

5:30 p.m. – Work Session

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

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

A. Welcome & Roll Call

B. Pledge of Allegiance – Anne Hansen, Councilmember

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 Administration Report
 - a. Department Reports November/December
 - b. January Anniversaries Employee Recognition
 - c. Staffing Authorization Plans
 - d. Community Development Report

F. Consent Items

1. Consideration to approve meeting minutes from:
January 3, 2023 Council Work Session
January 3, 2023 Council Meeting
2. Advice and consent regarding the reappointment of planning commissioners Kent Anderson and Wanda Ney.
3. Advice and consent regarding the appointment of a new planning commissioner to fill a vacant position.

G. Action Items

1. Consideration of Resolution #2023-06 approving a master agreement between Riverdale City and the Utah Department of Transportation to provide for water and sewer changes resulting from the 5600 South widening project.
Presenter: Shawn Douglas, Public Works Director
2. Consideration of Resolution #2023-07 approving an interlocal agreement between Riverdale City and numerous other local agencies concerning a contractors list to be used for seal and board services and hazardous materials services.
Presenter: Jared Sholly, Fire Chief
3. Consideration of Resolution #2023-05 of a Development Agreement for property located approximately 4142 Riverdale Road, Riverdale, Utah 84405; as submitted by H & P Investments (Owner).
Presenter: Mike Eggett, Community Development Director

4. Consideration to un-table Ordinance #953 to approve proposed rezone request from Agricultural (A-1) Zoning to Single-Family Residential (R-1-6) Zoning for property located at approximately 3450 South Parker Drive, Riverdale, Utah, 84405 as requested by Hugh Parke.
Presenter: Presenter: Mike Eggett, Community Development Director
5. Consideration of Ordinance #961 regarding proposed amended updates and corrections to the Moderate Income Housing Plan element of the Riverdale City General Plan to be in compliance with House Bill 462.
Presenter: Mike Eggett, Community Development Director
6. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual. (roll call vote)

H. Comments

1. City Council
2. City Staff
3. Mayor

I. 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 13th day of January 2023 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html> and 4) A copy was also provided to the Standard-Examiner.

Michelle Marigoni
Riverdale City Recorder

****The City Council meeting on January 17, 2023 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 with recommended social distancing followed. The agenda for the meeting is also attached above. ****

https://www.youtube.com/channel/UCegcYe-pIXSRZGd5llencvA/videos?view_as=subscriber

Minutes of the **Work Session** of the **Riverdale City Council** held Tuesday January 3, 2023, at 5:30 p.m., at the Civic Center in the Council Chambers, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:	Braden Mitchell, Mayor Alan Arnold, Councilmember Bart Stevens, Councilmember Steve Hilton, Councilmember Anne Hansen, Councilmember Karina Merrill, Councilmember
City Employees:	Steve Brooks, City Administrator/Attorney Shawn Douglas, Public Works Director Scott Brenkman, Police Chief Michelle Marigoni, City Recorder
Excused:	

The City Council Work Session meeting began at 5:30 p.m. Mayor Mitchell welcomed all in attendance and noted for the record that all Councilmembers were present. Members of city staff were also present.

Public Comment:

Mayor Mitchell said Representative Rosemary Lesser will be at the meeting and may say something during public comment.

Presentations and Reports:

Mayor's Report

Council Assignment Reports

Councilor Merrill reported Youth Council is going to the state capitol on January 18th.

Consent Items

1. **Consideration to approve meeting minutes from:**
December 6, 2022 Council Work Session
December 6, 2022 Council Meeting

Mayor Mitchell asked if there were any changes to the minutes from December 6. There were no changes.

Action Items

1. **Consideration of adopting meeting schedule for 2023.**
2. **Consideration of Resolution #2023-01 for approval of a Third Addendum to a Development Agreement for property located approximately at 5000 South Weber River Drive, Riverdale, Utah 84405; as submitted by Bach Land and Development LLC.**

Mr. Brooks noted there were two addendums completed in 2022, and this third addendum addresses water.

3. **Consideration of Resolution #2023-02 for approval of a water contract between Riverdale City and Weber Basin Water Conservancy District.**

Mr. Brooks explained how this is the agreement with Weber Basin to allow Riverdale City to secure water on behalf of new developers. Councilor Hansen asked about the capital fee in the contract. Mr. Douglas explained this is what the developer will pay as a one-time fee. There will also be a maintenance fee.

4. **Consideration of Resolution #2023-03 declaring property as surplus and authorizing sale or disposition of the same.**

Mr. Brooks went over the surplus items and explained three vehicles were a part of the normal rotation of fleet. The heavy rescue was replaced, the title is in Riverdale's name, but Weber County has ownership. The city needs to approve the release so the county can arrange to sell the unit. There was general discussion about the unavailability of vehicles and the cost of vehicles and maintenance.

5. Consideration of Resolution #2023-04 approving a Water Supply Agreement between Riverdale City and Shake Shack Utah LLC.

Mr. Brooks noted that Shake Shack has already signed the agreement and paid the fee. There was an error in the fee amount, the written amount was higher than the numerical amount. The higher amount was paid, and they will be refunded the difference. This contract and the development agreement (as shown in the packet on agenda item no. 6) will be what is used for every developer moving forward.

6. Consideration of Resolution #2023-05 of a Development Agreement for property located approximately 4142 Riverdale Road, Riverdale, Utah 84405; as submitted by H&P Investments (Owner).

Mr. Brooks asked for this to be stricken due to the owner being out of town.

Comments

1. City Council:
2. City Staff: Mr. Brooks reminded council to check their mailboxes in the conference room, and that the annual disclosure forms needed to be signed.
3. Mayor: ULCT Conference is in April. Local Officials Day at the Legislature is January 18.

Adjournment

Having no further business to discuss, the Work Session was adjourned at 5:53 p.m.

Date Approved:

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, January 3, 2023, 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 Bart Stevens, Councilmember Steve Hilton, Councilmember Anne Hansen, Councilmember Karina Merrill, Councilmember
City Employees:	Steve Brooks, City Administrator/Attorney Scott Brenkman, Police Chief Michelle Marigoni, City Recorder
Visitors:	Rosemary Lesser Shaun Athey

Welcome & Roll Call

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

Pledge of Allegiance – Bart Stevens, Councilmember

Invocation – Braden Mitchell, Mayor

Public Comment

Mayor Mitchell invited members of the public to speak. There was no public comment.

Presentations and Reports

Mayor's Report

Council Assignment Reports

Consent Items

1. Consideration to approve meeting minutes from:

December 6, 2022 Council Work Session

December 6, 2022 Council Meeting

Mayor Mitchell asked if there were any changes to the minutes from December 6. There were no changes.

Councilmember Arnold made a motion to approve the minutes from December 6. Councilmember Hilton seconded the motion. All were in favor and the minutes were approved.

Action Items

1. Consideration of adopting meeting schedule for 2023.

Consensus reached.

2. Consideration of Resolution #2023-01 for approval of a Third Addendum to a Development Agreement for property located approximately at 5000 South Weber River Drive, Riverdale, Utah 84405; as submitted by Bach Land and Development LLC.

Mr. Brooks went over the addendum and explained it is to add a process for securing water.

Motion: Councilmember Arnold made a motion to approve Resolution 2023-01 for a Third Addendum to a Development Agreement for property located at 5000 South Weber River Drive as submitted by Bach Land and Development LLC.

Second: Councilmember Hilton

Councilor Hilton: Yes
Councilor Stevens: Yes
Councilor Hansen: Yes
Councilor Merrill: Yes
Councilor Arnold: Yes

Motion passes unanimously.

3. Consideration of Resolution #2023-02 for approval of a water contract between Riverdale City and Weber Basin Water Conservancy District.

Mr. Brooks explained this is the contract for Riverdale City to be able to secure water on behalf of developers. He mentioned WBWC has been very helpful and expressed his appreciation for them.

Mr. Arnold asked about a 25-year agreement that was previously signed. Mr. Douglas said that was for treatment of water already owned by Riverdale City.

Motion: Councilmember Arnold made a motion to approve Resolution 2023-02 approving a water contract between Riverdale City and Weber Basin Water Conservancy District.

Second: Councilmember Hansen

Councilor Merrill: Yes
Councilor Arnold: Yes
Councilor Hansen: Yes
Councilor Hilton: Yes
Councilor Stevens: Yes

Motion passes unanimously.

4. Consideration of Resolution #2023-03 declaring property as surplus and authorizing sale or disposition of the same.

Mr. Brooks went over the surplus items and explained three vehicles were a part of the normal rotation of fleet. The heavy rescue was replaced, the title is in Riverdale's name, but Weber County has ownership. The city needs to approve the release so the county can arrange to sell the unit.

Councilor Arnold asked why these are not included in the budget, and why they need to be brought in individually. Mr. Douglas said sometimes they don't happen as planned. Mr. Brooks noted it is in the budget, but the code requires items to go through a surplus process if they are over \$100.

Motion: Councilmember Arnold made a motion to approve Resolution #2023-03 declaring property as surplus and authorizing sale or disposition of the same.

Second: Councilmember Merrill

Councilor Stevens: Yes
Councilor Hilton: Yes
Councilor Arnold: Yes
Councilor Hansen: Yes
Councilor Merrill: Yes

Motion passes unanimously.

5. Consideration of Resolution #2023-04 approving a Water Supply Agreement between Riverdale City and Shake Shack Utah LLC.

Mr. Brooks noted that Shake Shack has already signed the agreement and paid the fee, as their corporate required an agreement. There was an error in the fee amount, the written amount was higher than the numerical amount. The higher amount was paid, and they will be refunded the difference. This contract and the development agreement (as shown in the packet on agenda item no. 6) will be what is used for every developer moving forward.

Motion: Councilmember Arnold made a motion to approve Resolution 2023-04 approving a Water Supply Agreement between Riverdale City and Shake Shack Utah LLC.

Second: Councilmember Hilton

Councilor Stevens: Yes
Councilor Merrill: Yes
Councilor Arnold: Yes
Councilor Hansen: Yes
Councilor Hilton: Yes

Motion passes unanimously.

6. **Consideration of Resolution #2023-05 for a Development Agreement for property located approximately 4142 Riverdale Road, Riverdale, Utah 84405; as submitted by H&P Investments (Owner).**

This item is being pulled from the agenda. Strike this item.

