
6:00 p.m. – Council Meeting (Council Chambers)**A. Welcome & Roll Call****B. Pledge of Allegiance – Steve Brooks****C. Invocation – TBA, by invitation****D. Public Comment**

(This is an opportunity to address the City Council regarding your concerns or ideas. No action will be taken during public comment. Please try to limit your comments to three minutes.)

E. Presentations and Reports

1. Mayor's Report
2. City Council Assignment Reports
3. Development Review Committee Report

F. Consent Items

1. Consideration to approve meeting minutes from [September 15, 2026 City Council Meeting](#)

G. Action Items

1. [Consideration of Ordinance # 1014 amending Riverdale City Code Title 10 Chapter 22 – Planned Development: adding R-4 and R-5 residential zones as eligible zones and other minor corrections.](#)
Presenter: Brandon Cooper
2. Fire Department Update
Presenter: Steve Brooks
3. Discussion regarding woods property
Presenter: Steve Brooks
4. Training – OPMA, GRAMA, Ethics
Presenter: Steve Brooks

H. Upcoming Events

- October 27-28 – ULCT Annual Convention, Salt Lake City

I. Comments

1. City Council
2. City Staff
3. Mayor

J. 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 within the Riverdale City limits on this 2nd day of October 2026 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdaleutah.gov/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

Michelle Marigoni
Riverdale City Recorder

**The City Council meeting on October 6, 2026 is viewable electronically and may be accessed by clicking on the link below. The regular City Council Chambers will be available for in-person participation. The agenda for the meeting is also attached above. **

https://www.youtube.com/channel/UCegcYe-pIXSRZGd5IlencvA/videos?view_as=subscriber

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, September 15, 2026, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:	Braden Mitchell, Mayor Alan Arnold, Councilmember / Mayor pro tem Bart Stevens, Councilmember Anne Hansen, Councilmember Michael Richter, Councilmember Kent Anderson, Councilmember
City Employees:	Steve Brooks, City Administrator/Attorney Brandon Cooper, Community Development Director Casey Warren, Police Chief Matthew Hennessy, Fire Chief Cody Cardon, Business Administrator Michelle Marigoni, City Recorder
Excused:	
Visitors:	Larry Parks Chief Clark and Deputy Chief Taylor – Weber Fire District

Welcome & Roll Call

The City Council meeting began at 6:00 p.m. Mayor Mitchell called the meeting to order and welcomed those in attendance, including Council Members, City Staff, and members of the public.

Pledge of Allegiance – Alan Arnold

Invocation – Braden Mitchell

Public Comment

Mayor Mitchell invited members of the public to speak.

Larry Parks, a Roy resident and property owner in Riverdale representing the Northern Wasatch Association of Realtors, invited the City Council and city officials to attend an upcoming blueprint series symposium titled 'A Case Study in Housing Solutions.' He stated that the event is scheduled for Thursday, September 24, from 2:00 p.m. to 3:30 p.m. and will focus on innovative municipal approaches to affordable housing. Mr. Parks provided informational flyers featuring a QR code for registration.

Presentations and Reports

1. Mayor's Report

Mayor Mitchell reported on his participation in a Weber County Transportation Committee bus tour of fifteen transportation projects across the county seeking local sales tax grant funding. He noted that the county has approximately \$17 million available to distribute against 55 to 60 million dollars in total requests.

2. City Administration Report

- a. Department Reports August
- b. September Anniversaries Employee Recognition
- c. Staffing Authorization Plans
- d. Community Development Report

Mr. Brooks reviewed the August department reports, highlighting that fiscal year-to-date combined sales tax revenues continue to perform strongly, exceeding the previous five-year high set in 2023. Employee recognition included Karen Dille for twenty-seven years of service and Officer Edminster for five years of service.

Brandon Cooper reported on community development updates, reporting that Pinkbox Donuts submitted a Development Review Committee (DRC) application to renovate the vacant Arby's building. He also noted that interior

renovation permitting for The Cabin is progressing. Mr. Brooks updated the Council on major road construction, reporting that roundabouts at 1050 West and on the West Bench near America First are nearing completion with north-south traffic open. Final landscaping and center island aesthetic enhancements will take place in the spring, with potential guidance from a citizen advisory committee. Councilmember Arnold expressed support for involving local residents in the roundabout center design. Mayor Mitchell reported that concrete structural beams have been placed for the 4400 South bridge replacement project, which remains on schedule for completion in fall 2026.

Consent Items

1. Consideration to approve meeting minutes from:

September 1, 2026 Council Meeting

Mayor Mitchell asked if there were any changes to the minutes. There were none.

MOTION: Councilmember Arnold moved to approve the consent items. Councilmember Richter seconded the motion. There was not any discussion regarding this motion, which passed unanimously in favor.

Action Items

1. Public Hearing to receive public comment regarding the proposed annexation of Riverdale City into the Weber Fire District and the future delivery of fire suppression, emergency medical services, rescue services, ambulance transport, and related emergency services.

Mayor Mitchell explained that the public hearing served as an opportunity for public input and information gathering, emphasizing that no final action or formal decision regarding fire district annexation would be made during the meeting.

Motion: Councilmember Arnold moved to open the public hearing

Second: Councilmember Hansen

Councilor Arnold	Yes
Councilor Stevens	Yes
Councilor Hansen	Yes
Councilor Richter	Yes
Councilor Anderson	Yes

Motion passed unanimously. Public hearing open at 6:16 pm.

Mr. Brooks presented a comprehensive summary addressing approximately forty anticipated resident questions regarding the proposed annexation into the Weber Fire District. He explained that Riverdale City faces an estimated \$3 million annual revenue shortfall beginning in 2030 due to state tax distribution statute changes. Transitioning fire services to the special service district is projected to save the city approximately \$1 million annually to offset future budget deficits. He emphasized that the proposal is driven by long-term financial planning rather than operational deficiencies within the Riverdale Fire Department, noting that small municipalities face escalating labor and equipment costs.

Fire Chief Matthew Hennessy and Weber Fire District Chief Clark addressed council inquiries. Chief Hennessy reviewed the fire department's transition from volunteer to part-time and full-time staffing, noting that part-time staffing has become increasingly difficult to maintain as firefighters prioritize overtime at their primary agencies. Chief Clark confirmed that Riverdale's fire station will remain open and fully operational due to its strategic central location in Weber County. He assured the Council that ISO 3 insurance ratings will be maintained, Advanced Life Support paramedic services will be integrated, and existing Riverdale firefighters will transfer to the district without loss of employment, seniority, or accrued leave.

Councilmember Stevens raised questions regarding mutual aid agreements, volunteer staffing viability, taxing authority, and regional district growth. Chief Clark and Chief Hennessy clarified that mutual aid requires reciprocal staffing standards, making volunteer models unfeasible for Riverdale's commercial call volume. Business Administrator Cody Cardon noted that the city anticipates reducing its municipal property tax levy to offset property taxes assessed by the fire district. Mr. Brooks added that the city intends to retain ownership of the fire station building and lease it to the district, while working to preserve popular community events such as the annual Santa Run.

Public Comment:

Mayor Mitchell invited public comments. No public comments were received in person or online.

Motion: Councilmember Arnold moved to close the public hearing

Second: Councilmember Anderson

Councilor Arnold	Yes
Councilor Stevens	Yes
Councilor Hansen	Yes
Councilor Richter	Yes
Councilor Anderson	Yes

Motion passed unanimously. Public hearing closed at 7:07 pm.

2. Consideration of Ordinance #1013 amending Riverdale City Code 10-9B-2, Permitted Uses, by removing cluster subdivisions as a permitted use in the R-1-10, R-1-8, R-1-6, and R-1-4.5 residential zones; repealing Chapter 23, Cluster Subdivisions; and updating the existing reference to a planned residential unit development (PRUD) to the City's current planned development (PD) terminology under Chapter 22.

Mr. Cooper explained that Ordinance #1013 removes cluster subdivisions as a permitted use across residential zones, repeals Chapter 23, and updates code references to Planned Development (PD). He reported that following a temporary moratorium enacted in February 2026, staff evaluated the land use code and determined that the updated Planned Development ordinance provides superior council oversight regarding density and open space preservation, rendering cluster subdivision provisions redundant.

Councilmember Stevens expressed strong support for repealing cluster subdivisions, noting from personal experience that cluster developments lead to dense, undesirable living arrangements with limited privacy.

Motion: Councilmember Arnold moved to approve Ordinance #1013 amending Riverdale City Code 10-9B-2, Permitted Uses, by removing cluster subdivisions as a permitted use in the R-1-10, R-1-8, R-1-6, and R-1-4.5 residential zones; repealing Chapter 23, Cluster Subdivisions; and updating the existing reference to a planned residential unit development (PRUD) to the City's current planned development (PD) terminology under Chapter 22 as presented in the packet.

Second: Councilmember Richter

Councilor Stevens	Yes
Councilor Richter	Yes
Councilor Anderson	Yes
Councilor Arnold	Yes
Councilor Hansen	Yes

Motion passed unanimously.

3. Discussion regarding old railroad property

Mr. Brooks reported that discussion regarding the old railroad property was no longer necessary.

Upcoming Events

- September 28 – Fire Department Open House
- September 29 – Training: NIMS 402: Supporting Roles as Elected Officials

Comments

City Council

Councilmember Richter reported on recent Development Review Committee (DRC) activities, including the approval of Pinkbox Donuts at the former Arby's location, plans for a new city HVAC system, a proposed net-zero residential development near 1500 West and Ritter Drive, building renovations for EOS Fitness at the former RC Willey location, and a preliminary site plan review for a Bank of America branch on Riverdale Road.

Councilmember Arnold reiterated the importance of establishing a citizen advisory committee to assist with the aesthetic design of the 1050 West roundabout center island.

City Staff

Mr. Brooks invited the City Council and staff to an end-of-season employee hamburger luncheon scheduled for Wednesday, September 16, at 11:30 a.m.

Mayor

Adjournment

Having no further business to discuss, Councilmember Arnold moved to adjourn the meeting. Councilmember Anderson seconded the motion. The meeting was adjourned at 7:18 p.m.

Date Approved:



ORDINANCE NO. 1014

AN ORDINANCE OF THE RIVERDALE CITY COUNCIL AMENDING TITLE 10, CHAPTER 22, PLANNED DEVELOPMENT (PD) OVERLAY ZONE, OF THE RIVERDALE CITY CODE TO ADD R-4 AND R-5 AS ELIGIBLE UNDERLYING ZONING DISTRICTS.

