivision located at approximately 5368 S. 1050 W, Riverdale UT, as requested by Goldcrest Homes LLC.**

Mr. Cooper presented slides and background on the subdivision plat approval by city council in August 2023. Delays have been experienced by the developers as well as dramatic increases to interest rates and construction materials. Contract and water negotiations with the city have taken a long time, contributing to the delay.

There was a question about the PRUD Overlay code, which states amenities must be built in the first phase. Mr. Cooper explained the development agreement addressed this, noting that bonding has been approved to guarantee the completion of the amenities in the third phase. Thatiam Falls with Goldcrest Homes gave a brief history of the agreement with Mike Eggett, former Community Development Director, to move the amenities to the third phase with a bonding guarantee. The bond amount and water shares have been in discussion with the city.

Commissioner Noland asked if the bond amount had been discussed. Mr. Cooper believed that the development agreement addressed this as total cost.

Commissioner Anderson asked if stipulations could be added to the extension approval. Mr. Cooper explained that there was nothing in code stating that a planning commission could do this and recommended tabling rather than trying to add conditions.

Mr. Falls agreed that two weeks should be long enough to address the bonding issue if the item was tabled until then. Commissioner Noland felt tabling would

Motion: Commissioner Noland moved to table Coleman Vu Estates Subdivision Plat Approval Extension request for a six-month period to February 15, 2025, Coleman Vu Estates PRUD Subdivision located at approximately 5368 S. 1050 W, Riverdale UT, as requested by Goldcrest Homes LLC. Until August 27th to ensure a bond is in place to ensure amenities are completed in phase 3.

Second: Commissioner Spiers

Vote:

Commissioner Poulsen:	Yes
Commissioner Hermann:	Yes
Commissioner Ney:	Yes
Commissioner Henstra:	Yes
Commissioner Noland:	Yes
Commissioner Spiers:	Yes
Commissioner Anderson:	Yes

Motion passes unanimously, item will be tabled until August 27, 2024.

5. **a) Discussion regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.**

Mr. Cooper said changes to the site plan process in the Planning Commission bylaws were proposed during the last meeting. Changing the bylaws had effects on the code, which spurred the proposed Title 10 changes.

Commissioner Hermann had no concerns, as the item was discussed at length during the last meeting.

b) Consideration to set a public hearing regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendment

Motion: Commissioner Hermann moved to set a public hearing for August 27th, 2024 for the revisions to the code.
Second: Commissioner Noland.

Vote:

Commissioner Spiers:	Yes
Commissioner Ney:	Yes
Commissioner Hermann:	Yes
Commissioner Henstra:	Yes
Commissioner Noland:	Yes
Commissioner Anderson:	Yes
Commissioner Poulsen:	Yes

Motion passes unanimously. A public hearing will be scheduled for August 27th, 2024.

6. Consideration to approve proposed amendments to Planning Commission Bylaws and Rules of Ethical Conduct.

This action is related to the previous item, but this motion would be to formally amend the bylaws.

Motion: Commissioner Noland moved to approve proposed amendments to Planning Commission Bylaws and Rules of Ethical Conduct, as it was discussed at length.

Second: Commissioner Poulsen

Commissioner Anderson questioned whether the streamlined process is working well for everyone and whether sufficient information is provided to make informed decisions. Commissioners generally agreed that, with the site plan having been thoroughly vetted and that recommendations were made before the final approval, they felt confident that the necessary details were addressed, simplifying the decision-making process. The Ken Garf project was cited as an example where all requirements were met, and concerns, such as the number of parking spaces, were appropriately addressed.

Vote:

Commissioner Ney:	Yes
Commissioner Spiers:	Yes
Commissioner Hermann:	Yes
Commissioner Poulsen:	Yes
Commissioner Anderson:	Yes
Commissioner Henstra:	Yes
Commissioner Noland:	Yes

Motion passes unanimously.

F. Comments

Commissioners expressed appreciation for the transparency and honesty shown by city staff, important qualities in decision-making. There was a recognition of the challenges posed by the lack of historical context in some decisions, with acknowledgment of the value of patience and collaboration. The conversation also covered the need for better communication regarding development agreements and site plan approvals, with suggestions to streamline access to information.

Mr. Cooper spoke about the potential implementation of temporary ordinances to regulate short-term rentals and rehabilitation centers. Ongoing and upcoming development projects were also discussed, with an interest in involving citizens in planning processes for future community developments.