Comments

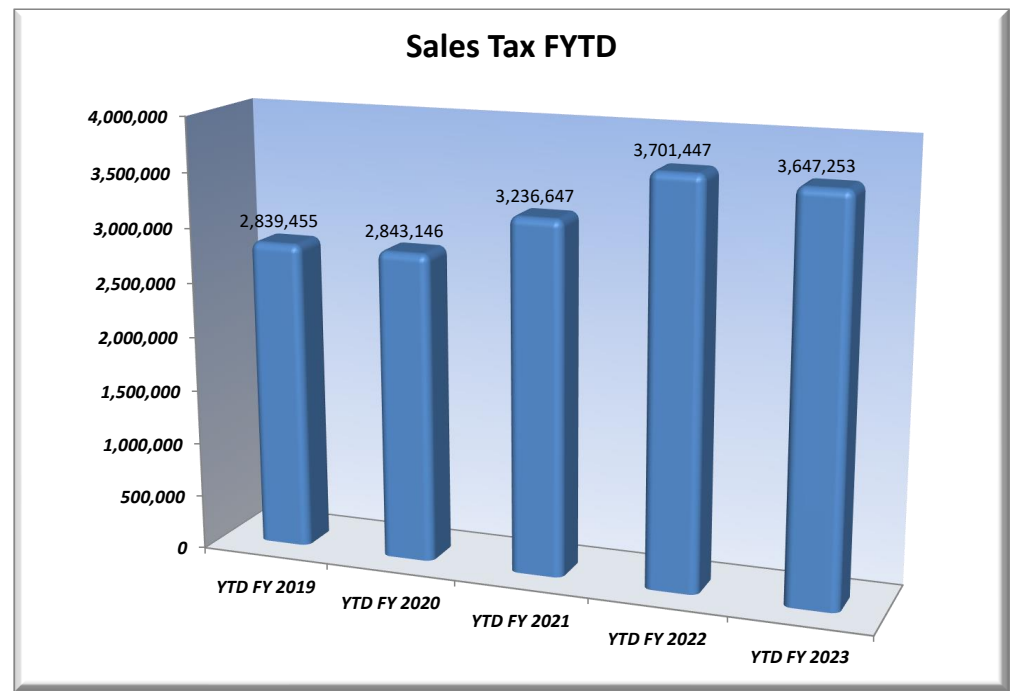
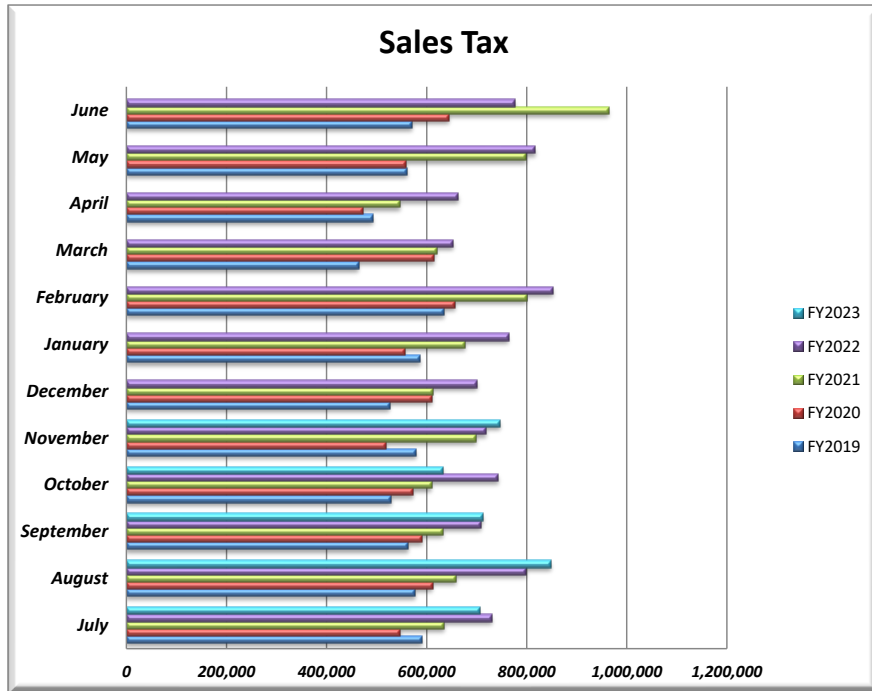
1. **City Council:**
2. **City Staff:**
3. **Mayor:**

Adjournment

Having no further business to discuss, Councilmember Arnold moved to adjourn the meeting. Councilmember Merrill seconded. The meeting was adjourned at 6:20 p.m.

Date Approved:

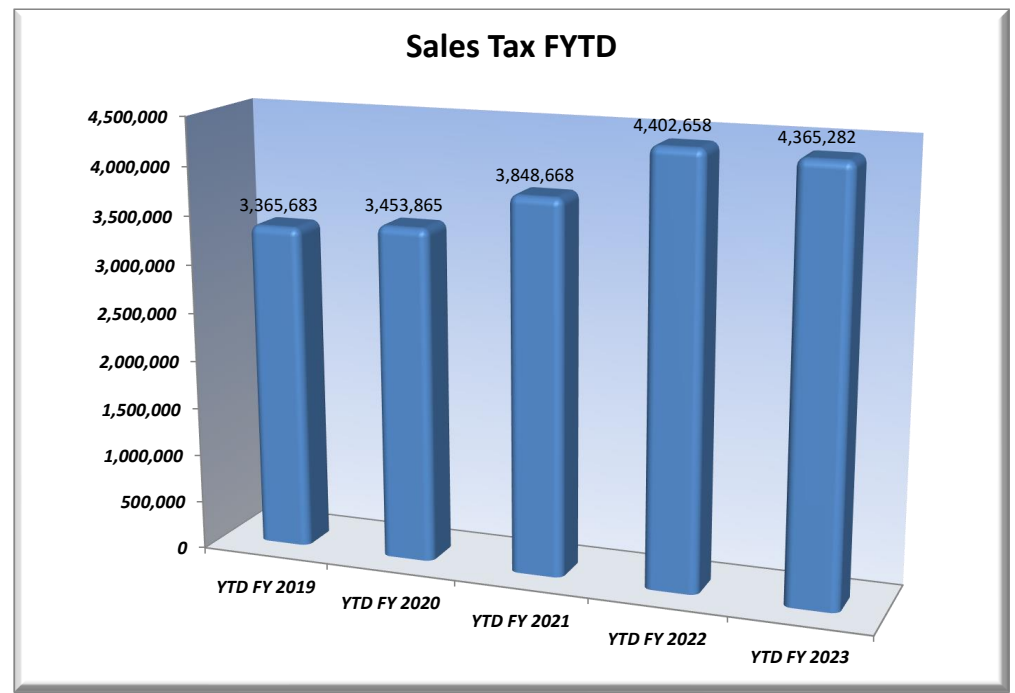
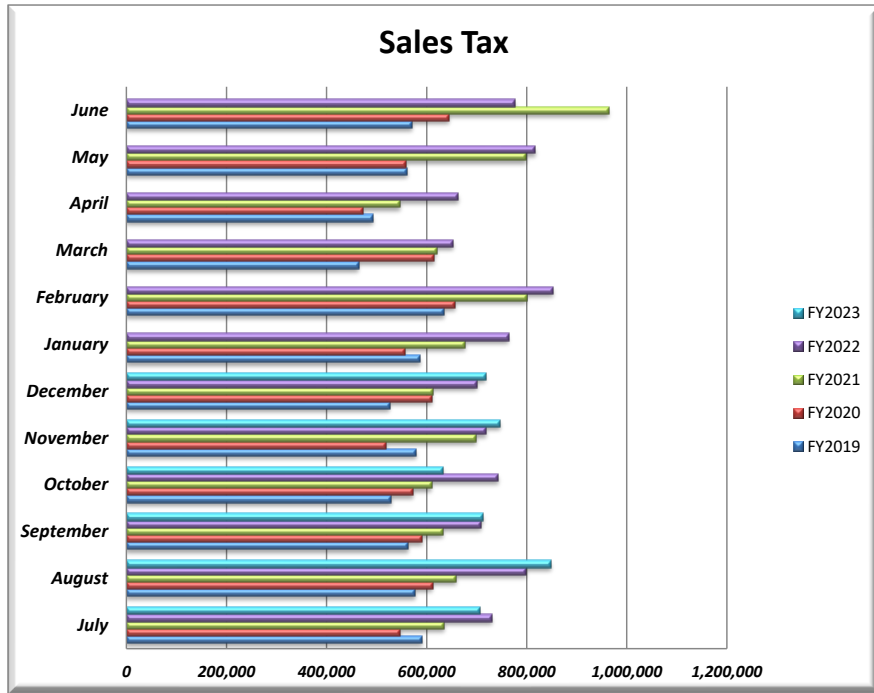
**RIVERDALE CITY
SALES TAX REPORT
AS OF NOVEMBER 30, 2022**



Sales Tax	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY2019	591,419	576,907	563,499	528,836	578,794	526,228	586,556	634,811	464,253	493,348	560,967	571,607	6,677,225
FY2020	546,902	612,157	591,696	573,327	519,064	610,719	556,867	657,308	615,264	472,239	559,456	644,897	6,959,896
FY2021	635,065	659,853	632,737	610,213	698,778	612,021	676,337	799,676	619,991	547,110	799,140	963,922	8,254,844
FY2022	731,834	799,292	708,575	743,276	718,470	701,211	763,681	853,569	653,055	663,354	816,853	777,539	8,930,709
FY2023	706,230	848,891	712,030	633,418	746,684								3,647,253

Sales Tax FYTD	YTD FY 2019	YTD FY 2020	YTD FY 2021	YTD FY 2022	YTD FY 2023
	2,839,455	2,843,146	3,236,647	3,701,447	3,647,253

**RIVERDALE CITY
SALES TAX REPORT
AS OF DECEMBER 31, 2022**



Sales Tax	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY2019	591,419	576,907	563,499	528,836	578,794	526,228	586,556	634,811	464,253	493,348	560,967	571,607	6,677,225
FY2020	546,902	612,157	591,696	573,327	519,064	610,719	556,867	657,308	615,264	472,239	559,456	644,897	6,959,896
FY2021	635,065	659,853	632,737	610,213	698,778	612,021	676,337	799,676	619,991	547,110	799,140	963,922	8,254,844
FY2022	731,834	799,292	708,575	743,276	718,470	701,211	763,681	853,569	653,055	663,354	816,853	777,539	8,930,709
FY2023	706,230	848,891	712,030	633,418	746,684	718,029							4,365,282

Sales Tax FYTD	YTD FY 2019	YTD FY 2020	YTD FY 2021	YTD FY 2022	YTD FY 2023
	3,365,683	3,453,865	3,848,668	4,402,658	4,365,282

Business Administration:

Cody Cardon:

- Routine phone & computer problem resolution throughout the city.
- Routine management issues and resolution.
- Various meetings and trainings attended.
- Working on Monthly Accounting.
- Working on Year End Accounting.
- Working on budget amendments for public safety.
- Working with auditors on audit.

Stacey Comeau:

New Hires:	Lesley Kolczak	Police
	Eddie List	Police
	Anissa Sterner	Community Services
	Jayden Hansen	Community Services
	Cole Lueders	Community Services
	Jeff Woody	Community Development
	Casey Baur	Police

Promotions:

Terminations:	Christine Jessamine	Community Services
	Jared Baker	Police

- Random drug testing for the month
- Processed semimonthly payroll
- Responded to job inquiries
- Updated Staffing Authorization Plan
- Prepared Employee Recognition
- Completed monthly payroll reconciliation
- Conducted exit interview with terminating/retiring employees
- Prepared ACH files for Rent, RDA, and Early Retiree payments
- Notarized various documents
- Responded to requests for RDA loan payoff and verification of employment, both verbally and in writing
- Prepared RDA loan disbursements
- Responded to inquiries on Purchase Assistance Program and RDA Loan Program
- Worked with various personnel to resolve issues and concerns

Chris Stone:

- Prepared the Veterans Memorial for the Veterans Day program.
- Helped set up and take down the Veterans Day program.
- Set up council/court room for various meetings and court.
- Order and pick up of custodial supplies.
- Covered for part-time custodial staff off sick or on vacation.
- Various updates to the city website and social media sites.
- Completed the city newsletter for December.
- Completed the employee newsletter for December.

