



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – JANUARY 6, 2015**

5:30 p.m. – Work Session (City Council Conference Room)

No motions or decisions will be considered during this session, which is open to the public.

6:00 p.m. – Council Meeting (Council Chambers)

A. Welcome & Roll Call

B. Pledge of Allegiance

C. Moment of Silence

D. Open Communications

(This is an opportunity to address the City Council regarding your concerns or ideas. Please try to limit your comments to three minutes.)

E. Presentations and Reports

I. Mayor's Report

F. Consent Items

1. Review of meeting minutes from:
December 16, 2014 City Council Work Session
December 16, 2014 City Council Regular Session

G. Action Items

1. Consideration of Ordinance 863 a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S.
Petitioner: Forest Creek Construction – Hugh Parke

H. Discretionary Items

I. Adjournment

- The public is invited to attend all Council meetings.
- In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Recorder at 394-5541 x 1232.
- This agenda has been properly posted and a copy provided to local news media.

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 6, 2015**

AGENDA ITEMS: A,B,C

SUBJECT: Welcome & Roll Call – Mayor Searle
Pledge of Allegiance – Led by Mayor Searle on 12/16/14
Moment of Silence

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**RIVERDALE CITY
CITY COUNCIL AGENDA
January 6, 2015**

AGENDA ITEM: D

SUBJECT: Open Communications

PETITIONER: Anyone Interested

ACTION REQUESTED BY PETITIONER: Open agenda item provided for any interested person to be able to speak about any topic.

INFORMATION: Per Governing Body desire, this item will be placed on the agenda as a permanent and regular item.

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**RIVERDALE CITY
CITY COUNCIL AGENDA
December 6, 2015**

AGENDA ITEM: E1

SUBJECT: Mayor's Report

ACTION REQUESTED BY PETITIONER: Information Only

INFORMATION: To be presented at the meeting

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**RIVERDALE CITY
CITY COUNCIL AGENDA
January 6, 2015**

AGENDA ITEM: F1

SUBJECT: Consideration of meeting minutes from:
December 16, 2014 City Council Work Session
December 16, 2014 City Council Regular Session

PETITIONER: City Recorder

ACTION REQUESTED BY PETITIONER: Approve Minutes

INFORMATION: See attached minutes as follows:

[December 16, 2014 City Council Work Session](#)

[December 16, 2014 City Council Regular Session](#)

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Minutes of the **Work Session** of the **Riverdale City Council of Riverdale City** held Tuesday, **December 16, 2014** at 5:35 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Norm Searle, Mayor
 Don Hunt, Councilor
 Braden Mitchell, Councilor
 Michael Staten, Councilor
 Brent Ellis, Councilor
 Gary E. Griffiths, Councilor

Others Present: Rodger Worthen, City Administrator; Steve Brooks, City Attorney;
 Michael Eggett, Community Development Director; Ember Herrick, City
 Recorder and no members of the public.

Mayor Searle welcomed the Council members stating for the record that all were in attendance except from Councilor Hunt who is expected shortly. He said Kim Porter and Tom Powers could both speak during tonight's open communications portion of the meeting. Mayor Searle distributed copies of the letter he sent to Ms. Porter explaining why Riverdale City liens properties with outstanding utility bills. He said resident Tom Powers will petition the Council to amend their animal ordinance to permit potbellied pigs. City Administrator Rodger Worthen said Syracuse City has an ordinance allowing residents to own up to two Vietnamese potbellied pigs and he described the breed as similar to a pet dog and said he is in favor of amending Riverdale City's code to allow residents to own pet pigs in residential zones. According to Mayor Searle potbellied pigs can be houstrained like a dog or a cat.

Councilor Hunt joined the meeting in progress.

Councilor Staten said the Planning Commission and Council reviewed this issue in 2011 and many residents showed up at the public hearing both in support of and opposed to amending the definition of household pets to include chickens. He said libertarians asserted their constitutional rights and the proposed amendments and provisions became quite complicated until City Administrator Larry Hansen suggested the city's nuisance ordinance was sufficient to address complaints about any nontraditional household pet. Councilor Ellis said there was unanimous consensus to deal with individual complaints under the nuisance ordinance instead of repeatedly amending the city's animal ordinance to allow or prohibit every type of pet a resident may want to own. Mr. Eggett said the nuisance ordinance has worked well regulating animals in the past and he recommended Mr. Powers be told he can keep a potbellied pig as a pet unless the animal becomes a disturbance under the provisions of Riverdale's nuisance ordinance. Councilor Hunt agreed the nuisance ordinance is sufficient and there is no need to pass a new ordinance allowing potbellied pigs as pets in Riverdale. City Attorney Steve Brooks said pets are like family to some people and they get impassioned when discussing these issues and he recommended the Council allow Riverdale's nuisance ordinance to regulate household pets.

Mr. Eggett said Riverdale resident Brad Brown may also address the Council about amending the city's vending ordinance to allow his daughter to open a hot chocolate stand. He said the current ordinance doesn't allow sales from tables or temporary concession stands and the vending cart standards are strict.

Mayor Searle asked for any changes or corrections to the previous meeting minutes and for input on the proposed 2015 meeting schedule and none were noted.

Mayor Searle said the first action item is consideration of appropriating \$20,000 to hire a professional park consultant to assist the Park Ad Hoc Committee. Mr. Worthen said he is recommending hiring a landscape architect or engineering firm at an hourly rate not to exceed \$20,000 to assist the ad hoc committee in designing the proposed new 18 acre park on River Park Drive. He said he called JUB Engineering to get a cost estimate and they were confident that \$20,000 would be sufficient. Mr. Worthen said the \$20,000 is a portion of the money that was budgeted for Riverdale's River Restoration Project to repair the flood damage from 2011 that wasn't used because Riverdale's Public Works Department was able to complete the work under budget. Councilor Griffiths asked about the committee's progress and Mr. Worthen said they met once at the end of November and were given the assignment to tour the 18 acres. He said the committee's next meeting is scheduled for January 8, 2015 where they plan on discussing hiring a consultant if the Council approves the \$20,000 appropriation during tonight's meeting.

Mayor Searle said the second action item on the agenda is consideration of a Utah Retirement System (URS) policy for tier two employees to bring the city into compliance with URS code following a human resources audit. Councilor Griffiths asked who will be impacted and Mr. Worthen said anyone hired after July 2011.

Mayor Searle said the third action item on the agenda is consideration of adopting a new conservation water plan for Riverdale City, which state law requires every five years. Mr. Worthen said water drives development and a conservation plan is important to the future viability of the city.

Mayor Searle said the fourth action item is consideration of surplusing property seized by Riverdale's police department and selling it at Riverdale City's Dutch auction public surplus sale. Councilor Staten said the Ogden Bicycle Collective would appreciate the donation of any bikes not purchased by the public at the city surplus sale and he said he will send the contact information for the Ogden Bicycle Collective to staff for follow up.

Mayor Searle asked for any discretionary items and Mr. Worthen distributed copies to the Mayor and Council of a letter from Ogden Regional Medical Center (ORMC) asking to amend their recently approved application to convert a standard billboard on 1750 West into an electronic sign. Mr. Worthen said the Council approved 50 percent being converted to an electronic sign but now ORMC wants a full size electronic billboard. Mr. Eggett said this request comes directly from ORMC who leases the sign from Saunders Outdoor Advertising. Councilor Griffiths asked if the proposed billboard will be similar to an electronic billboard in Layton and Mr. Worthen said Layton City has a comprehensive electronic billboard ordinance that the Council could consider adopting if City Attorney Steve Brooks modifies it for Riverdale.

There being no further business to discuss, the Council adjourned at 6:00 PM to convene into their regular session.

January 6, 2015

Attest:

Norm Searle, Mayor

Ember Herrick, City Recorder

DRAFT



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –DECEMBER 16, 2014**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **December 16, 2014** at 6:04 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Norm Searle, Mayor
Don Hunt, Councilor
Braden Mitchell, Councilor
Michael Staten, Councilor
Brent Ellis, Councilor
Gary E. Griffiths, Councilor

Others Present: Rodger Worthen, City Administrator; Michael Eggett, Community Development Director; Shawn Douglas, Public Works Director; Steve Brooks, City Attorney; Stacey Comeau, Human Resources Manager; Ember Herrick, City Recorder and four members of the public including Thomas Powers, Brad Brown, Brielle Brown and Cathy McKitrik of the Standard Examiner.