WHEREAS, Riverdale City has authority under Utah Code Title 10, Chapter 20, the Municipal Land Use, Development, and Management Act, to enact and amend land use regulations to promote the public health, safety, and welfare; and

WHEREAS, the City adopted Chapter 22, Planned Development (PD) ordinance, to provide a coordinated process for residential, commercial, and mixed-use development; and

WHEREAS, the R-4 and R-5 residential zones were omitted from the eligible underlying zoning districts, and the City Council finds that development in these zones can benefit from the coordinated design, review, and maintenance provisions of Chapter 22; and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 22, 2026, reviewed the proposed amendment, and forwarded a favorable recommendation to the City Council; and

WHEREAS, the City Council has reviewed the proposed amendment and the Planning Commission recommendation and finds that adding R-4 and R-5 to the eligible-zone list is in the best interest of the City.

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

Section 1: Amendment

The Eligible Zones provision in Title 10, Chapter 22, subsection (2)(b), Applicability, of the Riverdale City Code is amended to read as follows:

b. Eligible Zones. Planned development overlay zones may be applied to property located in the following underlying zoning districts: R-1-8, R-1-10, R-2, R-3, R-4, R-5, C-1, C-2, C-3, CP-1, CP-2, CP-3, M-U.

Section 2: Scope

This ordinance adds R-4 and R-5 to the eligible underlying zoning districts. All other provisions of Title 10, Chapter 22 remain unchanged and in full force and effect. Eligibility does not apply a PD to any property or approve any development proposal. Any PD, development agreement, and

related land use approvals remain subject to the requirements of Chapter 22 and other applicable law.

Section 3: Severability

If any section, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 4: Conflicts

All ordinances or parts thereof in conflict with this ordinance are repealed only to the extent of the conflict.

Section 5: Effective Date

This ordinance shall take effect immediately upon publication or posting as required by Utah State law.

PASSED, ADOPTED AND ORDERED POSTED this 6th day of October, 2026.

Braden D. Mitchell, Mayor

Attest:

Michelle Marigoni, City Recorder

Alan Arnold	_____	Yes	_____	No	_____	Absent
Bart Stevens	_____	Yes	_____	No	_____	Absent
Anne Hansen	_____	Yes	_____	No	_____	Absent
Michael Richter	_____	Yes	_____	No	_____	Absent
Kent Anderson	_____	Yes	_____	No	_____	Absent

Title 10 – Chapter 22: Planned Development (PD) Overlay Zone

This section calls for substantial compliance with the intent of the General Plan and regulations of this title and other provisions of this code related to the public health, safety, and general welfare, but also offers the advantages of large-scale planning for residential, commercial, and mixed-use development in order to encourage innovative, efficient, and high-quality development and use of land.

(1) **Purpose.** The purpose of the planned development is:

- a. To encourage a quality environment and unique sense of place through greater flexibility of design than is possible solely through the typical application of base zoning regulations;
- b. To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the base zoning regulations;
- c. To encourage good architectural design and placemaking measures by utilizing a variety of building types and site arrangement plans to give imagination, uniqueness, and variety in the physical pattern of the development;
- d. To encourage an innovative integration of uses, such as residential, commercial, recreational, entertainment, office, and light industrial uses;
- e. To facilitate a variety of development and use standards, including a range of heights, setbacks, densities, and lot sizes, to achieve innovative design patterns;
- f. To create a process for developers and the City to plan the potential capacity, intensity, and general types of uses, while allowing flexibility to respond to changes in the market over long build-out periods, with allowances for interim uses.

(2) **Applicability.**

- a. Administrative Land Use Authority. For the purposes of this chapter, the planning commission shall serve as the Administrative Land Use Authority to act on all land use applications.
- b. Eligible Zones. Planned development overlay zones may be applied to property located in the following underlying zoning districts: R-1-8, R-1-10, R-2, R-3, R-4, R-5, C-1, C-2, C-3, CP-1, CP-2, CP-3, M-U.
- c. Minimum Site Area.
 1. Residential or predominantly residential PDs shall contain a minimum of three (3) contiguous acres under unified ownership or control.
 2. Commercial, mixed-use, or predominantly nonresidential PDs shall contain a minimum of five (5) contiguous acres under unified ownership or control.
 3. The Administrative Land use Authority may waive the minimum acreage requirement for sites that demonstrate exceptional urban design, connectivity, or redevelopment merit.
- d. All PD overlays will require the applicant to enter into a development agreement with the City, as recommended by the planning commission and approved by the city council. The PD overlay provisions found in this chapter, along with the development agreement, shall supersede the site development standards of the zone to which it is applied. The PD Overlay Zone designation (PD) shall become a suffix to the zone with which it is combined and shall be shown on the official zoning map.
- a. **Legislative Process for Implementing a PD Overlay.** An application to implement a PD overlay shall be processed as a zoning map amendment in accordance with Utah state code and this title and may be initiated by the planning commission, the city council, or by any person, firm or corporation or agent of said person, firm or corporation owning the real property in the city which is the subject of the PD overlay request. All PD overlay requests shall satisfy the notice and publication requirements established by the laws of this state and shall first be presented to the planning commission for its

recommendations, which shall be returned to the city council for its consideration within thirty (30) days, as set forth in section 10-1-5 of this title. As a legislative land use decision, the City Council shall review the application, consider the planning commission recommendation, and if approved, adopt the overlay by ordinance. Overlay adoption is complete upon ordinance approval, the signature of the mayor, and the effective date of the ordinance.

- a. Relationship to Base Zoning. Upon approval, the PD overlay ordinance and recorded PD development plan and associated agreements supersede conflicting base zoning standards for the subject property. Where the PD is silent, base zoning standards apply.

(4) ***Design Objectives for Planned Developments.*** Every planned development shall be designed to achieve the following design objectives:

- a. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, connections, and development amenities.
- b. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
- c. The internal street system and pedestrian connections should be designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
- d. Open space and recreation areas and facilities should be located adjacent to dwelling units or be easily accessible therefrom.
- e. Architectural features, connections, open space and recreational areas should be the focal point for the overall design of the development.

(5) ***Development Requirements.*** To be approved, a planned development project must show a high commitment to excellence, ensuring better quality of life for future visitors, employees, or tenants and be compatible with adjacent developed areas. The following are required for all planned development projects:

- a. ***Ownership.*** At the time of application, the subject property shall be owned by the applicant, or the application shall include a duly executed owner's affidavit authorizing the applicant to act as the owner's representative for purposes of submitting and processing the application. If the property is held in multiple ownership, the application shall be filed jointly by all owners or shall include an owner's affidavit from each owner granting such authorization.
- b. ***Open Space.*** Unless otherwise approved by the Administrative Land Use Authority, common and private open space shall be provided and shall not cover less than 20 percent of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, street right-of-way, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, trails, patios, and recreational areas. Private open space (that provide for a dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space must constitute at least one quarter of the required open space. It may be distributed throughout the planned development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. Open space within a hillside or slope area may only be included as open space when they have been designed as an integral part of the project, as enumerated in subsection 10-22-3 above.
- c. ***Interior Streets.*** The design of public streets within a planned development shall follow City standards for width of right-of-way and construction. Private streets within a planned development may be approved under alternative street standards, as approved by the City Engineer, Public Works Director, and the Administrative Land Use Authority. Such alternative street standards may include reduced street widths, modified cross-sections, and alternative sidewalk or park strip configurations, in lieu of standards subdivision requirements. Alternative street standards may only be approved for private streets and access drives with internal circulation serving the planned development. Alternative street standards shall not apply to

public streets. Alternative street standards shall be approved if the applicant demonstrates, through objective evidence, that:

1. The proposed street design will safely accommodate anticipated traffic volumes; and
2. Emergency vehicle access and operations comply with adopted fire and building codes, as verified by written approval from the fire chief, fire marshal, or the authority having jurisdiction; and
3. The proposed design does not impair public safety or access to the development or adjacent properties; and
4. The alternative standards are consistent with the purpose and intent of the PD.
5. If conflicts arise between reviewing authorities regarding alternative street standards, the most restrictive standard shall apply unless the City Manager determines otherwise in writing with specific findings.

The interior street system in a planned development project shall be dedicated to the City as a utility easement. All private streets shall be conveyed to a private home-owner's association. The original developer/builder will also be required to establish a city-approved road maintenance fund for all private streets. This provision will be required in the CC&Rs for all projects with a private street system.

All streets approved as part of an original or amended planned development plan shall remain open and accessible at all times and shall not be gated, barricaded, or otherwise closed, except as temporarily required for construction, maintenance, or emergency purposes as approved by the City.

- d. **Parking.** The minimum parking requirements outlined in this Code shall be adhered to except as allowed below:

1. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
2. The Administrative Land Use Authority may consider the following criteria in determining whether or not the number of garages/carports/parking stalls should be increased or reduced:
 - (i) The topography of the proposed site.
 - (ii) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (iii) To improve the overall appearance of the development or the density of units.
 - (iv) Review the location of all garages/carports/parking stalls and may require that they be attached or underground for any multifamily units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (v) To assist the project in reaching affordable rent levels for low- and moderate-income individuals as determined by the U.S. Department of Housing and Urban Development.

- e. **Building Materials and Design Standards.** Building materials, roofing materials, and overall building design shall be reviewed for compliance with the objective standards of this section by the Community Development Director. The Administrative Land Use Authority shall approve or deny building materials based on compliance with the standards set forth in this chapter.

1. **Primary Building Materials:** Primary exterior building materials shall be limited to materials that meet recognized durability, fire resistance, and weather performance standards, including masonry materials such as:

- (i) brick, stone, split-faced or honed-face block;
- (ii) architectural metal panels with factory applied corrosion resistant finishes;

- (iii) large-format glazing or storefront;
- (iv) architectural concrete; and
- (iv) composite and cementitious materials.

Primary materials shall constitute a minimum of sixty percent (60%) of each building façade visible from a public right of way or common open space.

2. Secondary Building Materials: Secondary or accent exterior materials may be used in combination with primary materials and may include:

- (i) exterior grade wood or engineered wood products treated or finished for exterior exposure;
- (ii) stucco systems;
- (iii) non-structural metal elements.