Business Administration:

Cody Cardon:

- Routine phone & computer problem resolution throughout the city.
- Routine management issues and resolution.
- Various meetings and trainings attended.
- Working on Monthly Accounting.
- Working on Year End Accounting.
- Working on budget amendments for public safety.
- Working with auditors on audit.

Stacey Comeau:

New Hires:	Juan Torres	Police
	Christopher Morreale	Police
	Michael Razey	Fire
	Ashton Nicholls	Community Services

Promotions:	Waldo Vazquez	Police
	Abe Torres	Public Works

Terminations:	Brandon Peterson	Police
	Shane Erisoty	Fire
	Camille Tesch	Police

- Random drug testing for the month
- Processed semimonthly payroll
- Responded to job inquiries
- Updated Staffing Authorization Plan
- Prepared Employee Recognition
- Completed monthly payroll reconciliation
- Conducted exit interview with terminating/retiring employees
- Prepared ACH files for Rent, RDA, and Early Retiree payments
- Notarized various documents
- Responded to requests for RDA loan payoff and verification of employment, both verbally and in writing
- Prepared RDA loan disbursements
- Responded to inquiries on Purchase Assistance Program and RDA Loan Program
- Worked with various personnel to resolve issues and concerns

Chris Stone:

- Attended "Lunch with the Mayor", took pictures, prepared individual picture sheets for students and delivered them to the schools.
- Created the recycling pickup calendar for 2023
- Set up council/court room for various meetings and court.
- Order and pick up of custodial supplies.
- Covered for part-time custodial staff off sick or on vacation.
- Various updates to the city website and social media sites.
- Completed the city newsletter for January.
- Completed the employee newsletter for January.



Mayor & City Council Monthly Summary Report November 2022

Community Development Department:

- La-Z-Boy small addition – Electrical inspection
- Home Goods – Gas inspection
- Cheddars – Interior/Exterior sheer and sewer lateral inspections
- Super Chix – Above grid, electrical, mechanical, plumbing, fire, and final inspections
- Chick-Fil-A remodel – Grease ducts inspection
- Generator Supercenter – Grid ceiling inspections
- JDawgs – Power inspections
- Fiiz Drinks – Interior/Exterior sheer inspection
- The Buckle – Electrical and framing inspections
- AFCU Ops Building – Temporary power inspections
- Greenhill Apartments – Weather barrier and roof inspections
- Home inspections for various projects on residential lots
- Inspection of solar panel and equipment installation
- Sign installation and placement inspections
- Meeting with property owners, contractors, and developers to discuss project plans
- Building plan drawings and documents review
- Fire inspections, sprinkler inspections, fire investigations, and associated fire checks for various businesses
- Pick-up of various signs in violation of sign ordinance
- Meeting with Chasebrook Group re: Old John Paras site
- Meeting with Anderson Dev Group and Goldcrest Homes re: Coleman Vu Subdivision
- Meeting with Chris Hatch and Team re: 4400 South 700 West properties
- Meeting with Jake Tate and Auggie Wasmund re: Designs for Riverdale Townhomes
- Falcon Hill Design Review Committee meeting attendance by department member
- ULCT moderate income housing reporting training attendance by department member
- Riverdale General Plan reporting updates meetings attendance by department member
- Wasatch Choice Regional Transportation Workshop attendance by department member
- Legislative Policy Committee meeting attendance by department member
- Geographical Information Systems training and work by department member
- Department heads meetings attendance by department member
- Local Emergency Planning Committee conference participation by department member
- Utah Fire Prevention Board Meeting attendance by department member
- Fire Marshals of Utah training attendance by department member
- Emergency Managers Conference attendance by department member
- Emergency Notification training attendance by department member
- Weber County CERT meeting attendance by department member

Fire Inspection / Code Enforcement Report: **see attached**



Mayor & City Council Monthly Summary Report December 2022

Community Development Department:

- Home Goods – Framing, above grid, and ceiling inspections
- Sierra Trading Post – Framing inspection
- Take 5 – Electrical, final, and re-final inspections
- Cheddars – Lath inspection
- Chick-Fil-A remodel – Above grid inspection
- Generator Supercenter – Electrical, plumbing, and above grid inspections
- JDawgs – Ceiling grid inspection
- Fiiz Drinks – Gas inspection
- The Buckle – Above ceiling and mechanical inspections
- AFCU Ops Building – Footings, plumbing, and rebar inspections
- Greenhill Apartments Fire Pit – Final and re-final inspections
- H&P Flex Building #2 – Framing inspection
- Buckway Flooring and Design – Plumbing inspection
- Home inspections for various projects on residential lots
- Inspection of solar panel and equipment installation
- Meeting with property owners, contractors, and developers to discuss project plans
- Building plan drawings and documents review
- Fire inspections, sprinkler inspections, fire investigations, and associated fire checks for various businesses
- Pick-up of various signs in violation of sign ordinance
- Preapplication review meeting re: RDA parcel development
- Design Review Committee Mtg re: Riverdale Townhomes project
- Meetings with AFCU and AWA re: West Bench RDA and America First
- WACOG Housing Subcommittee attendance by department member
- Utah Housing and Community Development housing reporting training attendance by department member
- Riverdale General Plan reporting updates meetings attendance by department member
- Riverdale General Plan stakeholder meeting interviews attendance by department member
- Legislative Policy Committee meeting attendance by department member
- Geographical Information Systems training and work by department member
- Department heads meetings attendance by department member
- Departmental meeting attendance by department members
- Santa Run participation by department member
- Weber County Emergency Managers meeting attendance by department member
- Local Emergency Planning Committee participation by department member
- Homeland Security Coalition meeting attendance by department member

Fire Inspection / Code Enforcement Report: **see attached**

FIRE MARSHAL, CODE ENFORCEMENT MONTHLY REPORT

- Attended Utah Fire Marshal's meeting.
- Northern Region Homeland Security Meeting
- Attended Utah Fire Prevention Board meeting.
- Utah Local Emergency Planning Committee (LEPC) Conference.
- Site plan reviews.
- Preapplication Review meeting to discuss the West Bench RDA property development on the property.
- Conditional use permit reviews.
- Fire alarm plan reviews.
- GRAMA requests.
- Fire sprinkler plan reviews.
- Weber County LEPC ZOOM.
- Tier 2 Chemical Inventory Program.
- Meeting with Utah Department of Emergency Management.
- Removed illegal street signs.
- Worked with City Prosecutor on code enforcement cases.
- Emergency Notification Demonstration from Hyper-Reach.

100 Construction Site 202301103203 Jdawg 4104 South Riverdale Road #104 Randy Koger

100 Re-Inspection 202301093197 YHA Lakeside 5887 South Weber Drive Randy Koger

100 Construction Site 202301103201 Buckle 4209 South Riverdale Road Randy Koger

100 Re-Inspection 202301093195 YHA Lakeside 5887 South Weber Drive Randy Koger

100 Re-Inspection 202301093194 Home Goods 1101 West Riverdale Road Randy Koger

100 Re-Inspection 202301052792 Home Goods 1101 West Riverdale Road Randy Koger

100 Fireworks 202212292791 Sams Club #6684 4949 South 900 West Randy Koger

100 Re-Inspection 202212272790 Home Goods 1101 West Riverdale Road Randy Koger

100 Re-Inspection 202212272789 Jdawg 4104 South Riverdale Road #104 Randy Koger

100 Re-Inspection 202212272788 Jdawg 4104 South Riverdale Road #104 Randy Koger

100 Construction Site 202212202787 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 Construction Site 202212202786 Home Goods 1101 West Riverdale Road Randy Koger

100 Construction Site 202212202785 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 202212192784 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 Construction Site 202212142783 Jdawg 4104 South Riverdale Road #104 Randy Koger

100 Re-Inspection 202212132782 Ken Garff Nissan 615 West Riverdale Road Randy Koger

100 Construction Site 202212132781 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 Annual Inspection 202212082780 Truly Nolen 4224 South Riverdale Road Randy Koger

100 Re-Inspection 202212072779 Generator Supercenter 708 West 4450 South Randy Koger

100 Re-Inspection 202212062774 Generator Supercenter 708 West 4450 South Randy Koger

100 Re-Inspection 202211302766 Jamba Juice 1155 West Riverdale Road #B Randy Koger

100 Re-Inspection 202211302765 Generator Supercenter 708 West 4450 South Randy Koger

100 Construction Site 202211292764 Buckle 4209 South Riverdale Road Randy Koger

100 Construction Site 202211282763 Take Five 4023 South Riverdale Road #A Randy Koger

100 Re-Inspection 202301103202 Utah Spine 4035 South Riverdale Road #B Randy Koger

100 Construction Site 202211172761 Chedders 4171 South Riverdale Road Randy Koger

100 Construction Site 202211172760 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 Re-Inspection 202211172758 Utah Spine 4035 South Riverdale Road #B Randy Koger

100 Construction Site 202211172759 Chick-Fil-A 4067 South Riverdale Road Randy Koger

100 Re-Inspection 202211082757 Super Chix 1140 West Riverdale Road Randy Koger

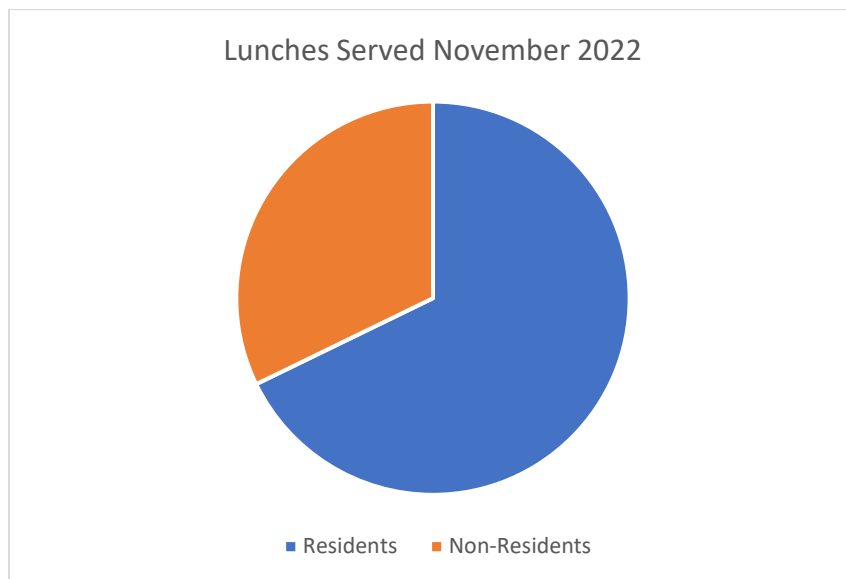
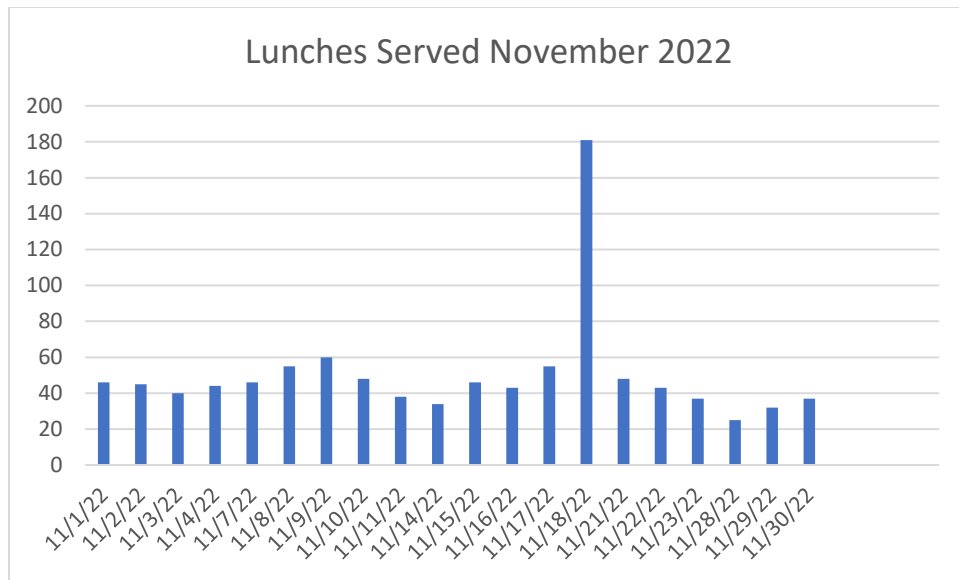
100 Re-Inspection 202211082756 Super Chix 1140 West Riverdale Road Randy Koger