A. Welcome & Roll Call

Mayor Searle called the meeting to order and welcomed all in attendance including all Council members.

B. Pledge of Allegiance

Mayor Searle led the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence when he asked everyone to remember our police officers, fire fighters, and U.S. military service members.

D. Open Communications

Mayor Searle invited any member of the public with questions or concerns to address the Council for approximately three minutes.

Riverdale resident Tom Powers said he would like the Council to allow residents to own potbellied pigs as pets and Mayor Searle said this issue was discussed during the Council work session and there is consensus that unless the pet violates Riverdale's nuisance ordinance it will be allowed in Riverdale City.

Brielle Brown and her father Brad Brown addressed the Council. Brielle said she would like to open a hot chocolate stand and she described how she surveyed her neighbors, created a business plan, and talked to health department about the regulations including a canopy, a hand washing station, a camp stove, and a food handler's permit. She said she talked to Riverdale City Recorder who explained to her temporary stands are not allowed in Riverdale and advised her to petition the Council about amending the ordinance.

Community Development Director Michael Eggett said the ordinance was designed to regulate temporary businesses and address health concerns that arise when food products are prepared in private residences and sold from tables set up in yards or from temporary booths or tents around the city. He said Riverdale's vending cart standards are strict and conform to health department regulations and Mr. Brown said it will cost thousands of dollars to purchase or build a vending cart that meets the city's requirements and he would just like his young daughter to have an entrepreneurial experience selling hot chocolate. Councilor Griffiths said city code allows vendors at all city sponsored events and he recommended Brielle sell something at Riverdale's Old Glory Days Celebration on July 4. Councilor Ellis said the Youth City Council recently sponsored a Halloween Party and a Christmas Party at the Riverdale Community Center where vendors also would have been permitted. Mr. Brown distributed a copy of a news article where Salt Lake County amended their city code to allow lemonade stands. Councilor Hunt asked about the scope of Brielle's business plan and Mr. Brown said she would like to set up a stand in the vacant lot adjacent to Buffalo Wild Wings or in front of the vacant River Printing Co. building. He said if Riverdale won't accommodate his daughter's request he has contacted South Ogden City. Mayor Searle said staff will look into Brielle's request and will follow up with her in a timely manner

E. Presentations and Reports

Mayor Searle complimented staff and the 240 attendees at the annual Christmas dinner at the Senior Center. He said the Youth City Council served the seniors and the musical program was excellent. He said the Riverdale City Band's annual Christmas Concert was also a great success.

City Administrator Rodger Worthen noted staff with anniversaries in the month of December thanking them for their service, including Joey Clark who has 10 years with Riverdale City. Mr. Worthen asked for any questions about the treasury reports and none were noted and he said Mr. Eggett closely monitors sales tax revenues which appear to be rising slowly. He asked for any questions about the staffing authorization report and said staffing levels continue to be under authorization in accordance with the city's 2005 Action Plan.

F. Consent Items

Mayor Searle asked for any changes to the November 18, 2014 Council meeting minutes and none were noted. He asked for input about the proposed meeting schedule and Councilor Staten requested the May 30, 2014 Strategic Planning meeting date be changed so that he can attend a bike race with his family. Mayor Searle said in his opinion holding a joint Strategic Planning Meeting with the Council and Planning Commission on a traditional Council meeting night is not productive and he said he would like to see that meeting held on a Saturday too. Councilor Mitchell said some cities hold all of their Strategic Planning meetings on fifth Tuesdays and he said he would rather use Tuesday nights than three Saturdays each year. Councilor Staten said in 2015 there are three fifth Tuesdays one in March, June and September.

Motion: Councilor Staten moved to approve the consent items with the possibility that the strategic planning meeting dates may change on the 2015 meeting schedule. Councilor Ellis seconded the motion.

Mayor Searle asked for discussion on the motion and there was none.

Call the Question: The motion passed unanimously.

G. Action Items

1. Public hearing to discuss the use of \$20,000 in the Riverdale City parks budget to hire a consultant to assist in the planning of a new park on River Park Drive

Mayor Searle said the first action item is consideration of hiring a consultant for an amount not to exceed \$20,000 to assist in the planning of a new 18 acre park on River Park Drive. Mr. Worthen said the consultant will work with the Park Ad Hoc Committee and will be paid at an hourly rate from funds Riverdale's Public Works Department saved by completing a Riverdale River Restoration Project under budget.

Mayor Searle opened the public hearing for public comment and none was received.

Motion: Councilor Mitchell moved to close the public hearing. Councilor Hunt seconded the motion.

Mayor Searle asked for discussion on the motion and there was none.

Call the Question: The motion passed unanimously.

Councilor Ellis said this is a unique piece of property and he supports hiring a professional to work with the ad hoc committee. Councilor Hunt asked if an RFP will be used to find a consultant and Mr. Worthen said the request will come back to the Council for their approval before anyone is hired, tonight's request is to simply to appropriate a budget for a consultant. Councilor Griffiths asked if the consultant will attend the park planning meetings with the committee members and Mr. Worthen said this is the plan. Councilor Hunt asked how disagreements about the park plan will be resolved among committee members and Mr. Worthen said the City Council will have final approval, the committee will only make recommendations. Councilor Mitchell said planning a new park is a large responsibility and he supports hiring a professional to lend expertise. He thanked Riverdale's Public Works Department for saving money on one project to help develop another and said he wouldn't support hiring a consultant at this time if the money wasn't available in the current year's budget. Mayor Searle said he would like the committee to consider an area for a seasonal ice skating rink similar to the \$40,000 rink Syracuse City has built in their commercial center.

Motion: Councilor Hunt moved to approve \$20,000 in the Riverdale City parks budget to hire a consultant to assist in the planning of a new park on River Park Drive from existing funds budgeted for the Weber River Bank Restoration Project. Councilor Mitchell seconded the motion.

Mayor Searle asked for discussion on the motion and there was none

Roll Call Vote: Councilor Hunt, aye; Councilor Griffiths, aye; Councilor Ellis, aye; Councilor Mitchell, aye; and Councilor Staten, aye. The motion passed unanimously.

2. Consideration of Resolution 2014-28 adopting HR Policy 10-2 Tier 2 Coverage of Elected and Appointed Officials with Utah Retirement Systems

Mayor Searle said the second action item on the agenda is consideration of a Utah Retirement System (URS) policy for tier two employees to bring Riverdale City into compliance with URS code. Human Resources Manager Stacey Comeau said URS audits Riverdale City every two years and this year the auditor notified her Riverdale needs to have an HR URS retirement policy for tier two elected and appointed officials. Councilor Griffiths asked if Riverdale is meeting all its required contributions to URS and Mrs. Comeau confirmed the city is in compliance and this action is simply to formalize an existing practice into formal policy. Mayor Searle asked if this will impact defined contribution plans and Mrs. Comeau said the proposed policy addition will only impact retirement and is not related to individual 401k contributions. Mayor Searle asked for any additional questions or comments and none were noted.

Motion: Councilor Mitchell moved to approve Resolution 2014-28 adopting HR Policy 10-2 Tier 2 Coverage of Elected and Appointed Officials with Utah Retirement Systems. Councilor Griffiths seconded the motion.

Mayor Searle asked for discussion on the motion and there was none

Roll Call Vote: Councilor Griffiths, aye; Councilor Ellis, aye; Councilor Mitchell, aye; Councilor Staten, aye; and Councilor Hunt, aye. The motion passed unanimously.