G. Adjournment

As there was no further business to discuss, Commissioner Spiers moved to adjourn. This was seconded by Commissioner Noland All were in favor and the Planning Commission meeting adjourned 8:03 p.m.

Date Approved:

DRAFT

RIVERDALE CITY
PLANNING COMMISSION AGENDA
August 27, 2024

AGENDA ITEM: E3

SUBJECT: a) Public hearing regarding proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.

b) Consideration to forward a recommendation to City Council for proposed amendments to Title 10, Chapter 25: Development in All Zones and various other Title 10 chapters affected by such amendments.

PRESENTER: Brandon Cooper, Community Development

INFORMATION:

- a. [Public Hearing Notice 8/14/2024](#)
- b. [Chapter 25 Proposed Amendments](#)
- c. [Chapter 1: General Plan Compliance Proposed Amendments](#)
- d. [Chapter 10: Commercial Zones Proposed Amendments](#)
- e. [Chapter 11: Manufacturing Zone Proposed Amendments](#)
- f. [Chapter 13: OP Zone Proposed Amendments](#)
- g. [Chapter 13H-8: MFROZ Proposed Amendments](#)

[BACK TO AGENDA](#)



**RIVERDALE CITY
PLANNING COMMISSION
PUBLIC HEARING NOTICE**

Riverdale City gives notice that on Tuesday, August 27, 2024, at 6:30 p.m., at the Riverdale City Civic Center, 4600 South Weber River Drive, Riverdale, Utah, the Planning Commission will hold a public hearing to receive and consider public comments regarding the following:

Proposed amended updates to Title 10, Chapters 25: Development in All Zones, 1: General Plan Compliance, 10A: Commercial Zones, 11A: Manufacturing Zone, 13C: Office Park Zone, and 13H: MFROZ, as found in the Riverdale City Code.

The public is invited to review and inspect all information available concerning such proposal(s) at the Riverdale City Offices during the regular office hours, 8:00 a.m. to 5:00 p.m. Monday through Friday. The public or any interested parties may present written or oral testimony to the Riverdale City Planning Commission concerning the proposed action at the aforementioned time and place.

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 14th day of August, 2024 at the following locations: 1) Riverdale City Hall Noticing Board 2) Riverdale City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

Michelle Marigoni
Riverdale City Recorder

CHAPTER 25 DEVELOPMENT IN ALL ZONES

SECTION:

10-25-1: General Provisions

10-25-2: Definitions

10-25-3: Scope Of Chapter

10-25-4: ~~Preapplication Sketch Plan~~ [Site Plan Review](#)

10-25-5: Preliminary Plan Required

10-25-6: Design Standards

10-25-7: Improvements

10-25-1: GENERAL PROVISIONS:

A. Purpose And Intent: The underlying purpose and intent of this chapter is to promote the health, safety, convenience and general welfare of the inhabitants of the city in the matter of all proposed land developments, to encourage the healthful growth of the city and related matters affected by such developments.

B. Public Interest: Any proposed development and its use shall be in the best interests of the public and shall be in harmony with the surrounding area and the developer shall present evidence to this effect when requested to do so by the planning commission.

C. Appeal For Variance: In cases where the planning commission denies approval because unusual topographic or other exceptional conditions exist, an appeal for a variance may be made to the board of adjustment. An appeal may allege that there was an error in an order, requirement, decision or determination made by the land use authority in the administration or interpretation of any land use ordinance. (Ord. 701, 5-6-2008)

10-25-2: DEFINITIONS:

The following words and phrases used in this chapter shall have the respective meanings hereinafter set forth, unless a different meaning clearly appears from the context:

CITY: City of Riverdale, Utah.

CITY COUNCIL: The city council of the city of Riverdale, Utah.

CITY ENGINEER: The city engineer of the city of Riverdale, Utah, acting in the capacity of providing reviews only for conformance of submitted plans with this and other sections of the city's ordinances.

COMMERCIAL DEVELOPMENT: Area for location of various types of commercial activity, that is, commerce or trade as listed in chapter 10, article A of this title, which are compatible and complementary to surrounding land uses.

COUNTY: Weber County, Utah.

CUL-DE-SAC: A minor dead end street provided with a turnaround.

FINAL ACCEPTANCE BY THE CITY: Approval of the site plan by the city council.

MANUFACTURING DEVELOPMENT: Area that will accommodate the need for making goods or wares by manual labor or by machinery on a large scale as listed in chapter 11, article A of this title, and uses where the environmental impact upon the community may be substantial and where development standards will be implemented to preserve the general welfare of the community.