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100 Re-Inspection 202211082755 Super Chix 1140 West Riverdale Road Randy Koger

100 Re-Inspection 202211082755 Super Chix 1140 West Riverdale Road Randy Koger

code violation	type	department
<u>22-12-053</u>	Accumulation of Junk,Attractive Nuisances,Maintaining a Nuisance,Un-Drivable or Non-Towable Condition,Vehicle that is not Currently Registered	Code Enforcement
<u>22-11-052</u>	Vehicle that is not Currently Registered	Code Enforcement
<u>22-10-050</u>	Parking on Landscaping or Soft Surface,Unmanaged Growth,Vehicle that is not Currently Registered	Code Enforcement
<u>22-10-051</u>	Parking on Landscaping or Soft Surface,Vehicle that is not Currently Registered	Code Enforcement



Attended staff meetings

Held monthly departmental staff meeting

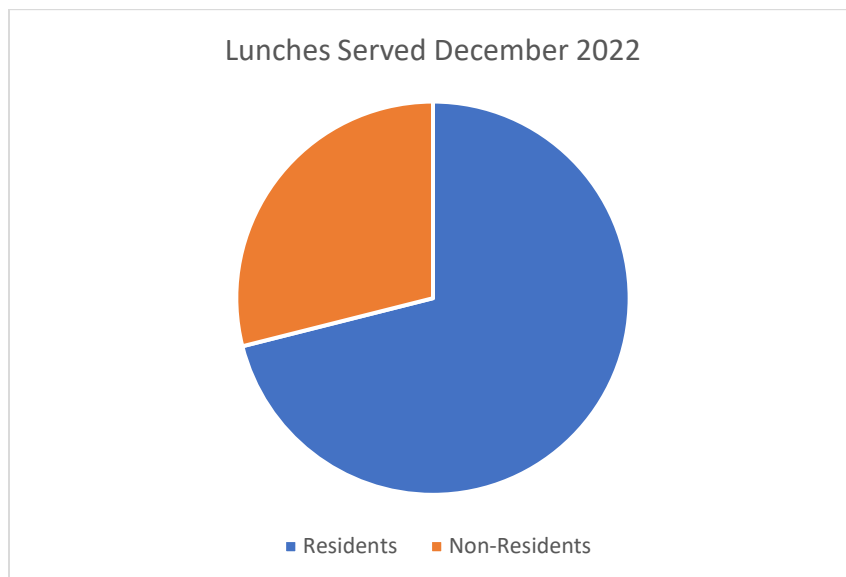
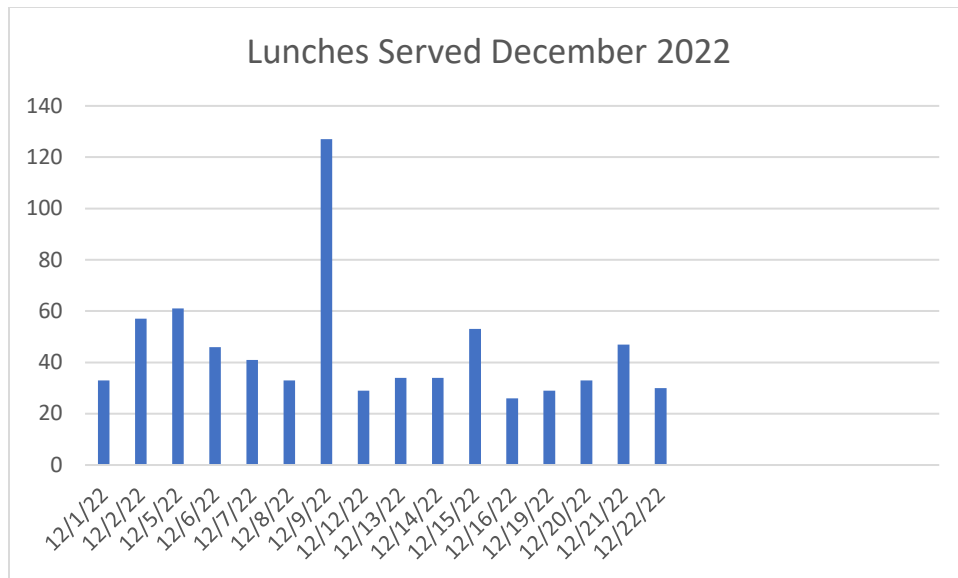
Created monthly issue of Riverdale Connections

Hired additional recreation assistant

Continued girls basketball games

Held basketball after school program

Helped with Thanksgiving Lunch at the Senior Center



Attended staff meetings

Held monthly departmental staff meeting

Created monthly issue of Riverdale Connections

Hired additional recreation assistant

Finished girls basketball games

Attended monthly NURPA meeting

Helped with city Christmas lunch

Helped with Christmas Lunch at the Senior Center

Youth City Council Christmas Party

Public Works Monthly Report December 2022

- Continued work with Weber Basin to discuss alternatives for them providing additional water, instead of drilling well.
- Continued Storm Water review to meet new state regulations.
- Continued design work on 1050 W Ritter Dr. Roundabout.
- Completed Weber Basin Water connection project.
- Continued inspections on Cheddard's
- Installed Holiday decorations.
- Continued inspections on AFCU Campus.
- Continued inspections on Fiiz.
- Continued 4600 S Road Project.

- Continued Take 5 inspections.
- Continued reviews on Riverdale Townhomes.
- Continued inspections on Riverdale Flex 2.
- Started design work on 2023 waterline project.
- Started renovations on vacant Senior Center apartments.

Fire Department:

November and December Report

Chief Jared Sholly

November Incidents: 134 Calls for Service and 166 Vehicle Movements

December Incidents: 122 Calls for Service and 158 Vehicle Movements

Fires

November Incidents

3 Building Fires

1 Fire Other

1 Vehicle Fire

Total 5

December Incidents:

3 Building Fires

1 Vehicle Fire

1 Brush Fire

1 Scotch burns with no Fire

Total 6

Rescue & Emergency Medical Service Incidents

November Incidents:

53 EMS/Ambulance Calls

4 Motor Vehicle Accidents with Injuries

5 Motor Vehicle Accidents without Injuries

2 Extricated from Vehicle

1 Motor Vehicle Accident Auto-Pediatrician

2 Medical Assist

1 PD Stand-By

Total: 68

December Incidents:

60 EMS/Ambulance Incidents

6 Motor Vehicle Accidents with Injuries

2 Motor Vehicle Accidents without Injuries

2 Extrication of Victims

1 Standby PD

Total: 71

Hazardous Condition

November Incidents:

1 Building or Structure Collapse or Weakened

Total: 1

Service Call

November Incidents:

1 Smoke Removal

3 Assist Citizen

1 Assist Police

1 Unauthorized Burning

Total: 6

December Incidents:

- 1 Ring Removal**
- 1 Water Leak**
- 4 Public Assist**
- 2 Assist PD**

Total: 8

Good Intent Call

November Incidents:

- 2 Good Intent**
- 44 Cancelled Enroute**
- 1 No Incident Found**
- 3 Smoke Scare**
- 1 Steam, vapor, fog or dust through to be smoke**

Total: 51

December Incidents:

- 28 Cancellations**
- 4 No Incident Found**

Total: 32

Fire Alarm

November Incidents:

- 1 Unintentional Transmission**
- 2 Smoke Detector Activation, No Fire**

Total: 3

December Incidents:

- 1 Alarm Sounded due to a Malfunction**
- 1 Unintentional Alarm**
- 2 Carbon Monoxide Alarm**

Department Report:

November Report

- **Crews Changed Out Smoke Detectors and Batteries at Numerous Homes**
- **Push-In Ceremony of Heavy Rescue**
- **Thanksgiving Luncheon**
- **Assisted Public Works with Christmas Decorations in Roundabouts**
- **Electrical Vehicle Fire Training Hosted at Riverdale for Entire County**
- **Leadership Class Taught to County Fire Departments Chief Sholly**
- **Cardiac Arrest Meeting with County EMS Committee**
- **Meeting with all Departments Involved in F-35 Incident**
- **Training Officers Meeting**
- **Ogden Regional EMS Case Review**
- **EMS Committee Meeting**
- **Weber County Heavy Rescue Meeting**
- **City Staff Meeting**
- **LEPC Conference for Emergency Managers**
- **(Randy) Emergency Management Meeting**
- **Weber County Fire Chiefs Meeting**



- **Operational Dispatch Committee**
- **Fire Sub Meeting with County Chiefs and Dispatch**
- **Fire Training**
 - Chimney Fires
 - Salvage and Overhaul
 - Extrication
 - Hazardous Materials
- **Medical Training**
 - Seizures
 - Bleeding Control using Tourniquet
 - Versed Medication Administration
 - Pathophysiology

December Report

- **Santa Run**
- **Electrical Fire Class Continued from the Previous Month**
- **Rocky Mountain Power Class**
- **Fire Chiefs Meeting State EMS**
- **Part-Time Interviews**
- **Training Officers Meeting**
- **Ogden Regional EMS Case Review**
- **EMS Committee Meeting**
- **Weber County Heavy Rescue Meeting**
- **City Staff Meeting**
- **Weber County Fire Chiefs Meeting**
- **Operational Dispatch Committee**
- **Fire Sub Meeting with County Chiefs and Dispatch**
- **Fire Training**
 - Large Box Commercial Fire Tactics
 - Radio Communications
 - Hazardous Materials Lessons Learned
- **Medical Training**
 - Assessment Based Management
 - AED/CPR
 - Lidocaine Medication Administration
 - Pediatric Assessment



2022 Incidents: 1757

2021 Incidents: 1508

Difference: 249 Additional Incidents in 2022

Incident Type	Incident Runs Numbers
Fire Incidents	76
Over Pressure/Explosions	3
Rescue & Medical	929
Hazardous Conditions	26
Assist Calls	74
Good Intent	577
False Alarms	72
Total	1757

RIVERDALE POLICE DEPARTMENT CRIME BULLETIN

December 2022
Report #22-12

November Police Calls

- **1046 Calls for Service**
 - **38 Animal Complaints**
 - **223 Crime Reports Written**
 - **7 Forgery/Fraud**
 - **3 Assault / Fights**
 - **6 Retail Thefts**
 - **1 Sex Offenses**
 - **8 Family Offenses**
 - **18 Disturbances**
 - **10 Burglary/Theft Complaints**
 - **36 Arrests**



The remainder of calls involved Welfare Checks, Disorderly Conduct, Suspicious Activities, Citizen Assists, Lost/Found property, Trespassing, Medical Assists, Warrant Services, etc.