Secondary materials shall not exceed forty percent (40%) of any individual building façade and shall not be used as the dominant exterior finish.

3. Prohibited Materials: The following materials are prohibited as primary or secondary exterior finishes on buildings visible from public rights-of-way or common open space:

- (i) vinyl siding;
- (ii) plywood;
- (iii) reflective or mirror-finish panels or glass;
- (iv) exterior insulation and finish systems (EIFS) without a drainage plane and ASTM-compliant impact resistance; and
- (v) standard CMU concrete block.

Roofing materials shall comply with the International Building Code (IBC) and applicable ASTM standards for asphalt shingles and metal roofing, or equivalent performance standards.

4. Illustrative Façade Standards: To ensure building elevations incorporate material variation, articulation, and human-scale design, consistent with the objective material requirements of this chapter, all commercial, multi-family residential, and mixed-use building façades visible from a public right-of-way, private street, or common open space shall comply with the following standards. Compliance with these façade standards shall be determined through elevation drawings submitted with the development application:

- (i) Horizontal Articulation: a visible change in plane, material, or architectural feature shall occur at intervals not exceeding 40 feet along the façade. Acceptable articulation methods include recesses or projections with a minimum depth of 18 inches, material changes meeting the primary/secondary materials standards, balconies, bay windows, or architectural offsets.
- (ii) Vertical Articulation: building exceeding 2-stories shall incorporate a visual break between the ground floor and upper floors through a change of material, horizontal band, cornice, or belt course, or a minimum 12-inch horizontal offset.
- (iii) Base-Middle-Cap Composition: building facades shall be designed using a base-middle-cap composition. The Base (ground floor) shall consist primarily of primary exterior building materials, shall include increased transparency, texture, and architectural detailing, and parking podiums or exposed foundations shall be clad with approved primary materials. The Middle (upper floors) may include a combination of primary and secondary materials and shall align vertically with openings and structural bays where feasible. The Cap (roofline/upper termination) shall include a parapet, cornice, stepped massing, or material transition to visually terminate the structure, with flat roof parapets having a minimum height of 24 inches.

- (iv) **Fenestration Standards:** In commercial and multi-family buildings, a minimum of 25% of the ground -floor façade area facing the public right-of-way or common open space shall consist of windows or glazed doors. Windows shall be vertically proportioned or grouped to create consistent spacing.
 - (v) **Mechanical and Service Screening:** Rooftop equipment shall be screened from view using parapets or architectural screening integrated with the building design. Ground-mounted equipment shall be screened using materials consistent with the building façade or approved landscape screening.
- f. ***Landscaping and Coverage Requirement.*** Where a planned development abuts a public right-of-way, a permanent landscaped area with a minimum width of twelve (12) feet shall be provided along the property line adjacent to the right-of-way. In addition, all required landscaped areas located on public and private property within the planned development shall be subject to the standards of this section and the landscaping regulations of the Riverdale City Code, as amended. All such landscaped areas shall be kept free of buildings and structures, except for fences, walls, or similar features expressly permitted by this title or otherwise approved by the Administrative Land Use Authority. Landscaped areas shall be permanently maintained and planted with a combination of street trees, shrubs, groundcover, and other approved plant materials, and may be screened or protected by natural features where appropriate. At maturity, a minimum of seventy-five percent (75%) of the total required landscaped area shall be covered by living plant material, including tree canopy, shrubs, and groundcover, as demonstrated on an approved landscape plan. Decorative hardscape, gravel, or non-living materials may be used as accent features but shall not exceed twenty-five percent (25%) of the landscaped area. All landscaping shall be installed prior to issuance of a certificate of occupancy, or secured through an approved financial guarantee, and shall be maintained in a healthy, growing condition in perpetuity in accordance with this code.
- g. ***Exterior Fencing.*** Exterior fencing shall be provided as approved by the Administrative Land Use Authority. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Chain link fencing is prohibited.
- h. ***Streetlights.*** Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the city's street light standards and specification. If the streets are private, the lights may be altered but must be approved by the Administrative Land Use Authority. The applicant shall submit a plan which indicates the type and location of streetlights in relation to the proposed site landscaping.
- i. ***Utilities.*** Within an approved PD, the following privately owned utility systems may be permitted, provided they are located wholly within the PD and comply with this title:
 - 1. Water systems, including distribution mains and service laterals;
 - 2. Sanitary sewer systems, including collection mains, laterals, and appurtenances;
 - 3. Storm drainage systems, including pipes, inlets, detention or retention facilities;
 - 4. Natural gas systems;
 - 5. Electrical power systems
 - 6. Communications systems, including telephone, cable, and data infrastructure
 - 7. Private utility systems within a PUD may be approved by the Administrative Land Use Authority upon finding that:
 - (i) The utilities are designed and constructed in accordance with city engineering standards, applicable state and federal regulations, and requirements of the applicable utility service provider;
 - (ii) The utilities will not adversely affect public systems or properties outside the PD;

- (iii) Adequate easements (minimum 15-foot width for water/sewer, 10-foot width for storm drainage) are provided to ensure access for operation, inspection, emergency response, and maintenance;
 - (iv) Ownership and long-term maintenance responsibility are legally secured through CC&R's, HOA documents, or similar instruments approved by the City Attorney in accordance with state law; and
 - (v) An improvement guarantee acceptable to the City Engineer and City Attorney is posted in the amount equal to 110% of the estimated replacement cost of the private utility infrastructure, to be held for a minimum of two (2) years following completion and final acceptance by the City.
8. **Future Public Connection Capability.** All private utility systems shall be designed to allow future connection to public utility systems. Connection costs shall be borne by the property owner(s) or HOA if public systems become available or if the private system fails to meet performance standards.
9. **Maintenance Failure Remedy.** If the HOA or property owner fails to adequately maintain private utilities resulting in public health, safety, or environmental violations, the City may, at its sole discretion and in accordance with Riverdale City Code and Utah state law:
- (i) Perform necessary maintenance and assess costs proportionally against benefited properties; or
 - (ii) Require connection to public systems at property owner(s) expense; or
 - (iii) Initiate foreclosure on recorded covenants or liens securing maintenance obligations.

Private utility systems connected to Riverdale City infrastructure shall be maintained, cleaned, and serviced at a frequency and to a standard equivalent to those applied to comparable City-owned utility systems, unless otherwise approved by the Public Works Director in accordance with adopted operation and maintenance standards.

All backflow prevention devices located within the planned development shall be maintained by the responsible association and shall be inspected annually by a certified tester. Inspection reports shall be submitted to Riverdale City in accordance with City standards.

All privately owned fire hydrants within the planned development shall be tested and inspected annually in accordance with Fire Department and adopted fire code standards. Documentation of such testing shall be provided to Riverdale City upon request.

(6) ***Development Standards.***

- a. ***Required Elements.*** Planned developments shall be guided by a comprehensive design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Administrative Land Use Authority may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan as they determine appropriate. The Administrative Land Use Authority may require specific setbacks, a higher or lower residential density, and a height limitation. These criteria shall be used by the Administrative Land Use Authority principally to ensure the design objectives in this section of this chapter are met.
1. ***Feasible Development.*** A planned development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development, in accordance with the minimum site area set forth in this chapter.
 2. ***Density.*** Within a planned development, development may occur in one or more phases. The density of any individual phase, whether residential, commercial, or mixed-use, shall be permitted to vary from the base zoning standards applicable to the site, provided that the overall density and intensity of the entire planned development do not exceed the maximum density, floor area, or trip generation assumed or permitted by this title or approved PD development plan. Residential density within any single phase may exceed or be less than the base zoning density, and commercial or mixed-use phases may be

developed at varying intensities, so long as the cumulative development across all phases remains in compliance with the approved PD density calculations, transportation assumptions, and public utility capacity. Density transfers between phases may be permitted where such transfer does not increase net trip generation beyond approved limits listed on the approved PD plan and supported by adequate infrastructure and access.

3. **Site Calculations.** Specific calculations addressing the percentage of open space (common and private), impervious versus pervious coverage, and site improvements must be submitted with all project applications.
 4. **Lot Requirements.** No specific yard, setback, or lot size requirement shall be imposed in the planned development. However, the purpose and objectives of this chapter must be complied with in the final development plan. The Administrative Land Use Authority may require certain setbacks within all or a portion of the planned development.
 5. **Building Height.** No residential structure shall exceed a maximum of thirty-five (35) feet to the peak of roof from average finished grade. No commercial, multi-family, or mixed-use structure shall exceed a maximum of fifty (50) feet to the peak of roof from average finished grade.
 6. **Traffic Circulation.** Points of primary vehicular access to the planned development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
 7. **Driveways and Alleys.** A private driveway or alley must comply with all established standards in this code.
 8. **Privacy.** Each planned development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping, and sound-reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
 9. **Noise Attenuation.** When, in the opinion of the community development director, a proposed planned development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of this code.
 10. **Security.** The development shall be designed to support security services and measures, taking into account public safety recommendations from the Riverdale City Police Department.
 11. **Pedestrian and Bicycle Paths.** Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, nonresidential, and recreational facilities in or adjacent to the development. The Administrative Land Use Authority may require connections to regional trail systems, activity centers, pedestrian and/or bicycle overpasses, underpasses, or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas, or other uses that will receive considerable pedestrian and/or recreational trails use from the development.
- b. **Desirable Amenities.** The following are desirable amenities or design options which may be required by the Administrative Land Use Authority depending on the size, scale, impacts, and nature of each individual planned development project:
1. Increase in common or private open space above the 20 percent minimum, particularly when the project contains significant non-buildable open space.

