



Minutes of the **Regular Session** of the Riverdale City **Planning Commission** held Tuesday, March 25, 2025, at 6:00 p.m., at the Civic Center, 4600 S Weber River Drive., Riverdale City, Weber County, Utah.

Present: Commissioners: Kent Anderson, Chair
Celeste Noland, Vice Chair
Wanda Ney, Commissioner
Randy Poulsen, Commissioner
Colleen Henstra, Commissioner
Alan Bowthorpe, Commissioner

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

Excused: Rikard Hermann, Commissioner

Visitors:

A. Welcome & Roll Call

The Planning Commission Meeting began at 6:10 p.m. Chair Anderson welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present except for Commissioner Hermann, who was excused. Members of the city staff were also present.

B. Public Comment

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

C. Presentations and Reports

Mr. Cooper provided updates on upcoming projects and ongoing business developments:

- Mission BBQ is underway, Honey Baked Ham is looking for another location in Riverdale.
- WFRC awarded Riverdale \$200,000 for master planning.
- Trader Joe's is getting through permitting, it is anticipated to be complete in October.
- America First is almost done with the pile driving on the hillside. They are working on the parking structure and Building A, so more noise can be expected.
- Ken Garff is almost complete.
- Riverdale Townhomes are starting to go up.
- Coleman Vu Estates has a completed model home.
- Panera Bread's building is going up quickly. An easement has been granted by Starbucks for access to 300 West, but no easement has been granted by Shake Shack yet.
- DXL is almost complete.

D. Consent Items

1. Consideration of Meeting Minutes from:

January 28, 2025 Work Session and Regular Meeting
February 25, 2025 Work Session and Regular Meeting

Chair Anderson asked if there were any corrections to the minutes. Commissioner Poulsen moved to approve the consent items. Commissioner Bowthorpe seconded the motion, which passed unanimously in favor.

E. Action Items

1. **Public Hearing to receive and consider public comments regarding the following:**
Consideration and recommendation of a legislative decision to amend Riverdale City Code 10-19-9: Temporary Structures for Seasonal Sales

Planning Commission Regular Session, March 25, 2025

The planning commission discussed a request from McFarland Family Farms to amend the city code regarding temporary structures and seasonal sales, particularly for roadside stands. The farm, which sells produce to grocery stores and operates stands in other areas, couldn't attend due to a last-minute conflict.

The current code (Section 10-19-9) regulates temporary structures and seasonal product sales but is vague and restrictive. It only allows such sales in A1 zones on-site where the produce is grown, barring McFarland Farms from setting up in Riverdale since their produce comes from West Weber. The code, amended in 2013, also defines seasonal products narrowly (e.g., excluding year-round fruits and vegetables), causing confusion.

The proposal aims to clarify the code by permitting temporary structures for seasonal sales in C3 zones (along Riverdale Road) as well as A1 zones, replacing the current waiver process with a temporary use permit requiring a site plan. A condition is that vendors in C3 zones must have a state sales tax certificate, though agricultural exemptions (like McFarland's) complicate this.

Examples of allowed structures include fireworks stands and snow cone shacks, while produce stands from off-site farms remain restricted unless grown on-site in A1 zones.

Discussion highlighted concerns about fairness to local businesses paying sales tax, potential competition with stores like Walmart, and liability (shared between stand operators and property owners on private land). Suggestions included relaxing the sales tax requirement to benefit residents with access to fresh produce, though this raised legal and competitive equity issues. The proposed 15-week duration and other standards (e.g., operating hours, self-contained setups) were debated, with flexibility offered for adjustments.

McFarland Farms operates in less-regulated rural areas elsewhere, but Riverdale's urban context drives stricter rules.

Mr. Cooper invited commissioners to modify the proposal or table it, as the petitioner requested, to allow their input at a future meeting.

Motion: Commissioner Bowthorpe moved to open the public hearing
Second: Commissioner Ney

Vote:

Commissioner Poulsen:	Yes
Commissioner Bowthorpe:	Yes
Commissioner Anderson:	Yes
Commissioner Henstra:	Yes
Commissioner Ney:	Yes
Commissioner Noland:	Yes
Commissioner Hermann:	Absent

Public Comment: None.

Motion: Commissioner Ney moved to close the public hearing
Second: Commissioner Noland

Vote:

Commissioner Ney:	Yes
Commissioner Hermann:	Absent
Commissioner Bowthorpe:	Yes
Commissioner Ney:	Yes
Commissioner Henstra:	Yes
Commissioner Poulsen:	Yes
Commissioner Anderson:	Yes

2. Consideration to forward a recommendation to City Council to amend Riverdale City Code 10-19-9: Temporary Structures for Seasonal Sales

The representative from McFarland Farms was unable to attend and hoped to have the decision tabled. Commissioner Ney asked if there were any regulations on the food sold. This is regulated by the health department. There was discussion about sales tax, competition with standing businesses.

Motion: Commissioner Noland moved to table the item until April 8, 2025.

Second: Commissioner Poulsen

Vote:

Commissioner Noland:	Yes
Commissioner Hermann:	Absent
Commissioner Henstra:	Yes
Commissioner Bowthorpe:	Yes
Commissioner Ney:	Yes
Commissioner Anderson:	Yes
Commissioner Poulsen:	Yes

Motion passed with 6 in favor and 1 absent.

F. Comments

1. Commissioner Anderson recognized Chief Warren for being selected as Chief of the Year. He appreciates his hard work and dedication. Commissioner Noland added that recent events show the difficult job the officers have.
2. Commissioners continued discussion with Mr. Cooper from the work session, as they had run out of time. The discussion centered on parking, including history, current city code, and future considerations.

G. Adjournment

As there was no further business to discuss, Commissioner Poulsen moved to adjourn. Commissioner Noland seconded the motion. All were in favor and the Planning Commission meeting adjourned at 7:35 p.m.

Date Approved: 4/8/2025