3. Consideration of Resolution 2014-29 adopting an update to Riverdale City's Water Conservation Plan

Mayor Searle said the third action item on the agenda is consideration of adopting a new conservation water plan for Riverdale City. Public Works Director Shawn Douglas said state law requires Riverdale City to submit an updated Water Conservation Plan every five years. He said if the current dry winter continues in Utah Riverdale may need to require compliance through ordinance, penalizing residents or businesses that water during daytime hours. Mr. Douglas said all city lawns are watered between the hours of 10 p.m. and 6 a.m. and if everyone in Riverdale followed the city's conservation plan the city could use 15 percent less water. He said a weekly sprinkler check is done during the day but the system is only on for a few minutes while his staff is monitoring it. Mr. Douglas asked for questions or comments about the plan and none were noted.

Motion: Councilor Ellis moved to approve Resolution 2014-29 adopting an update to Riverdale City's Water Conservation Plan. Councilor Hunt seconded the motion.

Mayor Searle asked for discussion on the motion and there was none

Roll Call Vote: Councilor Ellis, aye; Councilor Mitchell, aye; Councilor Staten, aye; Councilor Hunt, aye; and Councilor Griffiths, aye. The motion passed unanimously.

4. Consideration of Resolution 2014-30 declaring unclaimed property as public interest use

Mayor Searle said the fourth action item is consideration of surplus property seized by Riverdale's police department and selling it at Riverdale City's Dutch auction public sale. City Attorney Steve Brooks said a list of the lost or stolen property the police have seized is included in the packet and he said the only items of value are a few pairs of skis, three tires, and several bicycles. He said the items decrease in price each day of the sale and are free on Saturday with any remaining items being donated to charity. He asked for any questions or comments and none were noted.

Motion: Councilor Hunt moved to approve Resolution 2014-30 declaring unclaimed property as public interest use. Councilor Mitchell seconded the motion.

Mayor Searle asked for discussion on the motion and there was none

Roll Call Vote: Councilor Mitchell, aye; Councilor Staten, aye; Councilor Hunt, aye; Councilor Griffiths, aye; and Councilor Ellis, aye. The motion passed unanimously.

H. Discretionary Items

Mayor Searle asked for any discretionary items and Councilor Ellis complimented Riverdale's Public Works Department for the Christmas light displays and for setting the new Riverdale City rock sign on 700 West. Mr. Douglas thanked the Lion's club for their donation to help purchase the sign and said the area surrounding the sign will be landscaped in the spring of 2015. Councilor Mitchell complimented Riverdale's Public Works Crew for cleaning leaves and debris off the river trail and said the maintenance is visibly different when you cross over from Ogden City to Riverdale's side of the trail. There were no additional discretionary items noted.

I. Adjournment:

With no further business to come before the Council at this time, Councilor Mitchell moved to adjourn the meeting. Councilor Ellis seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 7:00 p.m.

Approved: January 6, 2015

Attest:

Norm Searle, Mayor

Ember Herrick, City Recorder

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 6, 2015**

AGENDA ITEM: G1

SUBJECT: Consideration of a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S.

PETITIONER: Forest Creek Construction – Hugh Parke

ACTION REQUESTED BY PETITIONER: Consideration of a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S.

INFORMATION: [Executive Summary](#)

[Ordinance 863 with Rezone Maps](#)

[Public Notice Checklist](#)

[Affected Entities Notice Listing Information](#)

[Certification of Sign Placement](#)

[Rezone Request Application and receipt](#)

[Map and Legal Descriptions](#)

[Notice of Public Hearing and Proof of Publication](#)

[Draft minutes from 122314 Planning Commission Meeting](#)

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City Council Executive Summary

For the Council meeting on: 01-06-2015

Petitioner: Forest Creek Construction - Hugh Parke

Summary of Proposed Action

Forest Creek Construction, represented by Hugh Parke, has applied for a rezone of the Mitchell Family properties located at approximately 800 West 4450 South from the current Regional Commercial C-3 cross-zoning to a proposed Single-Family and Single-Family with Rental Unit Residential R-2 zoning to align with already established R-2 zoning on neighboring properties to the north of this location. There are approximately 2.13 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information). A public hearing regarding the proposed amendment to the zoning map was held before the Planning Commission. Following the public hearing, the Planning Commission made a recommendation to the City Council to approve this rezone request. The City Council may approve, table, or not approve the rezone request accordingly.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezoning Requests" and is affected by City Codes 10-9C "Single-Family and Single-Family with Rental Unit Residential Zones (R-2)" and 10-10A "Commercial Zones (C-1, C-2, C-3)".

The petitioner's properties are currently listed in the County Records under the ownership of the Mitchell Family Trust. These properties are undeveloped and have been maintained as agricultural properties or otherwise unused land for many years. At this time, the Mitchell Family is desirous to sell their property to an individual or group who could develop the land appropriately for use within the local community.

The appropriate application and supporting documentation have been submitted and provided to the City Council for your review (please see attached documentation for more). The four questions, as written on the application, have been answered by the applicant on an attached response sheet. On the response sheet it is noted that the applicant intends to work on a potential patio home project for "empty-nest individuals" at this location, should the rezoning request be approved by the City leadership.

This request for rezoning and potential intent for use as patio homes is in agreement with the General Plan for this location as these properties are established in the General Plan Land Use section as a transitional use zone between commercial and residential uses that are in harmony with adjacent uses already in place. Any future plans to subdivide the property would be required to follow the subdivision processes established within the City Code and would need to be reviewed by the Planning Commission and City Council (as outlined in City Code 10-21-12).

Public hearing notifications required by State and City Codes have been completed in conformance with the standards established by these Codes as noted in the attached documentation. A public hearing was held with the Planning Commission and following this hearing the Planning Commission recommended that the City Council approve the requested rezoning petition.

Staff encourages the City Council to review this matter, including concerns outlined herein, and then discuss with the petitioners any concerns that may arise in this matter. Staff then recommends that the City Council act accordingly to approve or not approve the rezoning request based upon sufficient findings of

fact to support the Council's conclusion.

Below are excerpts from City Codes (as listed above) that have direct application to this rezone request:

Title 10 Chapter 9 Article C:

ARTICLE C. SINGLE-FAMILY & SINGLE-FAMILY WITH RENTAL UNIT RESIDENTIAL ZONE (R-2)

10-9C-1: PURPOSE AND INTENT:

The purpose of the R-2 zone classification is to accommodate a need for low density residential districts incorporating both single-family dwelling units and single-family dwelling units with a residential rental unit. (1985 Code § 19-18-1; amd. 2001 Code)

10-9C-2: PERMITTED USES:

Accessory building and use that is incidental to a dwelling on the same lot or property and in compliance with all Riverdale City ordinances that regulate the use of accessory buildings.

Agriculture.

Church, synagogue or similar permanent building used for regular religious worship.

Educational institution.

Golf course, except miniature golf course.

Greenhouse, noncommercial only.

Household pets.

Parking lot accessory to uses permitted in this zone.

Public building, public park, public recreation grounds and associated buildings.

Single-family dwelling.

Temporary building and use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work. (1985 Code § 19-18-2; amd. Ord. 784, 4-19-2011)

10-9C-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in [chapter 19](#) of this title:

Cemetery with customary incidental uses, including, but not limited to, mortuary, mausoleum, crematory, staff housing, service shops and chapel.

Home occupation.

Private park, playground or recreation area, but not including privately owned commercial amusement business.

Public utility substation or water storage reservoir developed by a public agency.