2. Creation of significant public or private recreation or site amenities, including, but not limited to, clubhouse, pool, sport courts, playgrounds, play fields, trails, and nature areas.
 3. Additional project landscaping and open space may be deemed appropriate.
- c. **Construction of Private Amenities in Phase 1.** All public and private amenities proposed, required, or relied upon as part of the planned development approval shall be fully constructed, completed, and ready for use no later than the completion of Phase 1 of the development, as defined in the approved phasing plan, and prior to issuance of any certificate of occupancy for Phase 1, except as provided for in this chapter.
 - d. **Improvement Completion Assurance in Lieu of Phase 1 Construction.** The City may approve deferral of construction of one or more public/private amenities beyond Phase 1 only if the applicant provides an improvement completion assurance in compliance with Utah Code Title 10, Chapter 20 and this code. The improvement completion assurance shall secure the full and timely construction of the deferred private amenities in accordance with the approved plans and phasing schedule. The improvement completion assurance shall be in an amount equal to one hundred ten percent (110%) of the estimated cost to fully construct the deferred public/private amenities, including labor, materials, mobilization, contingency, and all improvements necessary for the amenities to function as approved. Cost estimates shall be prepared by the applicant's licensed engineer or supported by qualified contractor bids and are subject to review and approval by the City Engineer or designee. The improvement completion assurance shall be provided in a form authorized by Utah law and acceptable to the City, which may include a surety bond, letter of credit, bank escrow, or other equivalent security. If public/private amenities are not fully constructed and accepted prior to Phase 1 occupancy, the required improvement completion assurance shall be submitted and approved before issuance of the first building permit within Phase 1, or at an earlier time specified in the approved phasing plan or development agreement. Failure to comply with this section may result in withholding of building permits or certificates of occupancy, to the extent authorized by law and consistent with the approved phasing plan.
 - e. **Partial Release.** The City shall maintain a system for partial release or reduction of the improvement completion assurance as public/private amenities, or separable components thereof, are completed, inspected, and verified for compliance with the approved plans. If the applicant fails to complete the deferred public/private amenities within the approved timeframe, the City may draw upon the improvement completion assurance to complete the improvements or cause them to be completed, including reasonable administrative costs.

Nothing in this section shall be construed to require dedication of private amenities to the City or acceptance of ownership or maintenance responsibility by the City.

(7) **Nonresidential Uses.**

- a. Noncommercial, nonresidential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned development. The applicant shall submit as part of the preliminary development plan such evidence to substantiate the request for such use as the community development director may require.
- b. Nonresidential, commercial, and mixed-use uses may be permitted within a planned development where such uses are designed to function as an integrated component of the overall development and are compatible with surrounding residential and nonresidential uses. Such uses may serve residents of the planned development, the surrounding community, or both, as identified in the approved PD development plan. The location, scale, and design of nonresidential and mixed-use development shall be arranged to minimize conflicts with residential uses and shall address potential impacts related to traffic circulation, access, loading, noise, lighting, and other operational characteristics. Loading areas, service functions, and refuse storage shall be screened and oriented away from residential uses and public view to the extent practicable and designed to avoid safety hazards or operational conflicts. Nonresidential and mixed-use development shall be located and accessed in a manner that does not create traffic congestion or safety hazards within or adjacent to the planned development. Vehicular, pedestrian, and bicycle circulation shall be coordinated to promote safe and efficient movement, including shared access points and internal connections where appropriate.

- d. Parking, signage, lighting, landscaping, service areas, buffers, entrances, and exits shall be designed as integrated elements of the planned development and shall be compatible in scale, materials, and placement with the overall character and design of the project. Shared parking arrangements may be permitted where supported by documented demand analysis and internal circulation design.
- e. The architectural character, site layout, and design features of nonresidential and mixed-use development shall be consistent with the approved PD development plan and shall contribute to a cohesive, high-quality development pattern, while allowing variation in use and intensity appropriate to the planned development context.

(8) *Maintenance of Common Facilities.*

- a. A planned development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the approved development plan. No such instrument shall be acceptable until approved by the City Attorney as to legal form and effect, and the Administrative Land Use Authority as to suitability for the proposed use of the common open space and subject facilities.
- b. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, private utilities, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to, the following:
 - 1. The private association must be established prior to the sale or rental of any unit.
 - 2. Membership must be mandatory for the original buyer and any successive buyers of a unit in a planned development, whether or not the unit is owner occupied or rented.
 - 3. The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.
 - 4. Each member of the association shall be assessed a pro rata share of the costs incurred by the association, and the association shall have the power to collect those costs.
- c. The Administrative Land Use Authority may also require dedication of scenic easements to ensure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the City may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.
- d. Long-term Storm Water Maintenance Agreements are required according to requirements identified in Riverdale City Standards and Specifications.
- e. In addition to any required road maintenance fund, the developer shall establish and fund a maintenance reserve for private water, sanitary sewer, and storm water facilities sufficient to ensure long-term repair, replacement, and maintenance of such facilities. All road and utility maintenance funds shall be funded based on a reserve study or engineer's estimate acceptable to the City.
- f. All snow removal operations for private streets and facilities shall be contained entirely within the boundaries of the planned development. Any on-site storage of salt, sand, or de-icing materials shall be located within a permanently covered and contained facility designed to prevent runoff or drainage beyond the containment area. Such facilities shall be subject to review and approval by the Riverdale City Public Works Department based on adopted City standards.
- g. Prior to the sale of any lot or unit, the association shall provide a City-approved disclosure document to each initial and subsequent purchaser stating that streets, water, sanitary sewer,

and storm water utilities within the planned development are privately owned and maintained, and that the purchaser is responsible for their proportionate share of maintenance and replacement costs. Such disclosure shall be acknowledged in writing by the purchaser and provided to the City as requested.

- h. The association shall provide to Riverdale City, on an annual basis, a copy of a current, executed contract with a qualified and reputable contractor for emergency repair of private streets and utility systems connected to City infrastructure.

(9) **Review Process.**

a. **Preliminary Review.**

1. As an initial requirement and to help expedite review of a development proposal, prior to submitting an application for a planned development, persons interested in undertaking development and becoming acquainted with the substantive and procedural requirements of this title shall meet informally with representatives from departments involved in the review of development applications. These representatives typically include the Community Development Department, Public Works Department, Public Utilities Department, City Attorney's Office, Building Department, Fire Department, Police Department, and other departments as necessary, along with the mayor, one member of the City Council, and one member of the planning commission. This meeting is referred to as the Development Review Committee (DRC) meeting.
2. At the DRC meeting, the various departments will initially assess the development proposal and information submitted and make suggestions to the prospective developer with respect to the proposal's compliance with the provisions of the appropriate regulations of this title, the International Building Code, and any other applicable ordinances or codes of Riverdale City and provide information concerning the City's review requirements and procedures.
3. Staff members may request that additional studies or information, such as Geotechnical Studies, Traffic Impact Analyses, Market Feasibility Analyses, or Water Needs Analyses, be submitted, together with the application for site plan review.

- b. **Architectural Review Committee.** Prior to submitting an application for a planned development, but after the Development Review Committee meeting, persons interested in undertaking development shall meet with representatives from the city, who shall consist of the mayor or his/her designee, the city administrator, the planning commission chair or his/her designee, the public works director, and the community development director, for review and approval of exterior architectural elevations and materials, color palette with sample of actual materials, general landscaping, and signage. This meeting is referred to as the Architectural Review Committee meeting.

- c. **Application.** An application for a planned development must be submitted to the Community Development Department and must contain the information and, if the project is to be subdivided, be in the format required by the subdivision review procedure in accordance with Title 10 Chapter 21. The application must include the following:

1. General Development Application Form and site plan pursuant to this title.
2. Preliminary plat, if the property is to be subdivided, including project size (acres), proposed lot lines, and plot designs.
3. Landscaping Plan. A Landscape Plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned development. Said Landscaping Plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Administrative Land Use Authority determines an area, because of its natural beauty or uniqueness, would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning

common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas.

4. Architectural building elevations. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, nonresidential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements.
5. Storm Water Analysis and Drainage. Plans shall include a long-term storm water management agreement and meet all other requirements in Riverdale City Standards and Specifications.
6. Utility Plan. The existing and proposed utility systems (e.g., sanitary sewers, storm sewers and water, electric, gas, telephone lines, and cable).
7. Road Plan and profiles.
8. The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas and other major points of access to public rights-of-way to the development including identification of jurisdictional control (including major points of ingress and egress to the development). Notations of proposed ownership, public and private, should be included where appropriate.
9. The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict.
10. Other studies and analyses requested by staff or the Administrative Land Use Authority, which may include geotechnical studies, traffic impact analysis, market feasibility analysis, water needs analysis, etc.
11. Adjacent property information. Enough information on land areas adjacent to the proposed development to indicate the relationships between the proposed development and existing and proposed adjacent areas including land uses, zoning classifications, densities, traffic and pedestrian circulation systems, public facilities, and unique natural features of the landscape.
12. The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls.
13. Names and addresses of property owners within 300 feet of the proposed project on mailing labels from the Weber County Recorder's Office (when required by staff).
14. Property plat from the Weber County Recorder's Office showing the area to be developed.
15. Fees as established by City Council.
16. The following written documents shall be submitted with the application:
 - (i) A legal description of the total site proposal for development including a statement of present and proposed ownership and present land use or phasing plan.
 - (ii) A statement of planning objectives to be achieved by the planned development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - (iii) Quantitative data for the following: unit types, total number of units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of nonresidential construction including a separate figure for commercial, public, quasi-public, or private facilities, if applicable, fiscal impact studies, where necessary, environmental

assessments, where necessary, and other studies as required by the community development director.

17. Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) are required according to the requirements identified in Riverdale City Standards and Specifications.

c. ***Staff Review***

1. Upon submittal of an application and supporting information and attendance at a Development Review Committee meeting, the site plan and subdivision plat shall be forwarded to the reviewing departments and agencies who shall review it preliminarily to determine if the plan, together with all supporting information, is complete and complies with all the requirements of this title and other applicable City and agencies' standards.
 - (i) If the departments' and agencies' reviews determine that all required, necessary, and requested information has not been submitted or that some of the specifics of the plan or information do not comply with the requirements of this title, the applicant shall be notified in writing and/or on the plans of any deficiencies, comments, corrections, and requirements (including additional information and/or studies) to be addressed. The revised plan and all required, necessary and requested supporting information must be resubmitted after the appropriate additions and/or corrections are made in order to complete the application.
 - (ii) Upon resubmittal, the site plan and subdivision plat will again be forwarded to the reviewing departments and agencies. The applicant shall be required to resubmit the plan and supporting documents to the City until all departments and agencies determine it is complete and complies with the requirements of this title and other applicable City and agencies' standards. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

(10) ***Administrative Land Use Authority Review and Approval.***

- a. When staff review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Administrative Land Use Authority for review and approval or recommendation to the city council. If the property is to be subdivided, the subdivision review requirements found in this title shall be complied with, including notice and hearing requirements.
- b. The Administrative Land Use Authority shall review the application, including all supporting information, to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Administrative Land Use Authority may require additional studies/analyses to enable it to determine what impacts should be addressed and may establish additional requirements to address those anticipated impacts.