MASTER STREET PLAN: A plan, labeled "master street plan of the city of Riverdale" including maps or reports or both, which has been approved by the city council as required by law or such plan as it may be amended from time to time and so certified to the city council.

OFFICIAL MAP: Any map adopted by the city council under provisions of Utah Code Annotated section 10-9a-407.

PARTITION OR DIVISION OF AGRICULTURAL LAND: A bona fide "partition or division of agricultural land" for agricultural purposes shall mean the division of a parcel of land into three (3) or more lots or parcels, none of which lots or parcels are smaller than five (5) acres in area; and provided, that no dedication of any street or road is required to serve any such lots or parcels of agricultural land for the purpose of building development.

PERSON: Any individual, corporation, partnership, firm or association of individuals however styled or designated.

PLANNING COMMISSION: The city planning commission of Riverdale, Utah.

RESIDENTIAL DEVELOPMENT: Area that will accommodate the need for various dwelling groups such as single-family, planned residential unit development and apartments that are situated in areas that will not be adversely impacted by other unrelated uses.

STREET: A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority or a thoroughfare not less than twenty six feet (26') wide which has been made public by right of use and which affords the principal access to abutting property.

STREET, COLLECTOR: A street, existing or proposed, which serves or is intended to serve as the principal trafficway between large and separated areas or districts and which is the main access to the major street system.

STREET, MAJOR: A street, existing or proposed, which serves or is intended to serve as a major trafficway and is designated on the master street plan as a controlled access

highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET, MINOR: A street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

ZONING ORDINANCE: The uniform zoning ordinance, which is this title. (Ord. 701, 5-6-2008)

10-25-3: SCOPE OF CHAPTER:

Tracts of land which are located in the city and which are intended for any proposed land use shall be developed in compliance with this chapter. No person shall offer for recording in the office of the county recorder any deed conveying any land development, or any interest therein, unless such development has been created pursuant to and in accordance with the provisions of this chapter. (Ord. 701, 5-6-2008)

10-25-4: ~~PREAPPLICATION SKETCH PLAN~~SITE PLAN REVIEW:

A. ~~Required~~Purpose: This section sets forth procedures for considering and approving a site plan. Such procedures are intended to provide for orderly, harmonious, safe and functionally efficient development consistent with the priorities, values, and guidelines found in various elements of the Riverdale City General Plan and this title. ~~Each person who proposes to develop land for any use within the city shall confer with the community development director before preparing any plats, charts or plans in order to become familiar with the city development requirements and existing master plans for the territory in which the proposed development lies and to discuss the proposed plan of development of the tract.~~

B. Authority: The planning commission is authorized to review and make a recommendation to the city council for final approval. The City Council is authorized to give final approval for all site plans.

C. Initiation~~Information Form~~: A property owner may request approval of a site plan as provided in this section. An agent of a property owner shall provide an affidavit of authorization. ~~A development information form to be supplied to the developer by the community development director shall be filled out and submitted to the planning commission prior to submission of the preliminary plat. (Ord. 701, 5-6-2008)~~

1. A site plan shall be required for any of the following uses unless expressly exempted from such requirement by another provision of this title:

a. Any multi-family residential development

b. Any single-family subdivision development

c. Any public or civic use

d. Any commercial development

e. Any industrial development

2. When a site plan approval is required, no building permit for the construction of any building, structure, or other improvement to the site shall be issued prior to approval of the required plan. No clearing, grubbing, grading, drainage work, parking lot construction or other site improvement shall be undertaken prior to site plan approval.

D. Procedure: An application for site plan approval shall be considered and processed as provided in this subsection:

1. A complete application shall be submitted to the community development director in a form established by the Director along with any fee established by the City's schedule of fees.

2. Pre-submittal Meeting: Before submitting a conceptual site plan or filing an application for approval of a site plan, the applicant is encouraged to confer with the Community Development Director regarding the general proposal. Such action does not require formal application fees, or filing of a site plan and is not to be construed as an application for formal approval. No representation made by the Community Development Director, the other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.

3. A conceptual site plan shall be drawn to scale and shall show a realistic layout reflecting how property reasonably could be developed considering existing and envisioned conditions on the subject property and adjoining property, and the development standards of the zone in which the property is located.

a. A conceptual site plan application shall include at least the following information:

1) The name, address and telephone number of the applicant and the applicant's agent, if any;

2) Legal description of the property

3) Lot or parcel dimensions, square footage, and orientation;

4) Location, topography, and layout of proposed lots;

5) Location, height, and setbacks of existing and proposed buildings on the subject property and immediately adjoining property.