Single rental unit created only by owner occupied homes, located within, underneath or above the primary single-family dwelling unit. Any conditionally permitted rental unit shall be incidental to the primary residential use and shall meet the following minimum standards:

The square footage of the rental unit shall not exceed fifty percent (50%) of the overall square footage of the dwelling structure;

The rental unit shall be designed with a secondary entrance in a manner that the primary dwelling appears visually and functionally as if it were a single-family dwelling without a rental unit;

The rental unit shall have its own off street parking provided on the primary dwelling premises. Exiting units will be grandfathered until the property is sold and the new owner must be a residence of one of the units. (Ord. 655, 4-4-2006)

10-9C-4: SITE DEVELOPMENT STANDARDS:

Minimum lot area:		
	One-family dwelling	8,000 square feet
	One-family dwelling with rental unit	10,000 square feet
Minimum lot width:		
	One-family dwelling	70 feet
	One-family dwelling with rental unit	80 feet
Minimum yard setbacks:		
	Front	25 feet except average of existing dwellings where 50 percent frontage is developed but not less than 20 feet
	Side:	
	Main building	8 feet, with total width of 2 side yards of not less than 18 feet and 20 feet each side for other main buildings
	Accessory building	8 feet, except 1 foot if located at least 6 feet in rear of main building; but not closer than 9 feet to dwelling on adjacent lot
	Zero side yards	In accordance with subsection 10-14-4J of this title
	Side; facing street on corner	20 feet, except average where 50 percent frontage is developed, but not less than 15 feet

Rear:		
	Main building	25 feet
	Accessory building	When the accessory building is attached to the main building, in any manner whatsoever, then the minimum rear setback is 20 feet from the property line. When an accessory building is detached from the main building, and the accessory building is located at least 6 feet behind the main building, then the rear setback for the accessory building may be no less than 1 foot from the property line. If a dwelling has an existing detached accessory building in the rear yard, and the property owner wants to add on to the dwelling (after fire department review); the new addition must be a minimum of 8 feet from the accessory building, and the new addition shall meet the minimum rear yard requirements. The opposing side yard must meet minimum side yard requirements and be open at all times to rear yard access
Building height:		
	Minimum	1 story
	Maximum	2 ¹ / ₂ stories or 35 feet

Title 10 Chapter 10 Article A:

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

10-10A-1: PURPOSE AND INTENT:

The purpose of the C-1 neighborhood commercial zone, C-2 community commercial zone and C-3 regional commercial zone is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the city. It is also to separate into three (3) zones, uses based upon type of activity which are compatible and complementary, as well as intensity of land utilization and accessory use needs. (Ord. 803, 4-4-2012)

10-10A-2: SITE DEVELOPMENT STANDARDS:

	C-1	C-2	C-3
Minimum lot area	None	None	None
Minimum lot width	None	None	None
Minimum yard setbacks:			
Front	20 feet	20 feet	20 feet
Side	None, except 20 feet adjacent to a residential boundary		

Side facing street on corner lot	20 feet	20 feet	20 feet
Rear	None, except 20 feet adjacent to a residential boundary ¹	20 feet ¹	20 feet ¹
Building height:			
Minimum	1 story	1 story	1 story
Maximum	2 ¹ / ₂ stories or 35 feet	None	None
Maximum lot coverage	Not over 45 percent of lot area by buildings or accessory buildings		

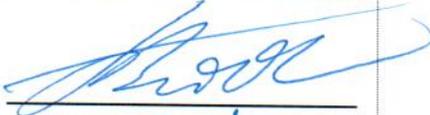
Note:

1. If it is determined by the fire department that a distance greater than 20 feet is necessary for separation or access to a building this setback may be increased in the C-1, C-2 and C-3.

General Plan Guidance (Section Reference)

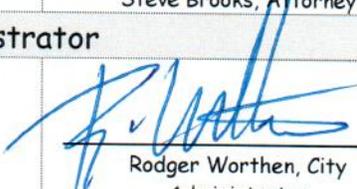
Listed as Mixed-Use Transitional for Planned Commercial-High and Residential-Low Density uses.

Legal Comments - City Attorney



Steve Brooks, Attorney

Administrative Comments - City Administrator



Rodger Worthen, City Administrator



ORDINANCE NO. 863

AN ORDINANCE AMENDING THE CITY'S LAND USE MAP, TO CHANGE THE LAND USE DESIGNATION OF LAND LOCATED AT 4450 SOUTH 800 WEST FROM C-3, TO R-2; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Riverdale City, pursuant to the Municipal Land Use Development and Management Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan that outlines future and projected growth and development goals, desires and intentions and provides for the planning and mapping of said matters; and

WHEREAS, Hugh Park, with Forest Creek Construction, for and on behalf of the landowner, the Mitchell family (Petitioner), has requested that approximately 2.13 acres, with a current zoning designation of C-3 (Commercial), located at approximately 4450 South 800 West in Riverdale City, Weber County; be rezoned to a land use designation of R-2 (Single family and Single family with Rental Unit Residential Zone) for the subject property

WHEREAS, the Riverdale City Planning Commission held a duly advertised public hearing in December, 2014, to receive comments on the proposed amendment and has considered all comments received as required by state law and local ordinance and approved a recommended motion to grant the requested rezone and amendment to the land use map; and

WHEREAS, the Petitioner has now requested that the City Council adopt the recommendation of the Planning Commission's and allow the rezone and plan amendment; and

WHEREAS, the City Council of Riverdale City has conducted a duly advertised public meeting on the proposed amendment and finds that the proposed amendment ordinance is in the best interest of the citizens of the City of Riverdale.; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RIVERDALE, UTAH, AS FOLLOWS:

Section 1.

After reviewing the material presented to the Planning Commission in the public hearing, and all subsequent information and evidence presented in addition thereto, the Riverdale City Council finds that it IS in the best interest of Riverdale City and does meet the goals or policies of the City's current land use development plan and does not raise significant issues or concerns about the impact on the City's resources and services. The Council hereby approves the rezone request made by the land owner to amend approximately 2.13 acres, with a current zoning designation of C-3 (Commercial), located at approximately 4450 South 800 West in Riverdale City, Weber County; to be rezoned to a land use designation of R-2 (Single family and Single family with Rental Unit Residential Zone).

Section 2.

That the Land Use Map designation is hereby amended from a C-3 to a land use designation of R-2 for the property legally described and outlined in the attached Exhibit(s) (attached hereto and incorporated by reference), and that the Maps shall be hereby amended as outlined and be hereby incorporated and adopted into the City's General Plan and said updates shall replace currently existing portions in conflict therewith and, along with any and all unchanged portions of the currently existing Plan, shall be known as the Riverdale City General Plan and be on file in the Riverdale City Recorder's Office and readily available for public inspection.

Section 3.

That the Planning and Community Development Department is further authorized to make the necessary map change to reflect the change authorized by this Ordinance. The Community Development Department shall take all necessary steps to insure that the intent of this Ordinance is duly recognized and recorded. The City Attorney is authorized to prepare further written findings on the matter, consistent with this finding, should they be needed.

Section 4. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the intent to pass the Ordinance without such unconstitutional or invalid part therein, and the remainder of this Ordinance shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 6.

The effective date of this amendment shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED this 6th day of January, 2015.