(11) ***Amendments.***

- a. Material amendments to an approved final plat or final site plan shall be processed as a subdivision application or site plan application and reviewed by the designated land use authority in accordance with Utah Code Title 10, and this title. A material amendment includes any change that alters lot configuration, access, public improvements, easements, open space, or other elements affecting compliance with applicable regulations or conditions of approval. Minor amendments, defined as changes that do not alter the number, size, or configuration of lots; do not affect access, public improvements, or easements; and do not modify approved conditions or compliance with applicable regulations, may be approved administratively by the city, subject to applicable standards and requirements.

(12) ***Expiration of Final Subdivision Plat.***

- a. After the final subdivision plat has been recorded in the Office of the Weber County Recorder, the applicant may apply for building permits consistent with the approved and recorded final subdivision plat and consistent with the city requirements for a building permit. The approval of a

final subdivision application shall be effective for a period of one (1) year from the date the final subdivision application is approved by the city council, at the end of which time the final subdivision plat shall have been recorded in the office of the Weber County Recorder.

- b. If the approved final subdivision plat is not recorded within the one (1) year period of date of approval, and the planning commission has not extended the approval of the final subdivision plat, the final subdivision approval shall be void and any vested rights thereunder will be lost, whereupon the planning commission may require that a new subdivision plat be submitted and approval obtained pursuant to this section. A written request may be submitted to the planning commission prior to expiration of the final subdivision plat for an extension of up to six (6) months. The planning commission may grant such an extension for good cause. Once the application has expired, in order to reintroduce the proposed subdivision development, the applicant must submit a new application with all applicable fees.
- (13) ***Phased Planned Developments.*** A Phasing Plan, including size and order of phases, may be approved by the Administrative Land Use Authority. Such Phasing Plan shall have the written approval of all property owners. In addition, the approved Phasing Plan shall be submitted to the City Recorder for recordation with the County Recorder's Office as a covenant to run with the land.



Body: City Council
Topic: **Text Amendment-Riverdale City Code 10-22**
Addition of R-4 and R-5 zones as eligible
Planned Development zones

Department: **Community Development**
Director: Brandon Cooper
Staff/Presenter: Brandon Cooper
Contact: bcooper@riverdaleutah.gov

ITEM TYPE

- ☒ Action Item
- ☐ Public Hearing
- ☐ Discussion Item
- ☐ Information Item
- ☐ Other _____

EXECUTIVE SUMMARY

Chapter 22 - Planned Development (**PD**) was recently adopted to replace the City's former Planned Residential Unit Development (**PRUD**) framework with a more modern and flexible approach planned development. The chapter allows coordinated residential, commercial, and mixed-use projects to be reviewed under an integrated development plan while preserving the maximum density or development intensity permitted by the underlying zoning district.

When Chapter 22 was drafted, the R-4 and R-5 zones were not included among the eligible underlying districts because those zones were initially thought to have limited need for the new code. After considering how the ordinance applies to actual development proposals, staff has concluded that the flexibility and coordinated review provided by Chapter 22 can also benefit projects in the City's multifamily residential zones. The omission should therefore be corrected by adding R-4 and R-5 to the eligible-zone list.

Although Chapter 22 is new, staff anticipated that limited refinements would be needed as the City began applying the new framework to real projects. This amendment is one of those targeted implementation adjustments. Additional refinements may be identified and considered as part of the City's ongoing comprehensive update to Title 10.

ANALYSIS

- 1. Relationship to the R-4 and R-5 zones.** Chapters 10-9E and 10-9F establish the permitted uses and development standards for the R-4 and R-5 residential districts. Both districts accommodate multifamily residential development, where coordinated building placement, circulation, parking, open space, landscaping, utilities, and long-term maintenance can be particularly important. Chapter 22 provides a suitable process for evaluating these elements as one integrated development rather than as unrelated site components.



2. **Effect of eligibility.** Adding R-4 and R-5 would make property in those zones eligible to apply for a Planned Development; it would not automatically approve any project, rezone any property, or guarantee deviations from the base-zone standards. A future applicant would still be required to submit the plans, studies, agreements, and other materials required by Chapter 22 and obtain all applicable land use approvals.
3. **Continued role of the underlying zone.** The underlying R-4 or R-5 designation would continue to govern allowable residential density and other standards except where Chapter 22 expressly permits an alternative standard through the Planned Development process. The amendment expands access to the process but does not independently increase the density assigned to property by its base zoning district without appropriate approval from the Authorized Land Use Authority.
4. **Policy rationale.** The change supports cohesive design and gives the City a clearer mechanism to address shared access, private infrastructure, common open space, project amenities, phasing, design quality, and maintenance obligations in multifamily projects. It also treats the City's principal multifamily zones consistently with the other residential zones already listed as eligible.
5. **Comprehensive Title 10 update.** This targeted amendment addresses an immediate implementation issue. Broader organizational, procedural, and substantive refinements to Chapter 22 may be considered through the comprehensive Title 10 update after the City has gained additional experience administering the new ordinance.

PROPOSED CODE AMENDMENT

Amend the Eligible Zones provision in Chapter 22 as follows:

Eligible Zones. Planned development overlay zones may be applied to property located in the following underlying zoning districts: R-1-8, R-1-10, R-2, R-3, **R-4, R-5**, C-1, C-2, C-3, CP-1, CP-2, CP-3, M-U.

https://library.municode.com/ut/riverdale_city/codes/city_code?nodeId=TIT10ZOSURE_CH22PLREUNDEPR

PUBLIC HEARING AND REVIEW

Planning Commission Public Hearing: September 22, 2026

City Council Meeting: October 6, 2026

POLICY CONSIDERATIONS

- The amendment supports coordinated development patterns and efficient use of land and infrastructure.
- The Planned Development process can improve compatibility by evaluating buildings, access, parking, landscaping, open space, and amenities as an integrated whole.



- The amendment preserves the legislative zoning authority of the City Council and the project-specific review required by Chapter 22.
- The proposed change is narrow, responds to experience implementing the new ordinance, and remains consistent with the broader Title 10 update now underway.

PROCEDURAL STANDARDS

This proposal is a legislative land use regulation amendment. The Planning Commission has held a properly noticed public hearing, considered public comment and the proposed amendment, **and has forwarded a positive recommendation of approval to the City Council.** The City Council is the final legislative authority and may approve, modify, deny, or table the amendment in accordance with applicable law and City procedures.

POTENTIAL ACTIONS

Following presentation and discussion of the proposed text amendment, the City Council may:

1. make a motion to **APPROVE** the proposed amendment to Chapter 22.
2. make a motion to **APPROVE WITH MODIFICATIONS.**
3. make a motion to **DENY**, stating the reasons for the recommendation.
4. **TABLE** the matter to a date certain if additional information or revisions are needed.

RECOMMENDATION

Staff recommends that the City Council **APPROVE** the proposed text amendment to Riverdale City Code Title 10, Chapter 22, adding the R-4 and R-5 residential zones as eligible underlying zoning districts for a Planned Development.

Attachments:

Proposed amendment language
Planning Commission minutes_DRAFT

Title 10 – Chapter 22: Planned Development (PD) Overlay Zone

This section calls for substantial compliance with the intent of the General Plan and regulations of this title and other provisions of this code related to the public health, safety, and general welfare, but also offers the advantages of large-scale planning for residential, commercial, and mixed-use development in order to encourage innovative, efficient, and high-quality development and use of land.

(1) **Purpose.** The purpose of the planned development is:

- a. To encourage a quality environment and unique sense of place through greater flexibility of design than is possible solely through the typical application of base zoning regulations;
- b. To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the base zoning regulations;
- c. To encourage good architectural design and placemaking measures by utilizing a variety of building types and site arrangement plans to give imagination, uniqueness, and variety in the physical pattern of the development;
- d. To encourage an innovative integration of uses, such as residential, commercial, recreation, entertainment, office, and light industrial uses;
- e. To facilitate a variety of development and use standards, including a range of heights, setbacks, densities, and lot sizes, to achieve innovative design patterns;
- f. To create a process for developers and the City to plan the potential capacity, intensity, and general types of uses, while allowing flexibility to respond to changes in the market over long build-out periods, with allowances for interim uses.

(2) **Applicability.**

- a. Administrative Land Use Authority. For the purposes of this chapter, the planning commission shall serve as the Administrative Land Use Authority to act on all land use applications.
 - b. Eligible Zones. Planned development overlay zones may be applied to property located in the following underlying zoning districts: R-1-8, R-1-10, R-2, R-3, **R-4, R-5**, C-1, C-2, C-3, CP-1, CP-2, CP-3, M-U.
 - c. Minimum Site Area.
 1. Residential or predominantly residential PDs shall contain a minimum of three (3) contiguous acres under unified ownership or control.
 2. Commercial, mixed-use, or predominantly nonresidential PDs shall contain a minimum of five (5) contiguous acres under unified ownership or control.
 3. The Administrative Land use Authority may waive the minimum acreage requirement for sites that demonstrate exceptional urban design, connectivity, or redevelopment merit.
 - d. All PD overlays will require the applicant to enter into a development agreement with the City, as recommended by the planning commission and approved by the city council. The PD overlay provisions found in this chapter, along with the development agreement, shall supersede the site development standards of the zone to which it is applied. The PD Overlay Zone designation (PD) shall become a suffix to the zone with which it is combined and shall be shown on the official zoning map.
- (3) **Legislative Process for Implementing a PD Overlay.** An application to implement a PD overlay shall be processed as a zoning map amendment in accordance with Utah state code and this title and may be initiated by the planning commission, the city council, or by any person, firm or corporation or agent of said person, firm or corporation owning the real property in the city which is the subject of the PD overlay request. All PD overlay requests shall satisfy the notice and publication requirements established by the laws of this state and shall first be presented to the planning commission for its

recommendations, which shall be returned to the city council for its consideration within thirty (30) days, as set forth in section 10-1-5 of this title. As a legislative land use decision, the City Council shall review the application, consider the planning commission recommendation, and if approved, adopt the overlay by ordinance. Overlay adoption is complete upon ordinance approval, the signature of the mayor, and the effective date of the ordinance.