6) Proposed use of the buildings and site;

- 7) Location and height of existing and proposed walls and fences;
- 8) Height, shape and preliminary elevations of proposed buildings;
- 9) Location, arrangement and layout of landscaping and open space;
- 10) Location, name and width of existing and proposed streets and sidewalks;
- 11) Traffic and pedestrian circulation patterns, including proposed access to the property;
- 12) Location, number, access points, and design of carports, garages and other off-street parking spaces and loading areas;
- 13) Location, number, type and size of signs;
- 14) Preliminary utility plans, including water, sewer or septic tank, and storm drainage plans, including availability of utilities;
- 15) Proposed reservations for parks, playgrounds, school, and other public facility sites, if any;
- 16) Relationship of the property to adjoining properties and uses;
- 17) Tables showing the number of acres in the proposed development and a land use summary; and
- 18) A development schedule indicating the approximate date when construction or its stages can be expected to begin and be completed.

b. A conceptual site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Approval of a conceptual site plan authorizes the applicant to prepare a preliminary site plan. Submittal, review, and approval of an application for a conceptual site plan shall not create any vested rights to development.

3. A site plan application shall include at least the following information:

- a. The names, address and telephone number of the applicant and the applicant's agent, if any;
- b. The uses for which site plan approval is requested;

c. A set of development plans showing the information required in subsections (D) to (H) of this subsection. The information required by each subsection shall be shown on separate sheets. Plans shall be drawn at a scale no smaller than one (1) inch equals one hundred (100) feet on twenty-four (24) by thirty- six (36) inch sheets. Except for the landscaping plan, the plans shall be prepared, stamped and signed by a professional engineer licensed by the state of Utah. One (1) set of plans, fit on a twenty-four (24) by thirty- six (36) inch paper, shall be provided.

d. Site plan showing the following:

- 1) All infrastructure and development facilities related to the project located within two hundred fifty (250) feet of the site boundary;
- 2) Layout, dimensions, and names of existing and future road rights-of-way;
- 3) Project name, North arrow, and tie to a section monument;
- 4) The boundary lines of the project site with bearings and distances
- 5) Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas;
- 6) Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment;
- 7) Location of man-made features including irrigation facilities, bridges, railroad tracks, and buildings;
- 8) A tabulation table, showing total gross acreage, square footage of street rights of way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density; and
- 9) Identification of property, if any, not proposed for development.

e. Grading and drainage plan showing the following:

- 1) North arrow and scale
- 2) Topography contours at two (2) foot intervals
- 3) Areas of substantial earth moving with an erosion control plan;
- 4) Location of existing water courses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water;
- 5) Location of any designated flood plain and/or wetland boundaries;
- 6) Direction of storm water flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities, and off- site drainage facilities when necessary based on adopted County requirement.
- 7) Drainage and runoff calculations

f. Utility plan showing the following:

- 1) North arrow and scale
- 2) All existing and proposed utilities including, but not limited to, sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and street lights;
- 3) Minimum fire flow required by the building code for the proposed structures, and fire flow calculations at all hydrant locations;
- 4) Location and dimensions of all utility easements; and
- 5) A letter from sewer and water providers, addressing the feasibility and their requirements to serve the project.

g. Building elevations for all buildings showing the following:

- 1) Accurate front, rear, and side elevations drawn to scale;
- 2) Exterior surfacing materials and colors, including roofing material and color;
- 3) Outdoor lighting, furnishings and architectural accents; and
- 4) Location and dimensions of signs proposed to be attached to the building or structure.

h. Soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the City prior to final approval of a development project.

i. Any necessary agreements with adjacent property owners regarding storm drainage or other pertinent matters.

j. Evidence of compliance with applicable federal, state, and local laws and regulations, if requested by the Community Development Director.

k. A traffic impact analysis, if requested by the City Engineer or the Planning Commission.

l. Warranty deed and preliminary title report or other document showing the applicant has control of the property.

m. Parcel map(s) from the County Recorder's office showing the subject property and all property located within four hundred (400) feet thereof.

4. After the application is determined to be complete, the Community Development Director shall schedule a public meeting before the Planning Commission.

5. A staff report evaluating the application shall be prepared by the Community Development Director.

6. The Planning Commission shall give notice of a public meeting and after due consideration shall make a favorable recommendation for approval, make a favorable recommendation for approval with conditions, or deny the application pursuant to the conforming of the site plan to approval standards.