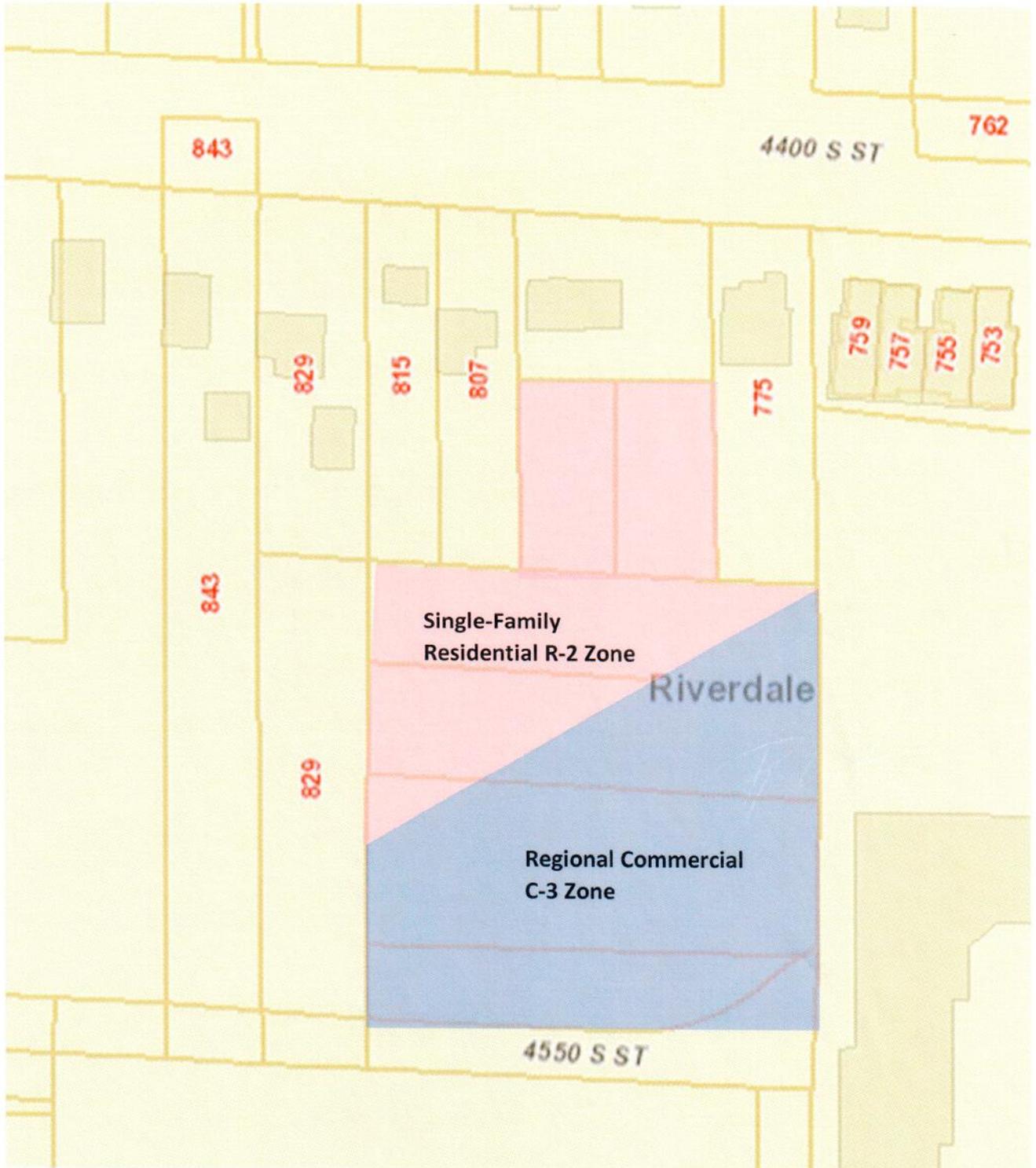
Norm Searle, Mayor

Attest:

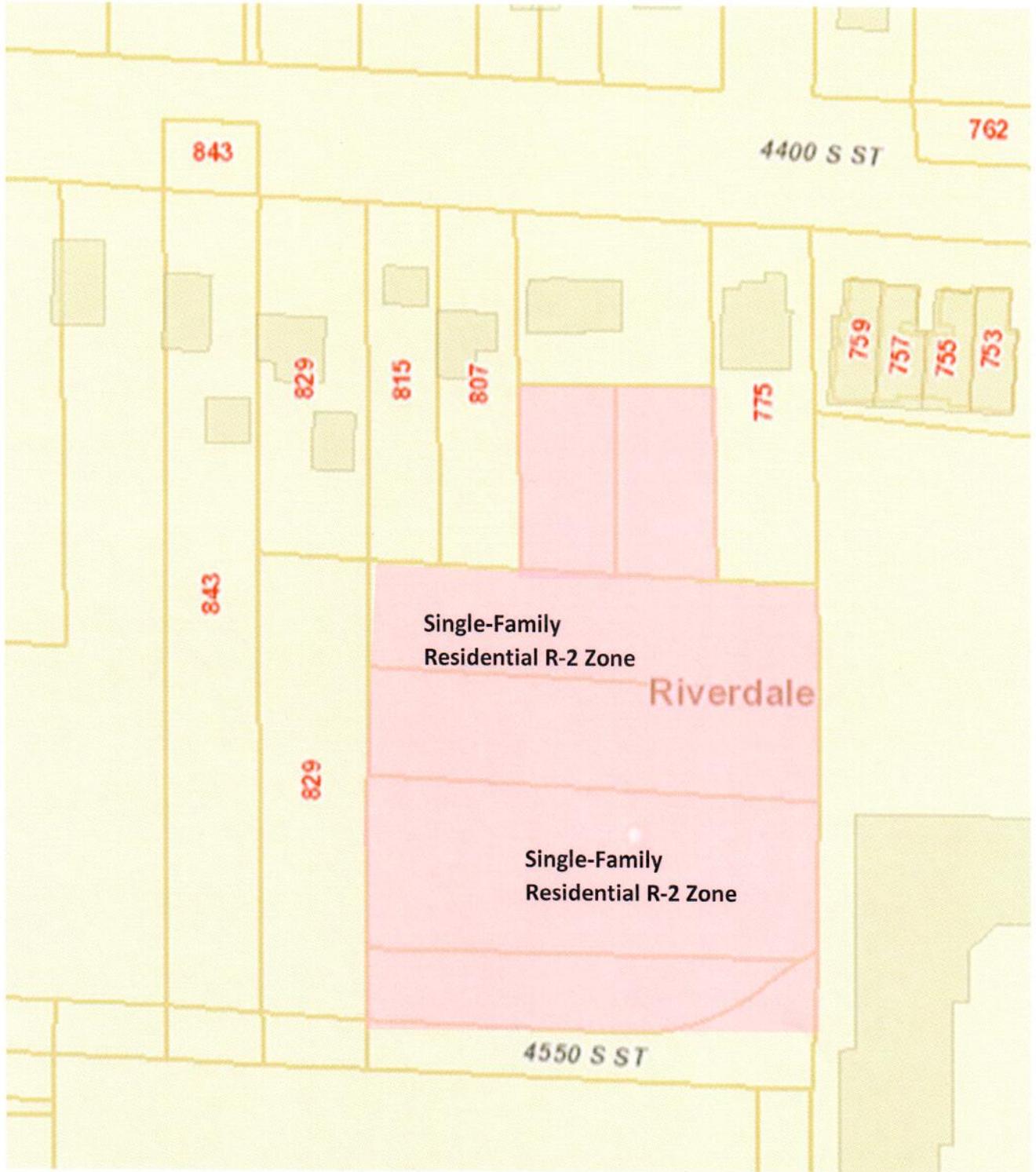
Ember Herrick, City Recorder

Rezone Request – Approx. 800 West 4450 South

Current Zoning Status



Proposed Zoning Change



**800 West 4450 South – Checklist Regarding Public Hearing Notice for
Land Use Amendment/Re-zone/General Plan Amendment**

- Notice Sent to Affected Entities (10 days before hearing date)
 - Documented List Verifying Date Sent
- Form Letter Sent to Affected Property Owner(s) Due to Rezone per 10-9a-205(4)(b) (10 days prior to hearing date)
- Notice in Newspaper of General Circulation (10 days prior to hearing date)
- Notice on City Website (10 days prior to hearing date)
- Sign Placed on Subject Property (10 days prior to hearing date)
 - Picture and Certification of Sign Placement Completed
- Notice Placed on State Public Meeting Notice Website (10 days prior to hearing date)

Affected Entities Notice Listing Information

Affected entity notice was sent to the following groups on the dates listed below.

1. UDOT – Region One: sent on Dec 11, 2014
2. Weber School District: sent on Dec 11, 2014
3. Weber County Government: sent on Dec 11, 2014
4. Roy Water Conservancy District: sent on Dec 11, 2014
5. Weber Basin Water Conservancy District: sent on Dec 11, 2014
6. Comcast: sent on Dec 11, 2014
7. Century Link: sent on Dec 11, 2014
8. Rocky Mountain Power: sent on Dec 11, 2014
9. Questar Gas: sent on Dec 11, 2014



CERTIFICATION OF SIGN PLACEMENT

This is to certify that on this 11th day of December, 2014, I supervised the placement of a sign on property located at 800 West 4450 South as a notice of a rezone request. I further certify that said sign was posted in compliance with all requirements of Riverdale Municipal Ordinance Code 10-5-3(A).

Dated this 11th day of December, 2014.

A handwritten signature in cursive script that reads "Jeff Woody".