- a. Relationship to Base Zoning. Upon approval, the PD overlay ordinance and recorded PD development plan and associated agreements supersede conflicting base zoning standards for the subject property. Where the PD is silent, base zoning standards apply.

(4) ***Design Objectives for Planned Developments.*** Every planned development shall be designed to achieve the following design objectives:

- a. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, connections, and development amenities.
- b. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
- c. The internal street system and pedestrian connections should be designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
- d. Open space and recreation areas and facilities should be located adjacent to dwelling units or be easily accessible therefrom.
- e. Architectural features, connections, open space and recreational areas should be the focal point for the overall design of the development.

(5) ***Development Requirements.*** To be approved, a planned development project must show a high commitment to excellence, ensuring better quality of life for future visitors, employees, or tenants and be compatible with adjacent developed areas. The following are required for all planned development projects:

- a. ***Ownership.*** At the time of application, the subject property shall be owned by the applicant, or the application shall include a duly executed owner's affidavit authorizing the applicant to act as the owner's representative for purposes of submitting and processing the application. If the property is held in multiple ownership, the application shall be filed jointly by all owners or shall include an owner's affidavit from each owner granting such authorization.
- b. ***Open Space.*** Unless otherwise approved by the Administrative Land Use Authority, common and private open space shall be provided and shall not cover less than 20 percent of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, street right-of-way, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, trails, patios, and recreational areas. Private open space (that provide for a dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space must constitute at least one quarter of the required open space. It may be distributed throughout the planned development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. Open space within a hillside or slope area may only be included as open space when they have been designed as an integral part of the project, as enumerated in subsection 10-22-3 above.
- c. ***Interior Streets.*** The design of public streets within a planned development shall follow City standards for width of right-of-way and construction. Private streets within a planned development may be approved under alternative street standards, as approved by the City Engineer, Public Works Director, and the Administrative Land Use Authority. Such alternative street standards may include reduced street widths, modified cross-sections, and alternative sidewalk or park strip configurations, in lieu of standards subdivision requirements. Alternative

street standards may only be approved for private streets and access drives with internal circulation serving the planned development. Alternative street standards shall not apply to public streets. Alternative street standards shall be approved if the applicant demonstrates, through objective evidence, that:

1. The proposed street design will safely accommodate anticipated traffic volumes; and
2. Emergency vehicle access and operations comply with adopted fire and building codes, as verified by written approval from the fire chief, fire marshal, or the authority having jurisdiction; and
3. The proposed design does not impair public safety or access to the development or adjacent properties; and
4. The alternative standards are consistent with the purpose and intent of the PD.
5. If conflicts arise between reviewing authorities regarding alternative street standards, the most restrictive standard shall apply unless the City Manager determines otherwise in writing with specific findings.

The interior street system in a planned development project shall be dedicated to the City as a utility easement. All private streets shall be conveyed to a private home-owner's association. The original developer/builder will also be required to establish a city-approved road maintenance fund for all private streets. This provision will be required in the CC&Rs for all projects with a private street system.

All streets approved as part of an original or amended planned development plan shall remain open and accessible at all times and shall not be gated, barricaded, or otherwise closed, except as temporarily required for construction, maintenance, or emergency purposes as approved by the City.

- d. **Parking.** The minimum parking requirements outlined in this Code shall be adhered to except as allowed below:

1. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
2. The Administrative Land Use Authority may consider the following criteria in determining whether or not the number of garages/carports/parking stalls should be increased or reduced:
 - (i) The topography of the proposed site.
 - (ii) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (iii) To improve the overall appearance of the development or the density of units.
 - (iv) Review the location of all garages/carports/parking stalls and may require that they be attached or underground for any multifamily units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (v) To assist the project in reaching affordable rent levels for low- and moderate-income individuals as determined by the U.S. Department of Housing and Urban Development.

- e. **Building Materials and Design Standards.** Building materials, roofing materials, and overall building design shall be reviewed for compliance with the objective standards of this section by the Community Development Director. The Administrative Land Use Authority shall approve or deny building materials based on compliance with the standards set forth in this chapter.

1. Primary Building Materials: Primary exterior building materials shall be limited to materials that meet recognized durability, fire resistance, and weather performance standards, including masonry materials such as:

- (i) brick, stone, split-faced or honed-face block;
- (ii) architectural metal panels with factory applied corrosion resistant finishes;
- (iii) large-format glazing or storefront;
- (iv) architectural concrete; and
- (iv) composite and cementitious materials.

Primary materials shall constitute a minimum of sixty percent (60%) of each building façade visible from a public right of way or common open space.

2. Secondary Building Materials: Secondary or accent exterior materials may be used in combination with primary materials and may include:

- (i) exterior grade wood or engineered wood products treated or finished for exterior exposure;
- (ii) stucco systems;
- (iii) non-structural metal elements.

Secondary materials shall not exceed forty percent (40%) of any individual building façade and shall not be used as the dominant exterior finish.

3. Prohibited Materials: The following materials are prohibited as primary or secondary exterior finishes on buildings visible from public rights-of-way or common open space:

- (i) vinyl siding;
- (ii) plywood;
- (iii) reflective or mirror-finish panels or glass;
- (iv) exterior insulation and finish systems (EIFS) without a drainage plane and ASTM-compliant impact resistance; and
- (v) standard CMU concrete block.

Roofing materials shall comply with the International Building Code (IBC) and applicable ASTM standards for asphalt shingles and metal roofing, or equivalent performance standards.

4. Illustrative Façade Standards: To ensure building elevations incorporate material variation, articulation, and human-scale design, consistent with the objective material requirements of this chapter, all commercial, multi-family residential, and mixed-use building façades visible from a public right-of-way, private street, or common open space shall comply with the following standards. Compliance with these façade standards shall be determined through elevation drawings submitted with the development application:

- (i) Horizontal Articulation: a visible change in plane, material, or architectural feature shall occur at intervals not exceeding 40 feet along the façade. Acceptable articulation methods include recesses or projections with a minimum depth of 18 inches, material changes meeting the primary/secondary materials standards, balconies, bay windows, or architectural offsets.
- (ii) Vertical Articulation: building exceeding 2-stories shall incorporate a visual break between the ground floor and upper floors through a change of material, horizontal band, cornice, or belt course, or a minimum 12-inch horizontal offset.

- (iii) **Base-Middle-Cap Composition:** building facades shall be designed using a base-middle-cap composition. The Base (ground floor) shall consist primarily of primary exterior building materials, shall include increased transparency, texture, and architectural detailing, and parking podiums or exposed foundations shall be clad with approved primary materials. The Middle (upper floors) may include a combination of primary and secondary materials and shall align vertically with openings and structural bays where feasible. The Cap (roofline/upper termination) shall include a parapet, cornice, stepped massing, or material transition to visually terminate the structure, with flat roof parapets having a minimum height of 24 inches.
 - (iv) **Fenestration Standards:** In commercial and multi-family buildings, a minimum of 25% of the ground -floor façade area facing the public right-of-way or common open space shall consist of windows or glazed doors. Windows shall be vertically proportioned or grouped to create consistent spacing.
 - (v) **Mechanical and Service Screening:** Rooftop equipment shall be screened from view using parapets or architectural screening integrated with the building design. Ground-mounted equipment shall be screened using materials consistent with the building façade or approved landscape screening.
- f. **Landscaping and Coverage Requirement.** Where a planned development abuts a public right-of-way, a permanent landscaped area with a minimum width of twelve (12) feet shall be provided along the property line adjacent to the right-of-way. In addition, all required landscaped areas located on public and private property within the planned development shall be subject to the standards of this section and the landscaping regulations of the Riverdale City Code, as amended. All such landscaped areas shall be kept free of buildings and structures, except for fences, walls, or similar features expressly permitted by this title or otherwise approved by the Administrative Land Use Authority. Landscaped areas shall be permanently maintained and planted with a combination of street trees, shrubs, groundcover, and other approved plant materials, and may be screened or protected by natural features where appropriate. At maturity, a minimum of seventy-five percent (75%) of the total required landscaped area shall be covered by living plant material, including tree canopy, shrubs, and groundcover, as demonstrated on an approved landscape plan. Decorative hardscape, gravel, or non-living materials may be used as accent features but shall not exceed twenty-five percent (25%) of the landscaped area. All landscaping shall be installed prior to issuance of a certificate of occupancy, or secured through an approved financial guarantee, and shall be maintained in a healthy, growing condition in perpetuity in accordance with this code.
- g. **Exterior Fencing.** Exterior fencing shall be provided as approved by the Administrative Land Use Authority. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Chain link fencing is prohibited.
- h. **Streetlights.** Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the city's street light standards and specification. If the streets are private, the lights may be altered but must be approved by the Administrative Land Use Authority. The applicant shall submit a plan which indicates the type and location of streetlights in relation to the proposed site landscaping.
- i. **Utilities.** Within an approved PD, the following privately owned utility systems may be permitted, provided they are located wholly within the PD and comply with this title:
 - 1. Water systems, including distribution mains and service laterals;
 - 2. Sanitary sewer systems, including collection mains, laterals, and appurtenances;
 - 3. Storm drainage systems, including pipes, inlets, detention or retention facilities;

4. Natural gas systems;
5. Electrical power systems
6. Communications systems, including telephone, cable, and data infrastructure
7. Private utility systems within a PUD may be approved by the Administrative Land Use Authority upon finding that:
 - (i) The utilities are designed and constructed in accordance with city engineering standards, applicable state and federal regulations, and requirements of the applicable utility service provider;
 - (ii) The utilities will not adversely affect public systems or properties outside the PD;
 - (iii) Adequate easements (minimum 15-foot width for water/sewer, 10-foot width for storm drainage) are provided to ensure access for operation, inspection, emergency response, and maintenance;
 - (iv) Ownership and long-term maintenance responsibility are legally secured through CC&R's, HOA documents, or similar instruments approved by the City Attorney in accordance with state law; and
 - (v) An improvement guarantee acceptable to the City Engineer and City Attorney is posted in the amount equal to 110% of the estimated replacement cost of the private utility infrastructure, to be held for a minimum of two (2) years following completion and final acceptance by the City.
8. Future Public Connection Capability. All private utility systems shall be designed to allow future connection to public utility systems. Connection costs shall be borne by the property owner(s) or HOA if public systems become available or if the private system fails to meet performance standards.
9. Maintenance Failure Remedy. If the HOA or property owner fails to adequately maintain private utilities resulting in public health, safety, or environmental violations, the City may, at its sole discretion and in accordance with Riverdale City Code and Utah state law:
 - (i) Perform necessary maintenance and assess costs proportionally against benefited properties; or
 - (ii) Require connection to public systems at property owner(s) expense; or
 - (iii) Initiate foreclosure on recorded covenants or liens securing maintenance obligations.