7. After the Planning Commission makes a decision, the Community Development Director shall give the applicant written notice of the decision. The Director shall then forward the recommendation from the planning commission to the city council for final

approval. Prior to the issuance of any building permit, the applicant shall provide the City a copy of the approved site plan which includes any required corrections or revisions. Once in final, approval form, a site plan shall be marked "Approved" by the City and shall be used as the basis for inspecting development and construction on the property subject to the site plan.

8. A record of all site plan approvals shall be maintained in the office of the Community Development Department.

F. Standards for Approval. The following standards shall apply to the approval of a site plan.

1. A final site plan shall conform to its associated conceptual site plan.

The entire site shall be developed at one time unless a final phased development plan is approved by the city council. A phased development plan shall show:

- a. The planned development of the entire site; and
- b. The timing, schedule, and sequencing of improvements to be completed with each phase, particularly amenities, open space, and public improvements.

3. A site plan shall conform to applicable standards set forth in this title and other applicable provisions of the Riverdale City ordinances. Conditions may be imposed as necessary to achieve compliance with applicable code requirements.

4. In order to ensure that the development will be constructed to completion in an acceptable manner, the applicant may be required to enter into an agreement with the city and provide a satisfactory bond or letter of credit for a public improvement assurance, as otherwise required in the title. The agreement and bond or letter of credit shall assure timely construction and installation of improvements required by an approved site plan.

~~10-25-5: PRELIMINARY PLAN REQUIRED:~~

~~—A. Submission: Each person who proposes to develop land in the city shall prepare a preliminary plan of such development and shall submit eight (8) prints thereof to the planning commission and show compliance with the requirements of the site plan standards checklist which shall be obtained from the community development director. Preliminary plans must be received by the community development director seven (7) days prior to the scheduled planning commission meeting in order to allow sufficient review time.~~

~~—B. Planning Commission Action: The planning commission may approve or reject the preliminary plan, or grant approval on conditions stated. Approval of the preliminary plan~~

~~by the planning commission shall not constitute final acceptance of the development by the planning commission. One copy of the approved preliminary plan, signed by the chairman of the planning commission, shall be retained in the office of the planning commission. One signed copy shall be given to the developer. Receipt of this signed copy shall be authorization for the developer to proceed with the preparation of plans and specifications and with the preparation of the final plan. Prior to the construction of any improvements or the submission of any bond, the developer shall furnish to the city engineer all plans, information and data necessary for review of said improvements for conformance with this chapter. These plans shall be reviewed by the city engineer and shall be accepted if he determines them to be in accordance with the requirements of this chapter. No construction of buildings or additions shall begin until after a favorable recommendation of the final plan by the planning commission and approval by the city council. Amendments to the site plan shall be favorably recommended by the planning commission and approved by the city council.~~

~~—C. Time Limit Of Preliminary Site Plan Approval: Approval of the preliminary site plan by the planning commission shall be valid for a maximum period of one year, unless, upon application of the developer, the planning commission grants an extension. After compliance with the requirements of the planning commission, city engineer, fire marshal, police chief, public works director and community development director, a final site plan shall be prepared and submitted to the planning commission for recommendation to the city council for final approval. The final site plan shall be in conformance with city ordinances and design standards and if applicable, a development agreement.~~

~~—D.~~ G. Expiration Of Final Site Plan Approval; Extension Of Final Site Plan Approval:

1. Failure to obtain a building permit within one year of the final site plan approval by the city council, of any site plan, shall terminate and cancel the prior site plan approval given, and any vested rights thereunder will be lost, whereupon the planning commission may require that a new site plan be submitted and approval obtained pursuant to this section. Once the application has expired, in order to reintroduce the proposed site plan development, the owner or developer must submit a new application with all applicable fees.

2. A written request may be submitted to the planning commission prior to expiration of the final site plan approval for an extension of up to six (6) months. The planning commission can grant such an extension where good cause can be shown. (Ord. 881, 7-20-2016)

10-25-6: DESIGN STANDARDS:

A. Street Arrangement: The arrangement of streets in new developments shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not developed) insofar as such may be deemed

necessary by the planning commission for public requirements. The street arrangement shall be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

B. Minor Streets: Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°).

C. Major And Collector Streets: Major and collector streets shall conform to the width designated on the master street plan wherever a development falls in an area for which a master street plan has been adopted. For territory where such street plan has not been completed at the time the development preliminary plan is submitted to the planning commission, major or collector streets shall be provided as required by the planning commission with minimum widths of one hundred feet (100') for major streets and sixty six feet (66') for collector streets.