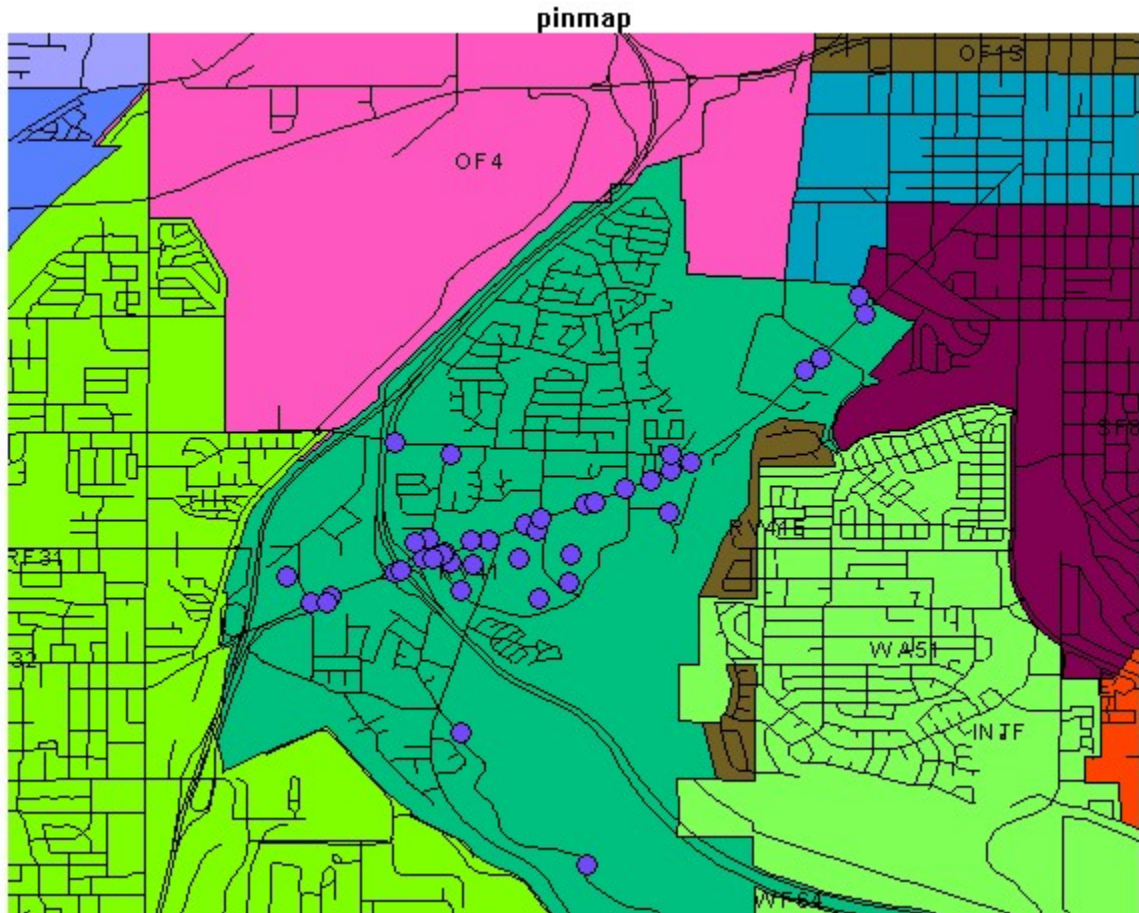
Traffic Patrol and Enforcement

- **215 Traffic Stops resulting in:**
 - **142 Citations**
 - **198 Total Violations**
 - **56 Warnings Issued**

RIVERDALE POLICE DEPARTMENT CRIME BULLETIN

December 2022
Report #22-12

- **57 Traffic Accidents**



- **29 New Cases sent to Investigations**
- **31 Investigative Cases Closed**

POLICE LINE - DO NOT CROSS

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POLICE LINE - DO NOT CROSS

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Patrol Report November 2022

Keep the peace- Officers responded on a keep the peace. The residents and their granddaughter were having a dispute over the granddaughter getting her property from the residence. They are making arrangements between them and will call back for a keep the peace to get the property out of the house.

Fraud/theft- Officers spoke with the complainant who bought a phone on Facebook. The phone quit working. The phone was reported stolen by the original owner. The person that sold the phone is the ex-girlfriend of the owner. The case is being investigated by detectives.

Disturbance- Officers responded to a female's home because she was seeing and hearing things that weren't there. The subject admitted to smoking meth in the morning and her issues were most likely due to her meth use. She took her regular meds while officers were there and calmed down.

Assist OJ/K-9 deployment- Officers responded to assist South Ogden Police after a vehicle fled and caused an accident. The driver and passenger fled on foot. K9 Benko was deployed on a track. A Riverdale Officer took a perimeter position and was told a male was hiding on a porch. The area was searched and the Riverdale Officer ultimately found the driver hiding. The driver was taken into custody and taken back to the scene for South Ogden.

Drug violation- Officers contacted a car that was parked at the North Gate. An odor of marijuana was detected. The vehicle was searched and numerous items of marijuana, THC pens, paraphernalia and beer was found. All of the involved parties were juveniles. Parents were notified and responded to take custody of their children.

Disturbance- Officers responded to Motel 6 on a female screaming in one of the rooms. Contact was made with her and her boyfriend. The female was upset because she wanted her boyfriend to get up and help her clean. She was found to have warrants for her arrest and was taken to WCJ and booked on the warrants.

Fight- Riverdale Officers responded to Walmart on a fight. Three trucks with multiple people were involved in a fight in the parking lot. One of the male's involved brother was just found deceased by the river and his emotions were very volatile. The other two vehicles and occupants have not been located. The case is being forwarded to investigations.

Unattended death- Riverdale Officers responded to 900 W. Riverpark Drive after a fisherman found a deceased male in the trees. The identity of the male is unknown. CSI and the ME's office responded. There were no signs of foul play. The ME's office was able to identify the male and contact was made with family.

Retail Theft- A male and female stole some food from Maverik at 1500 W Riverdale Rd. The suspects were located at Motel 6. Maverik did not want to pursue charges, they just wanted the food paid for, which they did. The suspects were both trespassed from Maverik per managers request.

Recovered Stolen- Officers responded to an abandoned vehicle. The vehicle had been there for several weeks. The vehicle was found to be stolen out of Ogden. Contact was made with the owner who advised

his insurance had paid him for the vehicle. The previous owner came and gathered his belongings from the vehicle and the vehicle was State Tax Impounded. Progressive Insurance was notified.

Public Intoxication- Officers were dispatched regarding a fall. The subject was found to be intoxicated in public and was transported to the Lantern house to detox where he was cited and released.

Custodial Interference- Officers were dispatched to a to a custodial interference. A mother was worried her ex would take her daughter after their therapy session. A protective order is in place where the ex is to not be within 100 feet of his daughter after court approved activities. The ex was upset but returned his daughter to the custody of her grandma.

Psychiatric- A juvenile male reported that she was stabbed by an unknown person in the area of 700 W. 4400 S. The male ultimately admitted that he had cut himself. The male was taken to the hospital by his father for a psychiatric evaluation.

Trespass/Narcotics- Officers found a male and female parked by the dumpsters at EZ Pawn. The male admitted to dumpster diving. The male had been involved in a narcotics possession several days prior in which K9 Benko performed a sniff on the vehicle. The male consented to a search and a small container of meth was discovered. The male was booked into WCCF for possession of meth.

Fraud- This report is in reference to a male reporting that his credit cards were stolen from EOS Gym in Roy, then used at Target, 1135 W Riverdale Rd, Best Buy, 1093 W Riverdale Rd, Home Depot, 999 W Riverdale Rd. and Lowes, 4155 S Riverdale Rd the same day. This case will be forwarded to investigations.

Assist OJ- Riverdale K-9 Unit assisted with a vehicle sniff for SOPD yielding a large quantity of meth.

DV Assault- Officers responded to a residence on a report of Domestic Violence where a male and female were involved in a physical altercation. The female was cited for DV Criminal Mischief and two counts of DV in the presence of a child. The female gathered some belongings and left the home.

Family Disturbance- Officers responded to a family disturbance where a male was there yelling at a female. A male became confrontational with officers and took a fighting stance while making threats. Officers attempted to put him into handcuffs. The suspect kicked officers and a taser was deployed in order to restrain the suspect. The suspect was booked at the Weber County Jail after being cleared by a local hospital

Threats- Riverdale Officers responded to UMA after the school received a threat by email that the school was going to be "shot up" at 1405 hours. The email was received on 11/2/22 and reported on 11/3/22. The owner of the email account was tracked down to a 15 yr. old that has an IP address in Florida. There are no ties to the school, or the teacher that received the email from the suspect. The agency in Florida was notified and they assisted in the investigation. No violent incidents occurred at UMA and a police presence was kept at the school for the day.

Disturbance- Officers responded to Target on a disturbance. The complainant reported that another driver cut her off and she honked her horn. The complainant reported that the other driver then braked in front of her, got out of his vehicle started slamming on the window then spit on her window. The case was sent to investigations.

Assault/search warrant- Riverdale Officers responded on an assault at Lesley's Trailer Park. The victim reported being assaulted by her boyfriend. The female had injuries consistent with being assaulted. The suspect was believed to be in an abandoned trailer hiding. A search warrant was granted for the trailer and officers had to force entry inside. The suspect was not located inside.

Family disturbance- Officers responded to Motel 6 on a family fight where two females had a physical fight over money. One female was booked into the WCJ for DV assault and the other female was cited and released for interruption of a telecommunication device.

Assist OJ/WSUPD- Officers located a male on a stolen bike. The male attempted to flee from officers. One officer was able to push the male off the bike and take him into custody after a brief struggle. He was turned over to Weber State PD to pursue the theft charges.

Investigations Report November 2022

Retail Theft- Detectives conducted follow up on a report of a retail theft where a male and female stole power tools from Home Depot. Detectives located and interviewed the suspects. Both the male and female confessed to participating in the theft. They were both summonsed for retail theft.

Retail Theft- Detectives followed up on a retail theft at Walmart. The suspects stole a generator from the store. The suspect was identified and located incarcerated. The suspect invoked his rights and wouldn't speak with detectives. Due to video surveillance evidence the suspect was charged with retail theft.

