



**RIVERDALE CITY PLANNING COMMISSION AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY, MAY 26, 2026**

5:30 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

D. Consent Items

1. Consideration of Meeting Minutes from:

[May 12, 2026 Regular Meeting](#)

E. Action Items

1. Public hearing for a text amendment to Title 10 of the Riverdale City Code for the classification of new and unlisted business uses.

2. [Consideration to forward a recommendation to City Council a text amendment to Title 10 of the Riverdale City Code for the classification of new and unlisted business uses.](#)

F. Comments

1. Planning Commission
2. City Staff

G. Adjournment

Approximately 6:00 p.m. (immediately following regular meeting) – Planning Commission Work Session (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. This work session will be focused on the process of updating Riverdale City Code Title 10 with Hansen Planning Group.

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 22nd day of May, 2026 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdaleutah.gov/> and 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

Michelle Marigoni
Riverdale City Recorder

Minutes of the **Regular Session** of the Riverdale City **Planning Commission** held Tuesday, May 12, 2026, at 5:30 p.m., at the Civic Center, 4600 S Weber River Drive., Riverdale City, Weber County, Utah.

Present:

Commissioners: Rikard Hermann, Chair
Colleen Henstra, Vice Chair
Alan Bowthorpe, Commissioner
Jason Francis, Commissioner
Laura Hilton, Commissioner
Cody Hansen, Commissioner
Melissa Carey, Commissioner

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

Excused:

Visitors:

A. Welcome & Roll Call

The Planning Commission Meeting began at 5:31 p.m. Commissioner Hermann 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 Hermann opened the floor for public comments. There was no public comment.

C. Presentations and Reports

1. Community Development Update
 - a. Mr. Cooper explained the Development Review Committee process
 - b. Commissioner Hermann presented Development Review Committee information on the recently reviewed LHM Townhomes and Dave's Hot Chicken. Mr. Cooper answered questions.

Planning Commission concerns regarding the townhomes project included traffic study on 300 West, on-street parking, and guest parking.

D. Consent Items

1. Consideration of Meeting Minutes from:
April 28, 2026 Work Session and Regular Meeting

Commissioner Henstra moved to approve the consent items. Commissioner Hilton seconded and all voted in favor.

E. Action Items

1. Consideration to reschedule a public hearing for a text amendment to Title 10 of the Riverdale City Code for the classification of new and unlisted business uses.

MOTION: Commissioner Bowthorpe moved to reschedule the public hearing for May 26, 2026.
SECOND: Commissioner Hansen

Commissioner Hilton: Yes
Commissioner Carey: Yes
Commissioner Hansen: Yes
Commissioner Henstra: Yes
Commissioner Bowthorpe: Yes
Commissioner Hermann: Yes
Commissioner Francis: Yes

Motion passed unanimously.

2. Consideration to approve Subdivision Plat Amendment for Peacock Ridge Estates preliminary plat.

MOTION: Commissioner Henstra moved to approve the Subdivision Plat Amendment for Peacock Ridge Estates preliminary plat with the following conditions: Buyers complete water transfer at time of sale of lot 2R and 3R, the city installs water and sewer, and that buyers be required to comply with all city standards and regulations regarding final plat approval.

SECOND: Commissioner Francis

Commissioner Hilton: Yes
Commissioner Carey: Yes
Commissioner Hermann: Yes
Commissioner Francis: Yes
Commissioner Hansen: Yes
Commissioner Henstra: Yes
Commissioner Bowthorpe: Yes

Motion passed unanimously.

Comments

1. Planning Commission
2. City Staff

As Hansen Planning Group was unable to attend the work session, it will not be held.

F. Adjournment

As there was no further business to discuss, Commissioner Bowthorpe moved to adjourn. Commissioner Hilton seconded the motion. All were in favor and the Planning Commission meeting adjourned at 6:22 p.m.

Approximately 6:00 p.m. (immediately following regular meeting) – Planning Commission Work Session (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. This work session will be focused on the process of updating Riverdale City Code Title 10 with Hansen Planning Group.

As Hansen Planning Group was unable to attend the work session, it was not held.

Date Approved:

Body: Planning Commission
Topic: Zoning Text Amendment
PUBLIC HEARING, consideration and recommendation on a legislative amendment to amend Riverdale City Code 10-3: Classification of New and Unlisted Business Uses
Department: Community Development
Director: Brandon Cooper
Staff/Presenter: Brandon Cooper
Contact: bcooper@riverdalecity.com

Request:

The Community Development Department is transmitting a proposed text amendment to **Title 10, Chapter 3 – Classification of New and Unlisted Business Uses** for Planning Commission review, public hearing, and recommendation to the City Council.

The proposed amendment establishes a formal process for classifying new or unlisted business uses in accordance with **Utah Code §10-20-507**, as clarified through recent legislative changes (SB179). The amendment provides a structured administrative and legislative framework to determine whether a proposed business use is substantially similar to an existing listed use or requires City Council review and designation.