D. Minor Residential Streets: Minor residential streets shall have a minimum width of sixty feet (60'), except that cul-de-sacs (dead end streets) or loop streets serving not more than ten (10) lots may have a minimum width of fifty feet (50').

E. Alleys: Alleys shall have a minimum width of twenty feet (20'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the planning commission.

F. Cul-De-Sacs: Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac must be terminated by a turnaround not less than one hundred feet (100') in diameter. If surface water drainage is into the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided.

G. Easements: Easements for drainage through the property may be required by the city engineer, and easements of not less than ten feet (10') in width shall be provided where required for utilities or other purposes.

H. Service Roads: Service roads paralleling major streets shall be required unless the planning commission approved double frontage lots which may back onto major highways or collector streets as designated on the master street plan. Where lots back onto a major highway or collector street, a buffer planting strip of trees or shrubs shall be provided in a width of a minimum of ten feet (10').

I. Blocks: Blocks between streets shall not exceed one thousand six hundred feet (1,600') in length. A dedicated walkway through the block may be required where access is necessary to a point designated by the planning commission. Such walkway shall be a minimum of four feet (4') in width, but may be required to be wider where determined necessary by the planning commission. The developer shall surface the full width of the walkway with a concrete surface. (Ord. 701, 5-6-2008)

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.

C. Standards: Standards for design, construction, specifications and inspection of street improvements, curbs and gutters, sidewalks and drainage facilities shall be prepared by the city engineer, standards of design and procedure by the planning commission, standards for water distribution and sewage disposal facilities by the state board of health and city

engineer, and similar standards for fire hydrants by the city engineer and fire department. Such standards and rules and regulations, and any amendments thereto, before becoming effective, shall be adopted or amended by the city council as a part of this chapter after recommendation by the planning commission and shall be available to the public.

D. Streets On Property Of Other Public Agencies Or Utility Companies: Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company by the developer and entered on the final site plan in a form approved by the city attorney.

E. Street Improvements: All streets shall be constructed by the developer in accordance with the standards and rules and regulations of the city.

F. Curbs, Gutters And Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the developer in all developments.

G. Water Supply: A culinary water supply must be approved by the public works director and the city engineer. The developer shall install water mains and service lines or laterals from such mains to each structure within the development prior to the installation of road base, surfacing, curbs, gutters and sidewalks.

H. Fire Hydrants: Fire hydrants shall be installed by the developer at locations determined by the city engineer and fire department in all developments in accordance with the standards, rules and regulations of the city.

I. Sewage Disposal: Whether by individual disposal system or by public disposal facilities, sewage disposal shall be provided and reviewed by the city engineer and approved by the public works director and sewer district. The developer shall connect with such sanitary sewer and provide sewer mains and extend laterals from the main sewer line to each building prior to the installation of the road base, surfacing, curbs, gutters and sidewalks.

J. Surface Water: The developer shall provide adequate methods of conveyance and disposal of stormwater and surface water at his expense, the plans for which shall be prepared by a licensed engineer not in the employ of the city and which shall be approved by the planning commission after recommendation by the city engineer. If easements are required across abutting property to permit drainage of the development, it shall be the responsibility of the developer to acquire such easements.

K. Ditches And Canals: Open ditches or canals shall not be allowed in or adjoining a development. It shall be a developer's responsibility to work with the irrigation, drainage or ditch companies and arrange for the covering, realigning or elimination of open ditches or canals. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be reviewed by the city engineer for conformance with the city utility standards and accepted by the affected canal company as adequate as to capacity.

L. Fences: The developer shall install a fence in conformance with all applicable standards, rules and regulations of the city, along all nonaccess streets, open reservoirs, bodies of water or railroad rights of way. (Ord. 701, 5-6-2008; amd. Ord. 815, 9-25-2012; Ord. 854, 5-6-2014; Ord. 871, 9-1-2015; Ord. 926, 10-20-2020)

10-1-3: GENERAL PLAN COMPLIANCE:

A. Required: No application for new development shall be allowed or permitted until a ~~conceptual~~-site plan for such development shall have been prepared by the petitioner and reviewed and approved by the planning commission which addresses in detail how the proposed development meets and/or satisfies the development guidelines of the city's general plan, including narrative sections and the land use planning map, and any RDA project area plan development requirements, if applicable. ~~Any such conceptual plan may be submitted concurrently with a preliminary site plan at the discretion of the petitioner.~~

B. Petition For Amendment: In the event the petitioner for a development and/or subdivision cannot meet and/or satisfy the guidelines of the city's general plan and/or the requirements of an RDA project area plan, the party presenting the ~~conceptual~~-site plan may petition the planning commission for its determination to recommend an amendment to such plan(s). Should the planning commission determine that an amendment to such plan(s) is warranted, the statutory requirements for pursuing such an amendment shall be followed by the planning commission, city council and/or RDA board of directors.