Threats- Detectives assisted in investigating a threat that was made to UMA high school. A teacher received an email that stated they were going to shoot the school up by the end of the day. Detectives drafted several warrants and were able to identify the suspect through IP addresses. The suspect was a juvenile in Florida. Law enforcement was contacted in Florida where the suspect was contacted and interviewed. The juvenile's criminal charges will be handled in Florida due to him residing in Florida.

Credit Card Fraud/ Retail Theft- Detectives followed up on a credit card fraud. The credit card was reported stolen. The suspect attempted to use the stolen credit card at the self-check out at Walmart but the card was denied. The suspect then left with the store merchandise without paying for it. The suspect was identified by detectives and a warrant was issued for the female's arrest.

Stolen Vehicle Possession- Detectives executed a search warrant at a residence where they had information that a stolen vehicle was parked in the garage. The vehicle was located in the garage after serving the search warrant. The vehicle was found to be damaged. The suspects will be summonsed for possession of a stolen vehicle.

RIVERDALE POLICE DEPARTMENT

CRIME BULLETIN

January 2023
Report #23-1

December Police Calls

- **1223 Calls for Service**
 - **18 Animal Complaints**
 - **Crime Reports Written**
 - **15 Forgery/Fraud**
 - **1 Assault / Fights**
 - **7 Retail Thefts**
 - **1 Sex Offenses**
 - **18 Family Offenses**
 - **13 Disturbances**
 - **10 Burglary/Theft Complaints**
 - **34 Arrests**



The remainder of calls involved Welfare Checks, Disorderly Conduct, Suspicious Activities, Citizen Assists, Lost/Found property, Trespassing, Medical Assists, Warrant Services, etc.

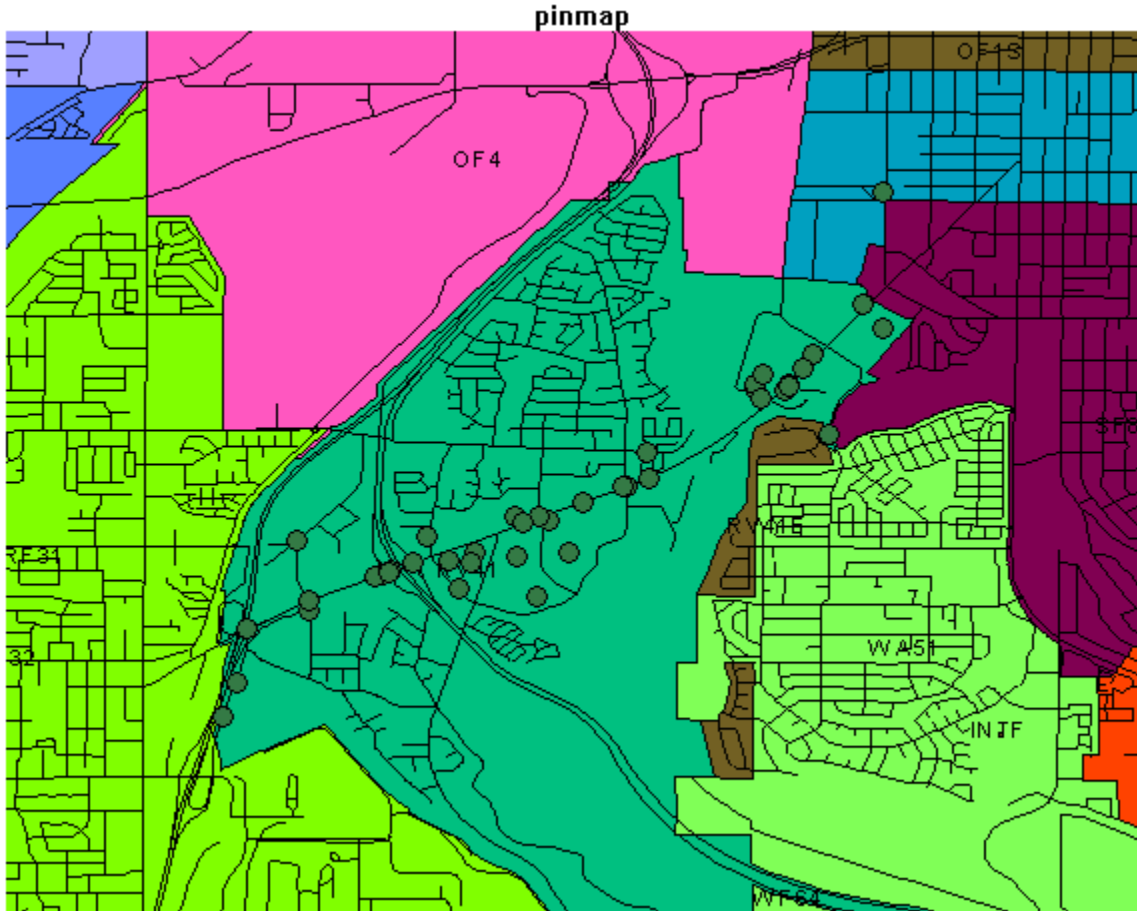
Traffic Patrol and Enforcement

- **256 Traffic Stops resulting in:**
 - **180 Citations**
 - **260 Total Violations**
 - **80 Warnings Issued**

RIVERDALE POLICE DEPARTMENT CRIME BULLETIN

January 2023
Report #23-1

○ **63 Traffic Accidents**



- **13 New Cases sent to Investigations**
- **27 Investigative Cases Closed**

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Patrol Report December 2022

DV Assault- A female reported she was assaulted by her ex during an argument in her vehicle around 300 W Riverdale Rd. The victim had noticeable injuries. At the time of the report the suspect had not been located.

Follow Up- A victim located his stolen trailer and tractor. He received a message from a Facebook post with a picture of his stolen property. The trailer was located by Ogden Police Department. OPD responded and handled the recovered stolen vehicle. CSI was unable to recover evidence due to weather conditions. The victim took possession of his property. The trailer and tractor were removed from NCIC.

Sexual Assault- A woman reported the father of her children had coerced her into having nonconsensual sex with him. An interview with both individuals took place. The victim was taken to NUSANE for an examination and later taken to the YCC. The case will remain active.

Overdose- A female overdosed while visiting her mother in Riverdale. She was smoking Fentanyl outside with a friend when she overdosed. The friend alerted family who came outside and successfully administered Narcan knowing she has a history of drug use. The female was transported to the hospital.

Retail Thefts- Officers responded to Sportsman's on a theft complaint. The suspect left in a silver Ford Explorer which was located by officers at 700 W. Riverdale Rd. The male was taken into custody and taken back to Sportsman's and positively identified as the suspect from the theft as well as two previous thefts. The male was issued a citation and released.

DV Assault- Officers responded to a residence after a locksmith reported that there was possibly some domestic violence occurring at the home. Contact was made with residents. A male was booked for DV Aggravated Assault for choking his wife.

Family Disturbance- A male and female were involved in an altercation. The female reported the male covered her mouth while she was screaming. The male denied this. The male's mother was present and also advised this did not occur. There were no signs of a physical altercation. The female was taken to the YCC per her request. The case will be screened for charges.

Domestic Violence Aggravated Assault/Possession of Firearms by Restricted Person- Officers investigated a report of a female being shot by her boyfriend. The suspect was located in New Mexico and arrested for a warrant related to this case and is awaiting extradition. The victim was located and received medical treatment for her injuries.

Family Disturbance- Officers responded to a family fight. A mother slapped her daughter and during a shoving match causing the child to hit her head on a cabinet. The case is being screened for charges.

Attempted Suicide- This case is in reference to a suicide attempt. A female was found by her sister unresponsive at her residence. A goodbye note was found and it was reported that the female has made numerous past comments that she would end her life by overdose. It is unknown at this time what

substance or medication the female ingested. The female was taken to Ogden Regional for further medical care and a mental health evaluation.

Voyeurism- This report is in reference to a trespassing that occurred 909 West Riverdale Road at the McDonalds. During the investigation the male was also found to have been in the women's restroom with a juvenile female. When being asked about this, the male got very upset and was taken into custody. He was transported and booked on 1 count of Voyeurism and 1 count of Disorderly Conduct after being told to stop the behavior. The suspect was trespassed from McDonalds.

Disturbance- Officers responded to a residence regarding a protective order violation. The complainant reported her husband was violating the protective order by threatening her and he punched a cooler. Both parties were contacted and had opposing stories. The cooler was broken on the bottom. Due to conflicting stories, the case will be screened for DV criminal mischief and violating a Protective Order.

DUI-Officers stopped a vehicle for a traffic offense. The driver was found to be under the influence of alcohol. Tests were administered and the driver failed the tests. A search of the vehicle discovered marijuana in the car. The male was transported to the office where he submitted to a blood draw.

Domestic Violence- Officers booked a male for DV criminal mischief after he had an altercation with his wife in the parking lot of Ross.

DV Criminal Mischief / Intoxication- Officers booked a male into jail for breaking a shampoo cleaner during the course of an argument with his wife. He had also been drinking. He was booked on DV Criminal Mischief and Intoxication.

Sex Offense- Officers responded to Motel 6 on a disturbance. Contact was made with a male (21yr old) and female (15yr old) who were arguing in a room. The argument was never physical, but due to the age difference their relationship was questioned. The male was questioned and he admitted to having sexual intercourse with the juvenile female. The male was booked into jail on 3 counts of sexual activity with a minor and providing a false statement.

Traffic Stop Warrant Arrest- Police stopped a vehicle for a traffic offense. The driver was found to have a 2004 no bail warrant for Rape of a child. The warrant was confirmed and the suspect was booked into jail.

Burglary- Officers responded to Ken Garff GMC where it was discovered an individual had broken into the business and spent considerable time inside. The suspect stole a vehicle and property from the business. The suspect has not been located at this time and the investigation is ongoing.

Riverdale Officers delivered food and presents for Christmas for Riverdale Elementary. The items were donated by many citizens in the community.

Investigations Report December 2022

Vehicle Theft- A customer's vehicle was stolen from a local dealership after it was there for repairs. The unoccupied vehicle was subsequently recovered in a business parking lot in Ogden. Video surveillance from the business was obtained and detectives were able to identify the person who was in possession of the stolen vehicle. An arrest warrant was issued for the suspect.

Retail Theft- An adult male suspect entered a local business and stole several items. The suspect was later identified but could not be located. An arrest warrant will be issued for the suspect.

Retail Theft- Patrol officers responded to a local business on a retail theft where the suspects left the scene after stealing several items. One suspect was later identified and was located at his residence where he was issued a citation for the offense.

Retail Theft- Patrol officers responded to a local business where an adult female stole several items. The female was later identified and located by detectives. She will be issued a summons for the offense.

Sex Offense- Patrol officers were dispatched to a disturbance at Motel 6. Upon arrival, it was found that the disturbance was between an adult male and a juvenile female. After further investigation, it was found that the adult male and juvenile female were involved in a sexual relationship. Detectives responded to interview both parties. The adult male was subsequently booked into jail for several felony offenses.