Private utility systems connected to Riverdale City infrastructure shall be maintained, cleaned, and serviced at a frequency and to a standard equivalent to those applied to comparable City-owned utility systems, unless otherwise approved by the Public Works Director in accordance with adopted operation and maintenance standards.

All backflow prevention devices located within the planned development shall be maintained by the responsible association and shall be inspected annually by a certified tester. Inspection reports shall be submitted to Riverdale City in accordance with City standards.

All privately owned fire hydrants within the planned development shall be tested and inspected annually in accordance with Fire Department and adopted fire code standards. Documentation of such testing shall be provided to Riverdale City upon request.

(6) **Development Standards.**

- a. **Required Elements.** Planned developments shall be guided by a comprehensive design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Administrative Land Use Authority may require such

arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan as they determine appropriate. The Administrative Land Use Authority may require specific setbacks, a higher or lower residential density, and a height limitation. These criteria shall be used by the Administrative Land Use Authority principally to ensure the design objectives in this section of this chapter are met.

1. **Feasible Development.** A planned development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development, in accordance with the minimum site area set forth in this chapter.
2. **Density.** Within a planned development, development may occur in one or more phases. The density of any individual phase, whether residential, commercial, or mixed-use, shall be permitted to vary from the base zoning standards applicable to the site, provided that the overall density and intensity of the entire planned development do not exceed the maximum density, floor area, or trip generation assumed or permitted by this title or approved PD development plan. Residential density within any single phase may exceed or be less than the base zoning density, and commercial or mixed-use phases may be developed at varying intensities, so long as the cumulative development across all phases remains in compliance with the approved PD density calculations, transportation assumptions, and public utility capacity. Density transfers between phases may be permitted where such transfer does not increase net trip generation beyond approved limits listed on the approved PD plan and supported by adequate infrastructure and access.
3. **Site Calculations.** Specific calculations addressing the percentage of open space (common and private), impervious versus pervious coverage, and site improvements must be submitted with all project applications.
4. **Lot Requirements.** No specific yard, setback, or lot size requirement shall be imposed in the planned development. However, the purpose and objectives of this chapter must be complied with in the final development plan. The Administrative Land Use Authority may require certain setbacks within all or a portion of the planned development.
5. **Building Height.** No residential structure shall exceed a maximum of thirty-five (35) feet to the peak of roof from average finished grade. No commercial, multi-family, or mixed-use structure shall exceed a maximum of fifty (50) feet to the peak of roof from average finished grade.
6. **Traffic Circulation.** Points of primary vehicular access to the planned development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
7. **Driveways and Alleys.** A private driveway or alley must comply with all established standards in this code.
8. **Privacy.** Each planned development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping, and sound-reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
9. **Noise Attenuation.** When, in the opinion of the community development director, a proposed planned development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the

construction or other methods necessary to attenuate the noise to the required level according to the noise standards of this code.

10. **Security.** The development shall be designed to support security services and measures, taking into account public safety recommendations from the Riverdale City Police Department.
 11. **Pedestrian and Bicycle Paths.** Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, nonresidential, and recreational facilities in or adjacent to the development. The Administrative Land Use Authority may require connections to regional trail systems, activity centers, pedestrian and/or bicycle overpasses, underpasses, or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas, or other uses that will receive considerable pedestrian and/or recreational trails use from the development.
- b. **Desirable Amenities.** The following are desirable amenities or design options which may be required by the Administrative Land Use Authority depending on the size, scale, impacts, and nature of each individual planned development project:
1. Increase in common or private open space above the 20 percent minimum, particularly when the project contains significant non-buildable open space.
 2. Creation of significant public or private recreation or site amenities, including, but not limited to, clubhouse, pool, sport courts, playgrounds, play fields, trails, and nature areas.
 3. Additional project landscaping and open space may be deemed appropriate.
- c. **Construction of Private Amenities in Phase 1.** All public and private amenities proposed, required, or relied upon as part of the planned development approval shall be fully constructed, completed, and ready for use no later than the completion of Phase 1 of the development, as defined in the approved phasing plan, and prior to issuance of any certificate of occupancy for Phase 1, except as provided for in this chapter.
- d. **Improvement Completion Assurance in Lieu of Phase 1 Construction.** The City may approve deferral of construction of one or more public/private amenities beyond Phase 1 only if the applicant provides an improvement completion assurance in compliance with Utah Code Title 10, Chapter 20 and this code. The improvement completion assurance shall secure the full and timely construction of the deferred private amenities in accordance with the approved plans and phasing schedule. The improvement completion assurance shall be in an amount equal to one hundred ten percent (110%) of the estimated cost to fully construct the deferred public/private amenities, including labor, materials, mobilization, contingency, and all improvements necessary for the amenities to function as approved. Cost estimates shall be prepared by the applicant's licensed engineer or supported by qualified contractor bids and are subject to review and approval by the City Engineer or designee. The improvement completion assurance shall be provided in a form authorized by Utah law and acceptable to the City, which may include a surety bond, letter of credit, bank escrow, or other equivalent security. If public/private amenities are not fully constructed and accepted prior to Phase 1 occupancy, the required improvement completion assurance shall be submitted and approved before issuance of the first building permit within Phase 1, or at an earlier time specified in the approved phasing plan or development agreement. Failure to comply with this section may result in withholding of building permits or certificates of occupancy, to the extent authorized by law and consistent with the approved phasing plan.
- e. **Partial Release.** The City shall maintain a system for partial release or reduction of the improvement completion assurance as public/private amenities, or separable components thereof, are completed, inspected, and verified for compliance with the approved plans. If the applicant fails to complete the deferred public/private amenities within the approved timeframe,

the City may draw upon the improvement completion assurance to complete the improvements or cause them to be completed, including reasonable administrative costs.

Nothing in this section shall be construed to require dedication of private amenities to the City or acceptance of ownership or maintenance responsibility by the City.

(7) ***Nonresidential Uses.***

- a. Noncommercial, nonresidential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned development. The applicant shall submit as part of the preliminary development plan such evidence to substantiate the request for such use as the community development director may require.
- b. Nonresidential, commercial, and mixed-use uses may be permitted within a planned development where such uses are designed to function as an integrated component of the overall development and are compatible with surrounding residential and nonresidential uses. Such uses may serve residents of the planned development, the surrounding community, or both, as identified in the approved PD development plan. The location, scale, and design of nonresidential and mixed-use development shall be arranged to minimize conflicts with residential uses and shall address potential impacts related to traffic circulation, access, loading, noise, lighting, and other operational characteristics. Loading areas, service functions, and refuse storage shall be screened and oriented away from residential uses and public view to the extent practicable and designed to avoid safety hazards or operational conflicts. Nonresidential and mixed-use development shall be located and accessed in a manner that does not create traffic congestion or safety hazards within or adjacent to the planned development. Vehicular, pedestrian, and bicycle circulation shall be coordinated to promote safe and efficient movement, including shared access points and internal connections where appropriate.
- d. Parking, signage, lighting, landscaping, service areas, buffers, entrances, and exits shall be designed as integrated elements of the planned development and shall be compatible in scale, materials, and placement with the overall character and design of the project. Shared parking arrangements may be permitted where supported by documented demand analysis and internal circulation design.
- e. The architectural character, site layout, and design features of nonresidential and mixed-use development shall be consistent with the approved PD development plan and shall contribute to a cohesive, high-quality development pattern, while allowing variation in use and intensity appropriate to the planned development context.

(8) ***Maintenance of Common Facilities.***

- a. A planned development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the approved development plan. No such instrument shall be acceptable until approved by the City Attorney as to legal form and effect, and the Administrative Land Use Authority as to suitability for the proposed use of the common open space and subject facilities.
- b. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, private utilities, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to, the following:
 - 1. The private association must be established prior to the sale or rental of any unit.
 - 2. Membership must be mandatory for the original buyer and any successive buyers of a unit in a planned development, whether or not the unit is owner occupied or rented.

3. The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.
 4. Each member of the association shall be assessed a pro rata share of the costs incurred by the association, and the association shall have the power to collect those costs.
- c. The Administrative Land Use Authority may also require dedication of scenic easements to ensure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the City may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.
 - d. Long-term Storm Water Maintenance Agreements are required according to requirements identified in Riverdale City Standards and Specifications.
 - e. In addition to any required road maintenance fund, the developer shall establish and fund a maintenance reserve for private water, sanitary sewer, and storm water facilities sufficient to ensure long-term repair, replacement, and maintenance of such facilities. All road and utility maintenance funds shall be funded based on a reserve study or engineer's estimate acceptable to the City.
 - f. All snow removal operations for private streets and facilities shall be contained entirely within the boundaries of the planned development. Any on-site storage of salt, sand, or de-icing materials shall be located within a permanently covered and contained facility designed to prevent runoff or drainage beyond the containment area. Such facilities shall be subject to review and approval by the Riverdale City Public Works Department based on adopted City standards.
 - g. Prior to the sale of any lot or unit, the association shall provide a City-approved disclosure document to each initial and subsequent purchaser stating that streets, water, sanitary sewer, and storm water utilities within the planned development are privately owned and maintained, and that the purchaser is responsible for their proportionate share of maintenance and replacement costs. Such disclosure shall be acknowledged in writing by the purchaser and provided to the City as requested.
 - h. The association shall provide to Riverdale City, on an annual basis, a copy of a current, executed contract with a qualified and reputable contractor for emergency repair of private streets and utility systems connected to City infrastructure.
- (9) **Review Process.**
- a. **Preliminary Review.**
 1. As an initial requirement and to help expedite review of a development proposal, prior to submitting an application for a planned development, persons interested in undertaking development and becoming acquainted with the substantive and procedural requirements of this title shall meet informally with representatives from departments involved in the review of development applications. These representatives typically include the Community Development Department, Public Works Department, Public Utilities Department, City Attorney's Office, Building Department, Fire Department, Police Department, and other departments as necessary, along with the mayor, one member of the City Council, and one member of the planning commission. This meeting is referred to as the Development Review Committee (DRC) meeting.
 2. At the DRC meeting, the various departments will initially assess the development proposal and information submitted and make suggestions to the prospective developer with respect to the proposal's compliance with the provisions of the appropriate regulations of this title, the International Building Code, and any other applicable ordinances or codes of

Riverdale City and provide information concerning the City's review requirements and procedures.