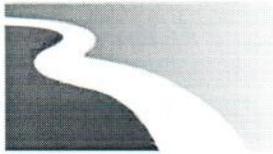
Jeff Woody, Riverdale Building Official



Riverdale
City

**NOTICE OF
REZONE REQUEST**

FOR INFORMATION, CONTACT RIVERDALE CITY AT:
801-394-5541 X 1215



Riverdale City

Community Development
4600 So. Weber River Drive
Riverdale, Utah 84405

RIVERDALE CITY REZONE REQUEST APPLICATION

DATE SUBMITTED: Dec. 9, 2014 FEE SCHEDULE: **\$250**

APPLICANT NAME: Forest Creek Court PHONE NUMBER: 801 564-0960

APPLICANT ADDRESS: 392 W 3050 W. 801 866-3238
LAYTON, UTAH 84041

ADDRESS OF SITE: Approx 700 W. ⁴⁴⁵⁰ ~~4400~~ So. Riverdale

PROPERTY OWNER: Mitchell Family Trust

PRESENT ZONING: R-2 Residential - C-3 Commercial

PRESENT USE: Agricultural (currently not in use)

PROPOSED ZONING: R-2

PROPOSED USE: Residential

PROPERTY ACREAGE: 2.13

Answer the following questions with specifics on a separate sheet. This information will be forwarded to the Planning Commission members for review.

- A. Why should the present zoning be changed?
- B. How is the proposed change in harmony with the City General Plan for this area?
- C. If the proposed change is not in harmony, what conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?
- D. How is the change in the public interest as well as the applicant's desire?

Hugh I. Parke
Signature of Applicant

Cliff Mitchell
Signature of Property Owner

I authorize Hugh Parke to act as my representative in all matters relating to this application.

RIVERDALE CITY CORPORATION
4600 SOUTH WEBER RIVER DRIVE
RIVERDALE UT 84405

394-5541

Receipt No: 15.486117

Dec 9, 2014

FOREST CREEK/ HUGH PARKE

Previous Balance:	.00
MISCELLANEOUS - RE ZONE FEE APPLICATION	250.00
10-34-1500 ZONING & SUB. FEES	

Total:	250.00
--------	--------

CHECK	Check No: 1244	250.00
Total Applied:		250.00

Change Tendered:	.00
------------------	-----

Duplicate Copy

12/09/2014 04:55PM



APPLICATION REQUIREMENTS AND PROCEDURE FOR REZONE REQUEST

1. The applicant shall submit to the City Recorder the following:
 - a. Completed REZONE REQUEST APPLICATION formally requesting a rezone and stating the reasons for the request.
 - b. PROPERTY PLAT MAP of the area of the requested rezone. Plats are available at the Weber County Recorder's Office.
 - c. LEGAL DESCRIPTION of the subject property.
 - d. REZONE REQUEST FEE of \$250 as established by resolution of the Riverdale City Council.

2. The Planning Commission, following the public hearing, will consider action to approve or deny the rezone request. The Planning Commission may take up to thirty (30) days following the public hearing to act on the rezone request. The decision of the Planning Commission will be forwarded to the City Council with the Planning Commission recommendation. The City Council will then make the final decision. If the request is approved, an ordinance will be signed and filed. The application / property owner may obtain a copy of the ordinance if desired.

3. If approved, the rezone will become effective upon posting of the ordinance.

Planning Commission scheduled public hearing:

Date: _____ Decision: _____

City Council consideration of application:

Date: _____ Decision: _____

RIVERDALE CITY REZONE REQUEST

RE: MITCHEL PROPERTY

A. WHY SHOULD THE PRESENT ZONING BE CHANGED:

It is our proposal to develop lots in order to build homes for empty-nest individuals. These home will provide the homeowner with easy to maintain patio homes.

B. HOW IS THE PROPOSED CHANGE IN HARMONY WITH THE CITY GENERAL PLAN FOR THIS AREA:

Currently the Mitchell property is zoned *R-2 RESIDENTIAL/C-3 COMMERCIAL*, our proposal to rezone the entire *2.13 acres R-2* is in harmony with the City's General Plan which allows for one or the other current zoning designations with the mixed use buffer.

C. IF THE PROPOSED CHANGE IS NOT IN HARMONY, WHAT CONDITIONS AND CIRCUMSTANCES HAVE TAKEN PLACE IN THE GENERAL AREA SINCE THE GENERAL PLAN WAS ADOPTED TO WARRANT SUCH A CHANGE: N/A

D. HOW IS THE CHANGE IN THE PUBLIC INTEREST AS WELL AS THE APPLICANT'S DESIRE:

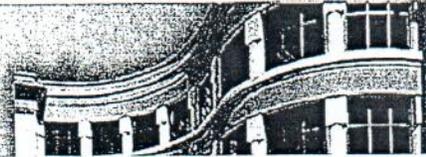
This proposed change in zoning will further accentuate the mixed use buffer zone between other homes on the north and the current businesses to the south of the property.



SIGNATURE OF APPLICANT: _____



Weber County Government
Property Information System



Weber County Recorder Legal Description

Parcel Number: 06-018-0008		
OWNER: MITCHELL, VIRGINIA H TRUSTEE	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 413
DESCRIPTION OF PROPERTY	R/P	ACRES: 0
PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 7.17 CHAINS SOUTH AND NORTH 87D WEST 429 FEET; THENCE SOUTH 30' WEST 223 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 30' WEST 80 FEET; THENCE SOUTH 87D EAST 4.25 CHAINS; THENCE NORTH 30' EAST 80 FEET; THENCE NORTH 87D WEST 280.5 FEET TO BEGINNING.		
COMMENTS:		
*** <i>For Tax Purposes Only. As of: December 9, 2014, 4:39 pm</i>		



Weber County Government
Property Information System



Weber County Recorder Legal Description

Parcel Number: 06-018-0009		
OWNER: MITCHELL, VIRGINIA H TRUSTEE	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 413
DESCRIPTION OF PROPERTY	ORIG	ACRES: 0
PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE SOUTH 7.17 CHAINS TO THE SOUTH LINE OF THE STATE ROAD; THENCE NORTH 87D WEST ALONG THE SOUTH LINE OF SAID ROAD 429.0 FEET; THENCE SOUTH 0D30' WEST 303.0 FEET TO BEGINNING POINT OF PARCEL OF LAND TO BE DESCRIBED; THENCE SOUTH 87D0' EAST 280.5 FEET; THENCE SOUTH 0D30' WEST 80.0 FEET; THENCE NORTH 87D0' WEST 280.5 FEET; THENCE NORTH 0D30' EAST 80.0 FEET TO THE PLACE OF BEGINNING.		
COMMENTS:		
*** <i>For Tax Purposes Only. As of: December 9, 2014, 4:39 pm</i>		