C. Consideration For Amendments: Amendments to the general plan and/or the requirements of an RDA project area plan, pursuant to this section, may be considered upon a showing of undue hardship and/or adverse extenuating circumstances.

D. Land Use Master Plan Map: The land use master plan map should appropriately reflect use types that exist or have been amended through the public process in this section. (Ord. 793, 10-4-2011)

CHAPTER 10 COMMERCIAL ZONES

ARTICLE A. COMMERCIAL ZONES (C-1, C-2, C-3)

10-10A-5: SITE PLAN APPROVAL REQUIRED:

~~In considering any site plan as regulated by this title for permitted or conditional uses specified in this chapter, the planning commission shall endeavor to ensure, among other things, the safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods. In any commercial zone, the location of main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height and bulk of buildings, the provision of off street parking space, the provision of driveways for ingress and egress, and provision of other open space on the site, and the display of signs, shall be in accordance with a site plan or plans or subsequent amendment thereof, approved in any case by the planning commission prior to issuance of a building or land use permit. A site plan may also include provisions for landscaping, fences and walls designed to further the purposes of the regulations for commercial zones, and such features shall be provided and maintained as a condition of the establishment and maintenance of any use to which they are appurtenant.~~ [Site plan review and approval for permitted uses in this chapter are regulated by chapter 25 of this title.](#) Conditional uses are regulated by chapter 19 of this title. (Ord. 803, 4-4-2012)

CHAPTER 11 MANUFACTURING ZONES

ARTICLE A. MANUFACTURING ZONES (M-1, M-2)

10-11A-4: SITE PLAN APPROVAL REQUIRED:

~~In considering any site plan as regulated by this title for permitted or conditional uses specified in this article, the planning commission shall endeavor to ensure, among other things, the safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods. In any manufacturing zone, the location of main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height and bulk of buildings, the provision of off street parking space, the provision of driveways for ingress and egress, and the provision of other open space on the site, and the display of signs, shall be in accordance with a site plan or plans or subsequent amendment thereof, approved in any case by the planning commission prior to issuance of a building or land use permit. A site plan may also include provisions for landscaping, fences and walls designed to further the purposes of the regulations for manufacturing zones and such features shall be provided and maintained as a condition of the establishment and maintenance of any use to which they are appurtenant.~~ [Site plan review and approval for permitted uses in this chapter are regulated by chapter 25 of this title.](#) Conditional uses are regulated by chapter 19 of this title. (Ord. 658, 4-18-2006)

10-13C-29: SITE PLAN; DEVELOPMENT APPROVAL PROCEDURES:

A. Site plan review and approval for permitted uses in this chapter are regulated by chapter 25 of this title. ~~Application Presentations: Site plan or zoning applications shall be presented in the following order with no two (2) presentations receiving approval on or at the same planning commission meeting:~~

~~—1. Conceptual Approval:~~

~~—a. A black and white master site plan is required. Said black and white master site plan shall include a layout of the entire development, building footprints, and black and white sketch drawings of landscape and hardscape.~~

~~—b. The conceptual master site plan shall be submitted to the planning commission outlining the concept of the overall development. The planning commission shall forward the conceptual master site plan with recommendations to the city council for its consideration.~~

~~—2. Preliminary Approval: This process is required for each phase of the development. A colorized preliminary phase overlay site plan shall be required and shall include the following:~~

~~—a. A complete and accurate legal description of the real property which is the subject of the development. If the developer is not the property owner, he shall also provide written proof that he has sufficient legal claim to the property, each parcel therein, to proceed with development plans. Such proof may be in the form of options, deeds or contracts on which the developer shall be entitled to black out confidential information such as the amount of consideration paid or periodic payment amounts.~~

~~—b. Phased overlay property must be held in single ownership or control during development to provide for full supervision and control of said development, and to ensure conformance with these provisions and all conditions imposed upon the preliminary and final development plans. Proof of individual ownership, partnerships, corporations and development agreements approved by the city, shall satisfy these requirements.~~

~~—c. A preliminary subdivision plat, if the site is being divided, or a record of survey plat for condominium ownership. The size of each lot shall be noted on the subdivision plat.~~

~~—d. A preliminary utility plan showing the manner in which adequate sewage disposal and water are to be provided to the site, including the point from which said services are to be extended.~~

~~—e. A preliminary grading and drainage plan, including drainage detention basins.~~

~~—f. A preliminary landscaping plan showing typical landscaping (including type, size, number and location of plant materials) for the following areas: entrances to the~~

development, perimeter buffers, open space easement and common areas, and streetscape landscaping.