3. Staff members may request that additional studies or information, such as Geotechnical Studies, Traffic Impact Analyses, Market Feasibility Analyses, or Water Needs Analyses, be submitted, together with the application for site plan review.
- b. **Architectural Review Committee.** Prior to submitting an application for a planned development, but after the Development Review Committee meeting, persons interested in undertaking development shall meet with representatives from the city, who shall consist of the mayor or his/her designee, the city administrator, the planning commission chair or his/her designee, the public works director, and the community development director, for review and approval of exterior architectural elevations and materials, color palette with sample of actual materials, general landscaping, and signage. This meeting is referred to as the Architectural Review Committee meeting.
- c. **Application.** An application for a planned development must be submitted to the Community Development Department and must contain the information and, if the project is to be subdivided, be in the format required by the subdivision review procedure in accordance with Title 10 Chapter 21. The application must include the following:
 1. General Development Application Form and site plan pursuant to this title.
 2. Preliminary plat, if the property is to be subdivided, including project size (acres), proposed lot lines, and plot designs.
 3. Landscaping Plan. A Landscape Plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned development. Said Landscaping Plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Administrative Land Use Authority determines an area, because of its natural beauty or uniqueness, would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas.
 4. Architectural building elevations. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, nonresidential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements.
 5. Storm Water Analysis and Drainage. Plans shall include a long-term storm water management agreement and meet all other requirements in Riverdale City Standards and Specifications.
 6. Utility Plan. The existing and proposed utility systems (e.g., sanitary sewers, storm sewers and water, electric, gas, telephone lines, and cable).
 7. Road Plan and profiles.
 8. The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas and other major points of access to public rights-of-way to the development including identification of jurisdictional control (including major points of ingress and egress to the development). Notations of proposed ownership, public and private, should be included where appropriate.
 9. The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict.

10. Other studies and analyses requested by staff or the Administrative Land Use Authority, which may include geotechnical studies, traffic impact analysis, market feasibility analysis, water needs analysis, etc.
11. Adjacent property information. Enough information on land areas adjacent to the proposed development to indicate the relationships between the proposed development and existing and proposed adjacent areas including land uses, zoning classifications, densities, traffic and pedestrian circulation systems, public facilities, and unique natural features of the landscape.
12. The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls.
13. Names and addresses of property owners within 300 feet of the proposed project on mailing labels from the Weber County Recorder's Office (when required by staff).
14. Property plat from the Weber County Recorder's Office showing the area to be developed.
15. Fees as established by City Council.
16. The following written documents shall be submitted with the application:
 - (i) A legal description of the total site proposal for development including a statement of present and proposed ownership and present land use or phasing plan.
 - (ii) A statement of planning objectives to be achieved by the planned development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - (iii) Quantitative data for the following: unit types, total number of units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of nonresidential construction including a separate figure for commercial, public, quasi-public, or private facilities, if applicable, fiscal impact studies, where necessary, environmental assessments, where necessary, and other studies as required by the community development director.
17. Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) are required according to the requirements identified in Riverdale City Standards and Specifications.

c. **Staff Review**

1. Upon submittal of an application and supporting information and attendance at a Development Review Committee meeting, the site plan and subdivision plat shall be forwarded to the reviewing departments and agencies who shall review it preliminarily to determine if the plan, together with all supporting information, is complete and complies with all the requirements of this title and other applicable City and agencies' standards.
 - (i) If the departments' and agencies' reviews determine that all required, necessary, and requested information has not been submitted or that some of the specifics of the plan or information do not comply with the requirements of this title, the applicant shall be notified in writing and/or on the plans of any deficiencies, comments, corrections, and requirements (including additional information and/or studies) to be addressed. The revised plan and all required, necessary and requested supporting information must be resubmitted after the appropriate additions and/or corrections are made in order to complete the application.

- (ii) Upon resubmittal, the site plan and subdivision plat will again be forwarded to the reviewing departments and agencies. The applicant shall be required to resubmit the plan and supporting documents to the City until all departments and agencies determine it is complete and complies with the requirements of this title and other applicable City and agencies' standards. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

(10) *Administrative Land Use Authority Review and Approval.*

- a. When staff review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Administrative Land Use Authority for review and approval or recommendation to the city council. If the property is to be subdivided, the subdivision review requirements found in this title shall be complied with, including notice and hearing requirements.
- b. The Administrative Land Use Authority shall review the application, including all supporting information, to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Administrative Land Use Authority may require additional studies/analyses to enable it to determine what impacts should be addressed and may establish additional requirements to address those anticipated impacts.

(11) *Amendments.*

- a. Material amendments to an approved final plat or final site plan shall be processed as a subdivision application or site plan application and reviewed by the designated land use authority in accordance with Utah Code Title 10, and this title. A material amendment includes any change that alters lot configuration, access, public improvements, easements, open space, or other elements affecting compliance with applicable regulations or conditions of approval. Minor amendments, defined as changes that do not alter the number, size, or configuration of lots; do not affect access, public improvements, or easements; and do not modify approved conditions or compliance with applicable regulations, may be approved administratively by the city, subject to applicable standards and requirements.

(12) *Expiration of Final Subdivision Plat.*

- a. After the final subdivision plat has been recorded in the Office of the Weber County Recorder, the applicant may apply for building permits consistent with the approved and recorded final subdivision plat and consistent with the city requirements for a building permit. The approval of a final subdivision application shall be effective for a period of one (1) year from the date the final subdivision application is approved by the city council, at the end of which time the final subdivision plat shall have been recorded in the office of the Weber County Recorder.
- b. If the approved final subdivision plat is not recorded within the one (1) year period of date of approval, and the planning commission has not extended the approval of the final subdivision plat, the final subdivision approval shall be void and any vested rights thereunder will be lost, whereupon the planning commission may require that a new subdivision plat be submitted and approval obtained pursuant to this section. A written request may be submitted to the planning commission prior to expiration of the final subdivision plat for an extension of up to six (6) months. The planning commission may grant such an extension for good cause. Once the application has expired, in order to reintroduce the proposed subdivision development, the applicant must submit a new application with all applicable fees.

(13) *Phased Planned Developments.* A Phasing Plan, including size and order of phases, may be approved by the Administrative Land Use Authority. Such Phasing Plan shall have the written approval of all property owners. In addition, the approved Phasing Plan shall be submitted to the City Recorder for recordation with the County Recorder's Office as a covenant to run with the land.

Minutes of the **Regular Session** of the Riverdale City **Planning Commission** held Tuesday, September 22, 2026, at 5:30 p.m., at the Civic Center, 4600 S Weber River Drive., Riverdale City, Weber County, Utah.

Present:

Commissioners:	Colleen Henstra, Vice Chair Laura Hilton, Commissioner Melissa Carey, Commissioner Cody Hansen, Commissioner
City Employees:	Brandon Cooper, Community Development Director Michelle Marigoni, City Recorder
Excused:	Rikard Hermann, Chair Jason Francis, Commissioner Alan Bowthorpe, Commissioner
Visitors:	

A. Welcome & Roll Call

The Planning Commission Meeting began at 6:00 p.m. Commissioner Henstra welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present except for Commissioner Carey. Members of the city staff were also present.

B. Public Comment

Commissioner Henstra opened the floor for public comments. There was no public comment.

C. Presentations and Reports

1. Community Development Update

Mr. Cooper presented the Community Development Update

Consent Items

1. Consideration of Meeting Minutes from:

September 8, 2026 Work Session & Regular Meeting

The Planning Commission reviewed the draft minutes from the September 8, 2026 Work Session and Regular Meeting.

MOTION: Commissioner Hilton moved to approve the consent items with the correction. Commissioner Carey seconded and all voted in favor.

D. Action Items

1. Public hearing on a legislative decision to amend Riverdale City Code Title 10 Chapter 22 – Planned Development: adding R-4 and R-5 residential zones as eligible zones and other minor corrections.

Mr. Cooper explained that Title 10, Chapter 22 was enacted to replace the previous Planned Residential Unit Development (PRUD) ordinance with a more flexible framework for combining residential, commercial, and mixed-use projects. Although multi-family R-4 and R-5 zones were omitted during initial drafting due to expected low usage, recent development inquiries demonstrated the necessity of including all multi-family classifications under the Planned Development ordinance. Adding R-4 and R-5 eligible zones grants the city land use flexibility for unique projects, such as a proposed townhome development on the vacant parcel north of 4400 South and east of 700 West across from

CarMax, allowing for-sale ownership models on private streets and utilities rather than restricting developments to rental products.

MOTION: Commissioner Hansen moved to open the public hearing

SECOND: Commissioner Hilton

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

Public hearing opened at 6:08 p.m.

Public Comment: No public present.

MOTION: Commissioner Hansen moved to close the public hearing

SECOND: Commissioner Hilton

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

Public hearing closed at 6:09 p.m.

2. Consideration forward a recommendation to City Council regarding amendments to Riverdale City Code Title 10 Chapter 22 – Planned Development: adding R-4 and R-5 residential zones as eligible zones and other minor corrections.

During Commission discussion, Mr. Cooper reconfirmed that extending Planned Development eligibility to R-4 and R-5 zones provides essential standards and discretionary oversight for specialized townhome configurations.

MOTION: Commissioner Hansen moved to forward a favorable recommendation to City Council to amend Riverdale City Code Title 10 Chapter 22 – Planned Development: adding R-4 and R-5 residential zones as eligible zones and other minor corrections based on the proposal aligning with the cities general plan and goals and objectives.

SECOND: Commissioner Carey

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

Motion passed unanimously.

3. Title 10 update review

The review was able to be completed during the work session. No further review was necessary.

E. Comments

1. Planning Commission
2. City Staff

F. Adjournment

As there was no further business to discuss, Commissioner Hansen moved to adjourn. Commissioner Hilton seconded the motion. All were in favor and the Planning Commission meeting adjourned at 6:13 p.m.

Date Approved:

DRAFT