**Weber County Government
Property Information System**



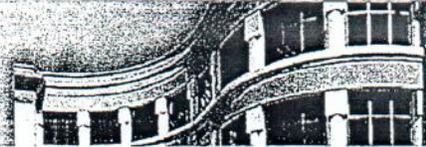
Weber County Recorder Legal Description

Parcel Number: 06-018-0016		
OWNER: MITCHELL FAMILY TRUST	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 26
DESCRIPTION OF PROPERTY	2013 R/P	ACRES: .1625
<p>PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY, WHICH BEGINS AT A POINT 339 FEET, MORE OR LESS, NORTH 87D WEST FROM THE EAST LINE OF SAID QUARTER SECTION (AT THE NORTHERLY CORNER OF AN AGREED BOUNDARY LINE WHICH FIXES SUCH POINT OF BEGINNING AS LYING NORTH 87D WEST 4 FEET 6 INCHES FROM THE INTERSECTION OF THE SOUTH LINE OF THE STATE ROAD AND A LINE DRAWN NORTH 0D30' EAST FROM THE NORTHEAST CORNER OF A CERTAIN RETAINING WALL NEAR THE WEST SIDE OF GRANTORS LAND); RUNNING THENCE SOUTH 0D30' WEST 223 FEET; THENCE SOUTH 87D EAST 62.5 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF GRANTOR'S LAND; THENCE NORTH 0D30' EAST 223 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF GRANTOR'S LAND; THENCE NORTH 0D30' EAST 223 FEET TO THE SOUTH LINE OF THE STATE ROAD; THENCE NORTH 87D WEST ALONG SAID STATE ROAD 62.5 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, INCLUDING ALL SURPLUS LAND WHICH MAY LIE BETWEEN SUCH AGREED WEST BOUNDARY LINE AND THE EAST LINE OF GRANTOR'S LAND IT BEING UNDERSTOOD BY GRANTOR THAT THERE IS APPROXIMATELY 5.98 FEET OF SUCH SURPLUS INCLUDED IN THE ABOVE DESCRIPTION.</p> <p>EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY WD E# 2649859: PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE & MERIDIAN, BEGINNING ON A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4400 SOUTH STREET, BEING LOCATED NORTH 00D52'35" EAST 2131.59 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND NORTH 86D22'27" WEST 226.19 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, RUNNING THENCE SOUTH 01D00'58" WEST 108.86 FEET TO THE PROJECTION OF AN EXISTING FENCE LINE, THENCE ALONG SAID FENCE LINE PROJECTION AND SAID EXISTING FENCE LINE NORTH 86D46'32" WEST 134.84 FEET TO AN EXISTING FENCE CORNER WITH CONCRETE FOOTING, THENCE ALONG AN EXISTING FENCE LINE NORTH 01D42'00" EAST 109.76 FEET TO THE SOUTH RIGHT OF WAY LINE OF 4400 SOUTH STREET, THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 86D22'27" EAST 133.57 FEET TO THE POINT OF BEGINNING.</p> <p>[NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]</p> <p>[NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCEL WITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 10, CHAPTER 9a, PART 6.]</p>		
COMMENTS:		

For Tax Purposes Only. As of: December 9, 2014, 4:38 pm		



**Weber County Government
Property Information System**



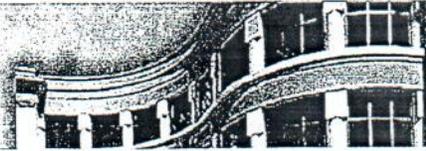
Weber County Recorder Legal Description

Parcel Number: 06-018-0017		
OWNER: MITCHELL FAMILY TRUST	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 26
DESCRIPTION OF PROPERTY	2013 R/P	ACRES: .1677
<p>PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF THE STATE ROAD 7.17 CHAINS SOUTH AND NORTH 87D WEST 212.5 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH 87D WEST 64 FEET; THENCE SOUTH 30' WEST 223 FEET; THENCE SOUTH 87D EAST 64 FEET; THENCE NORTH 30' EAST 223 FEET TO THE PLACE OF BEGINNING.</p> <p>EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY WD E# 2649859: A PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE & MERIDIAN, BEGINNING ON A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4400 SOUTH STREET, BEING LOCATED NORTH 00D52'35" EAST 2131.59 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND NORTH 86D22'27" WEST 226.19 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, RUNNING THENCE SOUTH 01D00'58" WEST 108.86 FEET TO THE PROJECTION OF AN EXISTING FENCE LINE, THENCE ALONG SAID FENCE LINE PROJECTION AND SAID EXISTING FENCE LINE NORTH 86D46'32" WEST 134.84 FEET TO AN EXISTING FENCE CORNER WITH CONCRETE FOOTING, THENCE ALONG AN EXISTING FENCE LINE NORTH 01D42'00" EAST 109.76 FEET TO THE SOUTH RIGHT OF WAY LINE OF 4400 SOUTH STREET, THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 86D22'27" EAST 133.57 FEET TO THE POINT OF BEGINNING.</p> <p>[NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]</p> <p>[NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCEL WITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 10, CHAPTER 9a, PART 6.]</p>		
COMMENTS:		

<i>For Tax Purposes Only. As of: December 9, 2014, 4:39 pm</i>		



Weber County Government
Property Information System

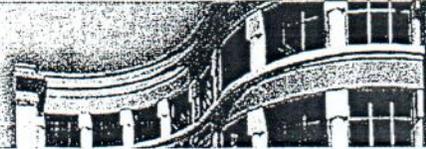


Weber County Recorder Legal Description

Parcel Number: 06-018-0018		
OWNER: MITCHELL FAMILY TRUST	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 413
DESCRIPTION OF PROPERTY	2013 ORIG ACRES: .254	
PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT BEING LOCATED NORTH 00D52'35" EAST 1668.06 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND NORTH 86D22'27" WEST 185.94 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; RUNNING THEN ALONG THE ARC OF A 196.55 FOOT RADIUS CURVE TO THE LEFT 5.12 FEET, HAVING A CENTRAL ANGLE OF 01D29'31" CHORD BEARS SOUTH 47D11'40" WEST 5.12 FEET; THENCE ALONG THE ARC OF A 139.11 FOOT RADIUS CURVE TO THE RIGHT 114.56 FEET, HAVING A CENTRAL ANGLE OF 47D11'02" CHORD BEARS SOUTH 70D01'58" WEST 111.35 FEET; THENCE NORTH 86D22'27" WEST 155.70 FEET; THENCE NORTH 00D57'03" EAST 48.32 FEET, THENCE SOUTH 86D22'27" EAST 263.53 FEET TO POINT OF BEGINNING. E#2654934		
COMMENTS:		
*** For Tax Purposes Only. As of: December 9, 2014, 4:40 pm		



Weber County Government
Property Information System



Weber County Recorder Legal Description

Parcel Number: 06-018-0019		
OWNER: MITCHELL FAMILY TRUST	ADDRESS: 248 W 5450 S OGDEN UT 844056845	TAXING UNIT 413
DESCRIPTION OF PROPERTY	2013 CORR ACRES: .52	
<p>PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE SOUTH 30' WEST 7.17 CHAINS TO THE SOUTH LINE OF THE STATE ROAD; THENCE NORTH 87D WEST ALONG SOUTH LINE OF SAID ROAD 429.0 FEET; THENCE SOUTH 30' WEST 383.0 FEET TO BEGINNING POINT OF PARCEL OF LAND TO BE DESCRIBED; THENCE SOUTH 89D0' EAST 280.5 FEET; THENCE SOUTH 0D30' WEST 80.0 FEET; THENCE NORTH 87D0' WEST 280.5 FEET; THENCE NORTH 0D30' EAST 80.0 FEET TO THE PLACE OF BEGINNING.</p> <p>EXCEPT THAT PORTION DEEDED E#1073426</p> <p>PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN. BEGINNING AT THE SOUTHWEST CORNER OF GRANTOR'S PROPERTY, SAID POINT LYING ON THE PROJECT CENTERLINE OF 4450 SOUTH STREET AND NORTH 1612.5 FEET AND WEST 429.5 FEET, MORE OR LESS, FROM THE SOUTH QUARTER CORNER OF SAID SECTION 7; AND RUNNING THENCE NORTH 0D30' EAST ALONG THE WEST LINE OF SAID PROPERTY, 30.03 FEET; THENCE SOUTH 86D52'40" EAST PARALLEL TO AND NORTHERLY 30 FEET FROM SAID CENTERLINE, 150.04 FEET, MORE OR LESS, THENCE NORTHEASTERLY, ALONG THE ARC OF A 139.11-FOOT RADIUS CURVE TO THE LEFT, 114.55 FEET (CHORD BEARS NORTH 69D31'35" EAST 111.35 FEET); THENCE NORTHEASTERLY, ALONG THE ARC OF A 196.55 FOOT RADIUS CURVE TO THE RIGHT, 34.23 FEET (CHORD BEARS NORTH 50D55'54" EAST 34.19 FEET) TO THE EAST LINE OF GRANTOR'S PROPERTY; THENCE SOUTH 0D30' WEST ALONG SAID EAST LINE, 97.62 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PROPERTY; THENCE NORTH 86D52'40" WEST ALONG THE SOUTH LINE OF SAID PROPERTY AND PROJECTED CENTERLINE OF 4475 SOUTH STREET, 280.5 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.</p>		
COMMENTS:		

For Tax Purposes Only. As of: December 9, 2014, 4:40 pm		



December 11, 2014

Notice of Public Hearing

Riverdale City gives notice that on Tuesday, December 23, 2014 during the regular Planning Commission meeting, which begins at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive, Riverdale, Utah, there will be a public hearing to receive and consider public comment regarding proposed amendments to the Riverdale City Zoning Map, specifically to rezone a property located at 800 W. 4450 S. from C-3 Regional Commercial Zone to Single-Family and Single Family with Rental Unit Residential R-2. Public Comment is invited.