SHOOTING- It was reported that a female was shot by her boyfriend several times at their residence several days prior. The suspect was located in New Mexico and was taken into custody where he is currently awaiting extraction to face charges. The victim was later located and it was confirmed that she had been shot. The investigation is ongoing.

Follow up on other pending cases.

Monthly report - November/December, 2022

Legal Dept., City Attorney, City Admin. - Steve Brooks:

- Resolutions/Ordinances work-
 - Work concerning - Justice center, Roy water, Gen. plan, Audit, Atkin, West Bench, Election comm., Shake shack, Senior housing/center, Leslie's, Water/RDH, GRAMMA, MOVU, Staff meeting, RDA issues, Des. Review, AFCU, Cutrubus, fences, water rates, Fire dept., site plans, Justice court, Gym fees, code enforcement, Miller group, Waivers, Roeber, Utility license, budget reallocations, Noises, HAFB, UDOT, Roy Center, Deeds, Weber Basin, Higgs, Surplus property
- Legal research/review -
- Legal Department meetings/work -
- Planning commission review/ordin/mtgs/minutes
- Walk-ins/Police reviews/Court/Court screenings/Court filings
- Formal training attended-
- RSAC- Drug Court -
- Legal reviews of minutes/resolutions/ordinances
- Records request reviews

COURT MONTHLY REPORT November 2022

404 Total traffic cases

1 DUI	251 Moving violations	0 FTA
0 Reckless/DUI red.	119 Non-moving violations	0 Other
33 License violations	0 Parking	

43 Total Misdemeanor cases

0 Assault	0 Ill. sale Alc.	0 Dom. animal	12 Dom. violence
07 Theft	1 Other liq. viol.	0 Wildlife	15 Other misd./infrac
0 FTA	7 Contr. subst vio	0 Parks/rec.	
1 Public intox	0 Bad checks	0 Planning zon./Fire/Health	

446 Total cases disposed of this month

2582 Total number of cases disposed of for the year (Jan. 1, 2022 to Dec. 31, 2022)

367 Total offenses this month

2092 Total offenses for year (Jan.1, 2022 to Dec. 31, 2022)

Small Claims Total number of cases for the year (Jan. 1, 2022 to Dec. 31, 2022) -- Filed=9 Settled/Dismissed=3

0 Cases filed	0 Trials
0 Settled/dismissed	0 Default judgment

CITATIONS BY AGENCY

YTD

Riverdale City	128
UHP	206

REVENUE/MISC.

FYTD (July 1, 2022 to June 30, 2023)

Total Revenue collected	\$ 69,305.32	\$ 393,494.32
Revenue Retained	\$ 40,392.85	\$ 224,422.48
Warrant Revenue	\$ 50,087.00	\$ 205,958.00
Issued warrants	87	429
Recalled warrants	97	787

RSAC MONTHLY REPORT Nov.

11 participants	68 drug tests given	1 walked away/warrants issued
2 orientations	0 in jail/violations	0 ordered to inpatient
2 new participant	4 positive UA's/tests/dilutes	0 other
0 graduates	2 incentive gifts	
0 terminated/quit	0 spice tests given	

COURT MONTHLY REPORT December 2022**429 Total traffic cases**

2 DUI	190 Moving violations	0 FTA
23 Reckless/DUI red.	84 Non-moving violations	0 Other
License violations	3 Parking	

43 Total Misdemeanor cases

3 Assault	0 Ill. sale Alc.	0 Dom. animal	4 Dom. violence
11 Theft	1 Other liq. viol.	0 Wildlife	12 Other misd./infrac
0 FTA	6 Contr. subst vio	0 Parks/rec.	
1 Public intox	0 Bad checks	0 Planning zon./Fire/Health	

365 Total cases disposed of this month

5694 Total number of cases disposed of for the year (Jan. 1, 2022 to Dec. 31, 2022)

339 Total offenses this month

4560 Total offenses for year (Jan.1, 2022 to Dec. 31, 2022)

Small Claims Total number of cases for the year (Jan. 1, 2022 to Dec. 31, 2022) -- Filed=9 Settled/Dismissed=3

0 Cases filed	0 Trials
0 Settled/dismissed	0 Default judgment

CITATIONS BY AGENCY**YTD (Jan. 1, 2022 to Dec. 31, 2022)**

Riverdale City	97	1685
UHP	159	2581

REVENUE/MISC.**FYTD (June 1, 2021 to May 31, 2022)**

Total Revenue collected	\$ 69,298.22	\$ 462,792.54
Revenue Retained	\$ 40,875.61	\$ 265,298.09
Warrant Revenue	\$ 41,545.00	\$ 247,503.00
Issued warrants	76	455
Recalled warrants	74	503

RSAC MONTHLY REPORT Dec.

11 participants	49 drug tests given	0 walked away/warrants issued
0 orientations	1 in jail/violations	0 ordered to inpatient
0 new participant	2 positive UA's/tests/dilutes	0 other
0 graduates	0 incentive gifts	
1 terminated/quit	0 spice tests given	

Employee Recognition – January 2022 Anniversaries

Years	Employee		Department
18		Stacey Comeau	Business Administration
6		Teral Tree	Legal
6		Letitia Toombs	Legal
4		Cody Cardon	Business Administration
3		Paul Olds	Legal
3		Dione Silva	Community Services
2		Stephanie Olpin	Community Services



Staffing Authorization Plan

As of December 31, 2005		
Department	FTE Authorization	FTE Actual
City Administration	3.00	3.00
Legal Services	5.50	5.50
Community Development	3.50	3.50
Bus Admin - Civic Center	5.75	5.50
Bus Admin - Comm Services	10.00	6.75
Public Works	12.00	11.00
Police	26.00	26.00
Fire	11.50	12.75
Total	77.25	74.00

As of December 31, 2022		
Department	FTE Authorization	FTE Actual
City Administration	2.00	2.00
Legal Services	4.50	3.50
Community Development	3.00	3.00
Business Administration	6.25	6.25
Community Services	9.00	7.75
Public Works	11.00	11.00
Police	24.75	23.75
Fire	17.50	14.00
Total	78.00	71.25

Staffing Reconciliation - Authorized to Actual		
Department	FTE Variance	Explanation
City Admin	0.00	
Legal Services	(1.00)	City Administrator/City Attorney
Community Development	0.00	
Community Services	(1.25)	Recreation Assistants
Business Administration	0.00	
Public Works	0.00	
Police	(1.00)	Police Officer, waiting on background check
Fire	(3.50)	Firefighters unfilled 2 new FT positions
Totals	(6.75)	Staffing <u>under</u> authorization

Actual Full Time Employees 58.00





Actual Part Time Employees 43.00

Seasonal Employees 0.00

* 2 part time FTE can not be converted to 1 full time FTE

Riverdale City Staffing Authorization Plan

Department: Elected - Mayor & Council

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>Election</u>	<u>Term of Office</u>	<u>Authorized</u>	<u>Actual</u>
	Mayor Braden Mitchell	2015	2022-2025	1.00	1.00
					
	Councilor / Mayor Pro Tem Alan Arnold	2015	2020-2023	1.00	1.00
					
	Councilor			4.00	
	Steve Hilton	2020	2020-2023		1.00
	Bart Stevens	2017	2022-2025		1.00
	Anne Hansen	2022	2022-2025		1.00
	Karina Merrill	2022	2022-2023		1.00
					
					
					
					
	Total			6.00	6.00



Riverdale City Staffing Authorization Plan

Department: Planning Commission

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOA-City</u>	<u>Term Apptm't</u>	<u>Authorized</u>	<u>Actual</u>
	Open Chairman Kathy Eskelsen	2/1/2022	01-2026	1.00	1.00
					
	Vice Chairman Robert Wingfield	01/2016	01/2024	1.00	1.00
					
	Commissioner			5.00	
	Amy Spiers	07/2018	01/2025		1.00
	Blair Jones	01/2016	01/2024		1.00
	Rikard Hermann	12/2018	01/2025		1.00
	Wanda Ney	02/2019	01/2023		1.00
	Kent Anderson	04/2020	01/2024		1.00
					
	Total			7.00	7.00







Riverdale City Staffing Authorization Plan

Department: City Administration

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
130/140	City Recorder Michelle Marigoni	6/17/2021	6/17/2021	1.00	1.00
					
125	City Administrator/City Attorney Steve Brooks	11/1/2004	2/1/2022	1.00	1.00
					
Total				2.00	2.00

Riverdale City Staffing Authorization Plan

Department: Legal Services

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
1042	Court Clerk III Nicole Green	10/31/2021	10/31/2021	1.00	1.00
					
1045	Court Outreach Coord. Joan Dailey	11/28/2005	11/28/2005	1.00	1.00
					
1040	Court Clerk II Raelyn Boman	9/3/2013	11/1/2021	0.50	0.50
					
1070	Prosec. Attorney Teral Tree	1/30/2017	1/30/2017	0.50	0.25
	Letitia Toombs	1/30/2017	1/30/2017		0.25
					
XXX	Justice Court Judge Paul Olds	1/22/2020	1/22/2020	0.50	0.50
					
	Acting Dept Head Cody Cardon			1.00	0.00
					
	Total			4.50	3.50









Riverdale City Staffing Authorization Plan

Department: Community Development

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
325/310	Building Official Jeff Woody	11/30/2022	11/30/2022	1.00	1.00
					
1710/330	Fire Insp./Code Enf. Randy Koger	7/9/1990	1/1/2012	1.00	1.00
					
345/380	Comm Dev Dir Michael Eggett	4/16/2013	4/16/2013	1.00	1.00
					
Total				3.00	3.00

Riverdale City Staffing Authorization Plan

Department: Business Administration - Civic Center Division

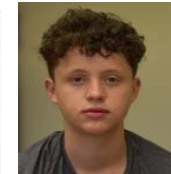
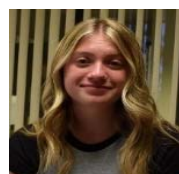
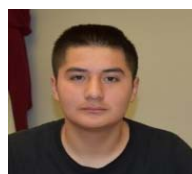
<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
600	PT Custodian			0.75	
	Neil Amidan	8/1/2013	8/1/2013		0.25
	Steve Hodges	7/6/2015	7/6/2015		0.25
	Brenda Green	10/5/2018	10/5/2018		0.25
					
760	Civic Center Service Clerk			1.00	
	Cami Jacobsen	9/5/2017	9/5/2017		0.50
	Amy Cummings	10/21/2021	10/21/2021		0.50
					
720/200	Acctg. Clerk			0.50	
	Laurie Greenhalgh	5/16/2019	5/16/2019		0.50
					
730	Utility Billing Clerk			1.00	
	Angie Pierce	4/18/2016	4/18/2016		1.00
					
610	Fac. Custodial Coordinator/ Pub Comm Spec			1.00	
	Chris Stone	12/1/1992	12/1/1992		1.00
					

195/145	HR Manager/Treasurer Stacey Comeau	1/31/2005	1/31/2005	1.00	1.00
					
165/780	Business Administrator Cody Cardon	1/8/2019	1/8/2019	1.00	1.00
					
	Total			6.25	6.25

Riverdale City Staffing Authorization Plan

Department: Business Administration - Community Services Division

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
XXX	Rec Assistant			2.75	
	Jayden Hansen	11/21/2022	11/21/2022		0.25
	Cole Lueders	11/21/2022	11/21/2022		0.25
	Dallin Woodbury	6/10/2021	6/10/2021		0.25
	Ashton Nicholls	12/22/2022	12/22/2022		0.25
	Open				0.00
	Arzy Vernon	8/10/2022	8/10/2022		0.25
	Issac Martinez	6/1/2022	6/1/2022		0.25
	Mackenzey Higgins	6/24/2022	6/24/2022		0.25
	Open				0.00
	Maclane Loughton	8/19/2022	8/19/2022		0.25
	Open				0.00