—g. Parks, common open spaces and other public or private recreation facilities and improvements proposed within the development.

—h. Proposed circulation pattern including private driveways, public and private streets and pedestrian paths.

—i. A draft declaration of covenants, conditions and restrictions.

—j. Topographic maps of the entire site, including contour intervals no greater than two feet (2').

—k. A traffic circulation study for both internal and external traffic flow associated with the phase overlay plan.

—l. A market study establishing demand in terms of floor space requirements and number of employees.

—m. Any other special study deemed necessary by the planning commission to enable them to assess the merits of the request and its impacts on the community.

—n. If applicable, a phasing plan including a construction timetable for all phases.

—o. Failure to submit phase overlay plans within two (2) years of the approval of the master conceptual plan shall be sufficient cause for the planning commission to initiate a review of the phase overlay plan, at the discretion of the planning commission, to consider action to reverse or modify prior approvals.

—p. The planning commission may hold a public hearing on the proposed preliminary plan.

—q. All preliminary approved plans shall run with the land. A new owner of the lot may apply to the planning commission for plan revision. However, revision application must establish to the satisfaction of the planning commission that the revision furthers the goals and objectives of the OP zone ordinance. (1985 Code § 19-35-28)

—r. Proposed parking lot design showing regular and handicapped parking stall dimensions, stall to building square foot ratio and parking lot screening.

—s. Location, size, height and type of all signage. (1985 Code § 19-35-28; amd. 2001 Code)

—3. Final Approval: Final phase overlay site plan approval shall be required, and shall reflect all items approved at the preliminary plan stage and shall be approved by the planning commission and city council before any plats are recorded or building permits are issued.

~~—B. Hearing Procedure: Any person may appear in person, by agent or attorney, at any meeting of the planning commission. The order of procedure in the hearing of each application shall be as follows:~~

~~—1. Presentation by the planning staff of the application, including recommendation. Presentation shall include the reading of pertinent written comments or reports concerning the application.~~

~~—2. Presentation by applicant or applicant's agent. Presentation time may be limited by the planning commission prior to or during applicant's presentation.~~

~~—3. Witnesses in favor of application.~~

~~—4. Witnesses against application.~~

~~—5. Rebuttals by invitation of the chair. (1985 Code § 19-35-28)~~

~~—C. Decisions; Findings: Decisions of the planning commission shall be final at the end of the meeting at which the matter was decided. The site plan then must be considered by the city council. Findings necessary to grant approval for the site plan are:~~

~~—1. The proposed use and development of land conforms to the provisions of this article and recommendations of the city planner, community development director and city engineer. (Ord. 854, 5-6-2014)~~

~~—2. The development is otherwise not detrimental to the public health, safety, general welfare, or to adjacent property, or to the orderly development of the city.~~

~~—3. Approval of a traffic impact analysis (TA) for the proposed development, to be completed by a competent transportation engineer at the developer's expense. Said TA shall, at a minimum, address the suitability of the proposed parking, street access, driveway, and on-site traffic circulation systems and the impact on the adjacent street system.~~

~~—4. Demonstration that adverse impacts on neighboring residential properties have been reasonably mitigated.~~

~~—5. Demonstration that adverse impacts on the environment have been reasonably mitigated. (1985 Code § 19-35-28)~~

10-13H-8: REVIEW AND ACTION PROCESS:

~~Following the review, discussion and acceptance of the conceptual plan for the development of a new MFROZ the petitioner shall prepare a preliminary site plan.~~

Following the approval of the ~~preliminary~~ final site plan with planning commission conditions and possible amendments the petitioner and city will create the development agreement followed by the planning commission setting a public hearing allowing for comments regarding the final site plan, development agreement and the assignment of the MFROZ to the property. The planning commission shall then make a recommendation to the city council regarding the amendment to the zoning map to the proposed MFROZ, the final site plan and the development agreement. The council shall then accept or reject the amendment to the zoning map and accept, modify or reject the final site plan and development agreement. (Ord. 797, 1-17-2012)