- The public is invited to attend all public meetings.
- In compliance with the Americans with Disabilities Act, persons who have need of special accommodations should contact the City Recorder at 394-5541.

December 11, 2014

TO: Standard Examiner Legal Notices

PUBLIC NOTICE

Riverdale City gives notice that on Tuesday, December 23, 2014 during the regular Planning Commission meeting, which begins at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive, Riverdale, Utah, there will be a public hearing to receive and consider public comment regarding proposed amendments to the Riverdale City Zoning Map, specifically to rezone a property located at 800 W. 4450 S. from C-3 Regional Commercial Zone to Single-Family and Single Family with Rental Unit Residential R-2. A map can be viewed on the city's website www.riverdalecity.com. Public Comment is invited.

Publish one time on December 13, 2014.

PROOF OF PUBLICATION REQUIRED

Please acknowledge receipt of notice by return fax or e-mail to:

eherrick@riverdalecity.com

Ember Herrick

City Recorder

Fax: 801-399-5784

Phone: 801-394-5541 ext 1232

STANDARD EXAMINER
OGDEN PUBLISHING CORP
PO BOX 12790
OGDEN UT 84412-2790

ORDER CONFIRMATION

Salesperson: LEGALS

Printed at 12/12/14 10:41 by dmailo

Acct #: 100310

Ad #: 565371

Status: N

RIVERDALE CITY CORP
4600 S WEBER RIVER DR
RIVERDALE UT 84405-3782

Start: 12/13/2014 Stop: 12/13/2014
Times Ord: 1 Times Run: ***
LEGL 1.00 X 1.76 Words: 101
Total LEGL 2.00
Class: 30090 LEGALS
Rate: LEGLS Cost: 72.25
Affidavits: 1

Contact: EMBER HERRICK
Phone: (801)394-5541ext
Fax#: (801)399-5784ext
Email: @riverdalecity.com
Agency:

Ad Descrpt: PC HEARING 12/23
Given by: EMAIL EMBER HERRICK
Created: dmail 12/12/14 10:39
Last Changed: dmail 12/12/14 10:41

PUB ZONE ED TP START INS STOP SMTWTFS
SE A 97 W 12/13/14 1 12/13/14 SMTWTFS

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

PUBLIC NOTICE

Riverdale City gives notice that on Tuesday, December 23, 2014 during the regular Planning Commission meeting, which begins at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive, Riverdale, Utah, there will be a public hearing to receive and consider public comment regarding proposed amendments to the Riverdale City Zoning Map, specifically to rezone a property located at 800 W. 4450 S. from C-3 Regional Commercial Zone to Single-Family and Single Family with Rental Unit Residential R-2. A map can be viewed on the city's website www.riverdalecity.com. Public Comment is invited.

Pub.: December 13, 2014. 565371



Minutes of the **Work Session** of the **Riverdale City Planning Commission** held Tuesday, **December 23, 2014** at 6:04 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Steve Hilton, Commissioner
Kathy Eskelsen, Commissioner
Lori Fleming, Commissioner
Michael Roubinet, Commissioner
Cody Hansen, Commissioner

Members Excused: Blair Jones, Chairman
David Gailey, Commissioner

Others Present: Michael Eggett, Community Development Director; Ember Herrick, City Recorder and no members of the public.

Vice-Chairman Hilton said the only action item on tonight's agenda is a public hearing to receive and consider public comment on a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S. Mr. Eggett said this is property owned by the Mitchell Family Trust and a developer is interested in rezoning it for residential development which he said will be in harmony in the adjacent properties. Mr. Eggett said the property is in between a commercial development to the south and residential properties to north and the developer has expressed interest in building a PRUD with patio homes on 6,000 square foot lots or larger. Commissioner Fleming asked how many homes are being proposed and Mr. Eggett said the developer has not indicated because they may acquire other adjacent parcels to expand the proposed project. Vice-Chairman Hilton asked if the developer has a concept ready for consideration if this rezone is approved and Mr. Eggett said not at this time. Commissioner Hansen asked about the process if the rezone is approved and Mr. Eggett said the Planning Commission's recommendation will be forwarded to the City Council and then the developer will need to bring a development proposal forward for both bodies to review. Mr. Eggett said during the public notice period he has not received any comments in opposition to the rezone request and he noted that all public notice requirements have been met. Commissioner Fleming asked about the R-2 Zoning designation and Mr. Eggett said patio homes will likely be proposed which will be subject to a conditional use permit. Vice-Chairman Hilton asked about the timing of the proposal and Mr. Eggett said he believes the Mitchell family has given the developer 60 days to secure the rezone so that is why the Planning Commission is meeting tonight to consider the rezone request. Mr. Eggett said if the Planning Commission forwards a favorable recommendation, the City Council will consider this rezone request at their next meeting on January 6, 2015 and then the process to secure a conditional use permit will begin. Commissioner Fleming asked what will happen if the

rezone request is granted but the development concept changes in the future and Mr. Eggett said a future petitioner would need to go through the rezone process again. Commissioner Hansen said in his opinion this R-2 rezone is a good fit to buffer the residential homes from the nearby commercial district. Vice-Chairman Hilton asked for additional comments or questions and none were noted.

DRAFT



Riverdale City

Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **December 23, 2014 at 6:30 p.m.** at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Steve Hilton, Commissioner
Kathy Eskelsen, Commissioner
Lori Fleming, Commissioner
Michael Roubinet, Commissioner
Cody Hansen, Commissioner

Members Excused: Blair Jones, Chairman
David Gailey, Commissioner

Others Present: Michael Eggett, Community Development Director; Ember Herrick, City Recorder and six members of the public Ashley Andersen, Lorri Thurgood, Hugh Parke, Lori Mitchell, Drew Mitchell, Cliff Mitchell

E. Action Items

1. a. **Public hearing to receive and consider public comment on a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S.**
- b. **Consideration of a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S.**

Vice-Chairman Hilton said the only action item on tonight's agenda is consideration of a proposed rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S. Mr. Eggett said the rezone public hearing was noticed properly as evidenced in the documentation included in the packet. Vice-Chairman Hilton opened the public hearing for public comment and no comments were received.

Motion: Commissioner Fleming moved to close the public hearing. Commissioner Roubinet seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

Mr. Eggett said this parcel of land is currently owned by the Mitchell Family Trust and a developer is interested in rezoning the land so that it can accommodate a PRUD development with residential lots no smaller than 6,000 square feet. He said this use would be a good transitional buffer between the commercial and residential zones and coincides with Riverdale's General Plan and Master Land Use Plan. Vice-Chairman Hilton asked how many homes are being proposed and Mr. Eggett said the petitioners haven't indicated a number but if this rezone is approved a proposal will be submitted which will be subject to Planning Commission and City Council consideration. Vice-Chairman Hilton asked is a representative of the Thurgood or Mitchell family would like to speak about the rezone request and no comments were made.

Commissioner Hansen said he lives in this neighborhood and supports the rezone and proposed use as it will create a buffer between the commercial and residential areas. Vice-Chairman Hilton asked for any additional questions or concerns and none were noted.

Motion: Commissioner Hansen moved to forward a favorable recommendation to the City Council to approve a rezone request from C-3 Regional Commercial to R-2 Single Family with Rental Unit Residential for a property located at 800 W. 4450 S. Commissioner Eskelsen seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

DRAFT

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 6, 2015**

AGENDA ITEM: H

SUBJECT: Discretionary Items

PETITIONER: Elected, Appointed, and Staff

ACTION REQUESTED BY PETITIONER: Open agenda item provided for comments or discussion on discretionary items.

[BACK TO AGENDA](#)