Proposed Timeline:

Planning Commission Meeting/Public Hearing – May 26, 2026
City Council Meeting – June 2, 2026 (tentative)

Applicable Ordinances

Riverdale City Zoning Ordinance Title 10, Chapter 3: Classification of New and Unlisted Business Uses (*See attached draft code language*)

Utah Code Title 10, Chapter 20 – Land Use Development and Management Act (LUDMA)

Executive Summary

The proposed ordinance is intended to address ambiguity in the classification of business uses within the City’s zoning code and to ensure compliance with recent updates to Utah law.

The amendment establishes a two-step process:

1. **Administrative Review by the Community Development Director**
 - Determines whether a proposed use is substantially similar to an existing permitted or conditional use based on objective criteria such as operational characteristics, traffic, compatibility, and impacts.

2. **Legislative Review by the City Council**
 - If the use is determined to be new or unlisted, the request is forwarded to the City Council for consideration and designation of appropriate zoning districts or denial.

The ordinance also establishes:

- Clear definitions for classification requests and new/unlisted uses;
- Objective evaluation criteria for administrative determinations;
- A formal process for City Council review within a defined timeframe;
- Appeal procedures consistent with state law; and
- Requirements for codifying approved or denied uses into the zoning ordinance.

Analysis and Draft Code Language

See attached draft code language. Proposed amendments include new sections establishing purpose, authority, definitions, classification procedures, and approval standards, with **redline** text identifying additions and modifications.

Approval Standards

Under Utah Code Title 10, Chapter 20, the Planning Commission shall evaluate text amendments based on whether they:

- Promote the public health, safety, and welfare;
- Are consistent with the General Plan;
- Establish clear and objective standards for land use regulation; and
- Provide predictable and equitable application of development regulations.

The proposed amendment reflects best practices by:

- Providing a clear and defensible process for handling zoning ambiguity;
- Ensuring administrative decisions are based on objective criteria;
- Maintaining legislative authority for new land use determinations; and
- Reducing uncertainty for applicants, staff, and the public.

Conformance with General Plan

The General Plan is a resident-driven vision for the City and its future. The Planning Commission should consider whether the proposed amendment is in conformance with the Riverdale City General Plan based on the following:

1. **Land Use Compatibility**
The ordinance ensures that new or emerging uses are evaluated for compatibility with surrounding land uses and zoning districts.
2. **Efficient and Predictable Development Review**
The process provides clarity and predictability, improving the efficiency of development review and decision-making.
3. **Public Health, Safety, and Welfare**
Objective criteria for evaluating impacts such as traffic, noise, and operations ensure that new uses do not adversely affect the community.
4. **Implementation Tool**
The ordinance functions as an implementation mechanism for the General Plan by providing a structured method to incorporate new land uses into the zoning framework.

Following the presentation and discussion of the proposal, the Planning Commission may make:

- 1) a motion to recommend **APPROVAL** to the City Council of amendments to RCC 10-3
- 2) a motion to recommend **APPROVAL WITH MODIFICATIONS** to the City Council of amendments to RCC 10-3
- 3) a motion to recommend **DENIAL** to the City Council of amendments to RCC 10-3
- 4) a motion to **TABLE** the matter to a later date

Staff Recommendation

Staff recommends the Planning Commission forward a positive recommendation to the City Council for adoption of the proposed amendment.

Attachments:

Draft Code Amendments – Title 10 Chapter 3
SB179 Supporting Documentation

RIVERDALE CITY CODE

TITLE 10 – ZONING & SUBDIVISION REGULATIONS

CHAPTER 3 - CLASSIFICATION OF NEW AND UNLISTED BUSINESS USES

10-3-1: PURPOSE

The purpose of this section is to establish a process for the classification of new or unlisted business uses in accordance with Utah Code §10-20-507. This section provides a uniform procedure to determine whether a proposed business use is substantially similar to a listed use within this title or constitutes a new or unlisted use requiring legislative review.

10-3-2: AUTHORITY

The Community Development Director is designated as the administrative land use authority authorized to review and determine if the proposed new or unlisted land use aligns with an existing land use in the city's zoning ordinances and its impact on surrounding areas.

10-3-3: DEFINITIONS

1. **Classification Request:** A request submitted by an applicant seeking a determination as to whether a proposed business use is substantially similar to a use listed in this title.
2. **New or Unlisted Business Use:** A business use that is not expressly identified within the city's zoning use tables and cannot be reasonably classified as substantially similar to an existing listed use.

10-3-4: AMBIGUOUS ZONE CLASSIFICATION

Any property not clearly zoned on the city's official zone maps or determined not to be subject to the requirements of a zone classification under this title is classified in the agricultural zone, A-1, and shall be subject to the A-1 zone requirements.

10-3-5: AMBIGUOUS USE CLASSIFICATION PROCEDURE: If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this title, the following process applies:

1. **Application:** An applicant may submit a classification request to the community development director on a form provided by the city to determine if a proposed business use aligns with an existing permitted or conditional use in this title. The application shall include information specified by the community development director, such as a written description of the proposed use, operational details, site plans, anticipated impacts, and any additional information required by the city.
2. **Community Development Director Review:** The community development director shall review the classification request and determine if the proposed use is substantially similar to an existing permitted or conditional use based on the following criteria:

- a. The nature and purposed of the use;
- b. Type of goods and services provided;
- c. Number of customers and employees;
- d. Amount and type of on-site storage;
- e. Traffic generation and impacts;
- f. Hours of operation;
- g. Compatibility with surrounding uses;
- h. Noise, odor, or vibration generated; and
- i. Any other relevant land use characteristics

3. Determination of Existing Use: If the community development director determines the proposed use is substantially similar to an existing listed use, the proposed use shall be classified under that category, and the applicant may proceed under the regulations applicable to that use.

4. New or Unlisted Business Use: If the community development director determines the proposed use is a new or unlisted business use not substantially similar to an existing use, the proposed use shall be deemed a new or unlisted business use. The community development director shall provide written determination identifying the basis for this conclusion and the new or unlisted business use shall be referred to the city council for consideration. The applicant may submit an application on a form provided by the city to the city council for review. The city council shall review the application at a public meeting within 60 days of submission, provided the applicant responds to requests for additional information within 10 business days and attends required meetings. The city council shall approve or deny the new or unlisted business use to determine whether the use is appropriate within one or more zoning districts based on consistency with the Riverdale City General Plan, public health and safety, and zoning compatibility. If approved, the City Council shall designate one or more appropriate zones for the use and direct staff to amend this title to incorporate the use as a permitted or conditional use in those zones. If denied, the city council shall provide a written decision stating the reasons for the denial, including any incompatibility with the City's General Plan, zoning regulations, or surrounding land uses, and staff shall amend this title to add the use to the prohibited uses for each respective zone.

5. Appeals: The community development director's determination under Subsection (D) may be appealed to the authority designated under Riverdale City Code 2-4-3, within the timeframe specified therein. The City Council's decision under Subsection (D)(4) may be appealed to the district court, within thirty (30) days after such decision, as provided in Utah Code Annotated section 10-20-1109, as amended.

10-3-6: Effect of Approval. Approval of a new or unlisted business use by the City Council shall not, by itself, authorize the establishment of the use. The use shall be subject to all applicable zoning, licensing, and permitting requirements as required in this title, including conditional use approval where required.

10-3-7: Fees. Fees for classification requests, application to add a new or unlisted business use, and appeals shall be established and set forth in the city's consolidated fee schedule, as modified from time to time.

Effective 5/6/2026

10-20-507 Classification of new and unlisted business uses.

- (1) As used in this section:
 - (a) "Classification request" means a request to determine whether a proposed business use aligns with an existing land use specified in a municipality's land use ordinances.
 - (b) "New or unlisted business use" means a business activity that does not align with an existing land use specified in a municipality's land use ordinances.
- (2)
 - (a) Each municipality shall incorporate into the municipality's land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use.
 - (b) The process described in Subsection (2)(a) shall:
 - (i) detail how an applicant may submit a classification request;
 - (ii) establish a procedure for the municipality to review a classification request, including:
 - (A) providing a land use authority with criteria to determine whether a proposed use aligns with an existing use;
 - (B) allowing an applicant to proceed under the regulations of an existing use if a land use authority determines a proposed use aligns with that existing use; and
 - (C) providing the applicant an opportunity to appeal a land use authority's decision to a land use appeal authority;
 - (iii) provide that if a use is determined to be a new or unlisted business use:
 - (A) the applicant shall submit to the legislative body for review an application requesting that the legislative body adopt a land use ordinance that permits the new or unlisted business as a permitted or conditional use;
 - (B) notwithstanding Subsection 10-20-503(2) or (3), the legislative body shall consider and approve or deny the application described in Subsection (2)(b)(iii)(A); and
 - (C) the legislative body shall approve or deny the application described in Subsection (2)(b)(iii)(A), within a time frame the legislative body establishes by ordinance, if the applicant responds to requests for additional information within a time frame established by the municipality and appears at required hearings;
 - (iv) provide that if the legislative body approves the application described in Subsection (2)(b)(iii)(A), the legislative body shall designate an appropriate zone or zones for the approved use; and
 - (v) provide that if the legislative body denies the application described in Subsection (2)(b)(iii)(A), or if an applicant disagrees with the land use authority's classification of the proposed use, the legislative body shall:
 - (A) notify the applicant in writing of each reason for the classification or denial; and
 - (B) notify the applicant of the process for appealing the legislative body's decision in accordance with Section 10-20-1109.
 - (c) A municipality may not require an applicant who submits an application described in Subsection (2)(b)(iii)(A) to submit the application to the planning commission for consideration, review, or approval.
- (3) Each municipality shall amend each land use ordinance that contains a list of approved or prohibited business uses to include a reference to the process for petitioning to approve a new or unlisted business use, as described in Subsection (2).

Amended by Chapter 166, 2026 General Session