XXX

Group Fitness Instructor

Sherilyn Taylor-Brown
Dione Silva

7/27/2017
1/22/2020

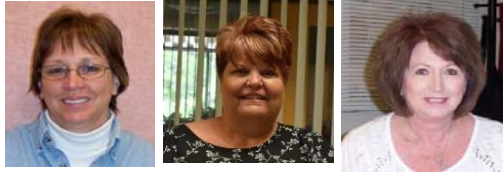
7/27/2017
1/22/2020

0.50

0.25
0.25



1266	Comm Services Cust Service Clerk			2.00	
	Karen Dille	9/13/1999	9/13/1999		0.50
	Shari Casper	5/23/2022	5/23/2022		0.33
	Betty Wilson	9/2/2014	9/2/2014		0.33
	Katie Peterson	11/30/2022	11/30/2022		0.33
	Angela Choate	12/3/2021	12/3/2021		0.33



1270	Rec Specialist			0.50	
	Baylee Cascaddan	8/31/2015	10/16/2021		0.25
	Elisa Anger	6/17/2016	8/1/2017		0.25



XXX	Sr. Center Worker RDA Open			0.50	0.00
1570	Sr. Center Cook Stephanie Olpin	1/13/2021	4/16/2021	0.50	0.50
					
1424	Sr. Center Kitchen Aide Anissa Sterner	11/17/2022	11/17/2022	0.25	0.25
					
225	Seniors Program Specialist Miranda Rizzi	3/20/2014	7/1/2017	1.00	1.00
					
340	Comm Services Director Rich Taylor	6/30/2014	6/30/2014	1.00	1.00
					
	Rounding				0.18
	Total			9.00	7.75

Riverdale City Staffing Authorization Plan

Department: Public Works

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
1230	Park Mtnc Specialist I Zachary Henstra	5/24/2022	5/24/2022	1.00	1.00
					
1235	Park Mtnc Specialist II			0.00	0.00
1240	Park Mtnc Specialist III Matthew Guymon John Flynn	9/1/2017 10/2/2018	1/16/2018 10/2/2018	2.00	1.00 1.00
					
2034	Assistant Public Works Director Norm Farrell	8/17/1998	12/20/2004	1.00	1.00
					
1900	Crew Leader Travis Gibson Bart Poll	5/2/2011 8/24/1998	5/2/2011 7/1/2004	2.00	1.00 1.00
					
2105	Utility Mtnc Operator I Gage Bennett	3/2/2020	3/2/2020	1.00	1.00
					

2110	Utility Mtnc Operator II Dallas Nalder	3/2/2020	3/2/2020	1.00	1.00
					
2115	Utility Mtnc Operator III			0.00	
2115/2030	PW Inspector/Operator III Travis Dahle	7/18/2017	7/18/2017	1.00	1.00
					
2115/2000	Utility Mtnc Operator III/Equipment Mtnc Spec Abraham Torres	5/9/2006	12/1/2022	1.00	1.00
					
2025	PW Director Shawn Douglas	5/20/1991	10/16/2011	1.00	1.00
					
	Total			11.00	11.00

Riverdale City Staffing Authorization Plan

Department: Police

<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
XXX	School Crossing Guard			0.75	
	Kathy Doxey	8/10/2015	8/10/2015		0.25
	Lesley Kolczak	11/16/2022	11/16/2022		0.25
	Susan Jacobson	8/15/2022	8/15/2022		0.25
					
					
					
1510	Animal Control			1.00	
	Kimberlee Winn	5/31/2020	5/31/2020		1.00
					
2335	Patrol Secretary/Receptionist			1.00	
	Casey Baur	11/30/2022	11/30/2022		1.00
					
2310	Administrative Executive Assistant			1.00	
	Shalee Nay	7/1/2019	6/1/2021		1.00
					

1749	Pol Officer			15.00
	Lynn Wright	7/1/2003	2/16/2004	1.00
	Evan Sullivan	9/16/2022	9/16/2022	1.00
	Jamie Boots	11/16/2016	11/16/2016	1.00
	Juan Torres	12/1/2022	12/1/2022	1.00
	Tyrel Dalton	3/1/2018	3/1/2018	1.00
	Matthew Phillips	6/16/2016	6/16/2016	1.00
	Ryne Schofield	7/16/2016	7/16/2016	1.00
	Robert Lovato	6/30/2016	6/30/2016	1.00
	Luigi Panunzio	5/26/2016	5/26/2016	1.00
	Jeffrey Dingman	3/21/2020	3/21/2020	1.00
	Jacob Stanger	6/30/2018	6/30/2018	1.00
	Jeffrey Edminster	9/30/2021	9/30/2021	1.00
	Eddie List	11/16/2022	11/16/2022	1.00
	Christopher Morreale	12/1/2022	12/1/2022	1.00
	Open			0.00



1765	Pol Sgt			4.00
	Michael McNeely	2/16/2018	3/1/2020	1.00
	Derek Engstrom	11/16/2010	7/1/2015	1.00
	Joel Pippin	2/16/2004	7/1/2016	1.00
	Gerardo Vazquez	4/30/2018	12/16/2022	1.00



1745	Police Lt. Casey Warren	4/16/2004	7/1/2015	1.00	1.00
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1740	Police Chief Scott Brenkman	4/14/1999	7/1/2016	1.00	1.00
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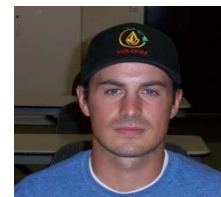


Total				24.75	23.75
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Riverdale City Staffing Authorization Plan

Department: Fire

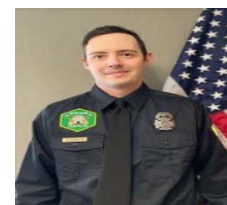
<u>Job Code</u>	<u>Job Title / Incumbent</u>	<u>DOH-City</u>	<u>DOH-Position</u>	<u>FTE Authorized</u>	<u>FTE Actual</u>
XXX	PT Firefighter			4.00	
	Colby Bailey	9/7/2022	9/7/2022		0.25
	Lance Beech	5/10/2017	5/10/2017		0.25
	Mitchel Preator	5/1/2017	5/1/2017		0.25
	Jordan Cubbedge	7/29/2014	7/29/2014		0.25



Cody Pitkin	4/6/2022	4/6/2022	0.25
Maximilian Higley	7/2/2018	7/2/2018	0.25
Open			0.00
Dirk Playle	10/5/2022	10/5/2022	0.25



Open			0.00
Shawn Stanger	8/21/2019	8/21/2019	0.25
Open			0.00
Marcus Garcia	11/20/2019	11/20/2019	0.25



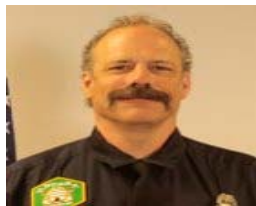
Tyler Reece	3/31/2020	3/31/2020	0.25
Open			0.00
Open			0.00
Open			0.00







2335	Fire Admin Secretary			0.50	
	Krystn Hinojosa	10/18/2004	10/18/2004		0.50



1695	FT Firefighter/EMT			9.00	
	Paul Flaig	4/4/1983	6/16/2011		1.00
	Dean Gallegos	8/21/1995	8/21/1995		1.00
	Scott Call	7/10/2019	7/10/2019		1.00
	Steven Whetton	7/29/2014	8/31/2016		1.00
	JR VanDyke	7/28/2017	7/28/2017		1.00
	Cameron Cessna	6/27/2019	7/19/2019		1.00
	Jace Stromberg	8/10/2021	8/16/2022		1.00
	Open				0.00
	Open				0.00



1675	Fire Captain			3.00	
	Matthew Hennessy	12/5/2005	2/1/2012		1.00
	Nathan Tracy	11/6/2012	8/1/2018		1.00
	Garrett Henry	9/21/2018	3/1/2019		1.00
					
1680	Fire Chief			1.00	
	Jared Sholly	10/21/2015	10/21/2015		1.00
					
	Rounding			0.00	0.00
	Total			17.50	14.00



COMMUNITY DEVELOPMENT PROJECTS STATUS REPORT

January 5, 2023

OPEN FOR BUSINESS



Take 5 Oil Change has opened their new location at 4021 S. Riverdale Road.

ONGOING DEVELOPMENTS



The Generator Supercenter has been issued a business license and is preparing to open their new store at 708 W. Riverdale Road next to Zeppe's.



Cheddar's Scratch Kitchen has started construction on their new restaurant located at 4171 S. Riverdale Road.



FIZ Drinks has started construction on their new location at 4023 S. Riverdale Road.



J.Dawgs has started construction on their new location in the building at 4104 S. Riverdale Road next to Starbucks.



Home Goods has started construction on their new store at 1101 W. Riverdale Road in a section of the former Gordmans building.



Sierra Trading Post has started construction at 1101 W. Riverdale Road in a section of the former Gordmans building.



Chick-Fil-A has commenced the remodeling and redesign of their location at 4067 S. Riverdale Road.



Twisted Sugar has started construction on their new location at 4139 S. Riverdale Road in the former Bombay Bites site.



Americarpets is moving to their new location in the old RC Willey Warehouse building at 4040 S. Pacific Ave.



Buckle will move into the former Dress Barn site at 4209 S. Riverdale Road.



**RIVERDALE CITY
CITY COUNCIL AGENDA
January 17, 2023**

AGENDA ITEM: G1

SUBJECT: Consideration of Resolution #2023-06 approving a master agreement between Riverdale City and the Utah Department of Transportation to provide for water and sewer changes resulting from the 5600 South widening project.

PRESENTER: Shawn Douglas, Public Works

INFORMATION:

- a. [Executive Summary](#)
- b. [Resolution #2023-06](#)
- c. [UDOT Master Agreement](#)

[BACK TO AGENDA](#)



City Council Executive Summary

For the Council meeting on:
January 17, 2023

Petitioner:
Shawn Douglas, Public Works Director

Summary of Proposed Action

Consideration of Resolution 2023-06 Between UDOT and Riverdale City

Summary of Supporting Facts & Options

This is a standard agreement that UDOT provides to the city when they are doing a large project. The agreement allows UDOT to work with the city on relocation of city utilities if there are conflicts during the project. It also allows the city some flexibility in upgrading utilities if UDOT is relocating utilities. Myself and Steve have reviewed the document. I would recommend approval.

Legal Comments – City Attorney

Steve Brooks, Attorney

Fiscal Comments – Business Administrator/Budget Officer

Cody Cardon,
Business Administrator

Administrative Comments – City Administrator

Steve Brooks,
City Administrator



RESOLUTION NO. 2023-06

A RESOLUTION OF RIVERDALE CITY APPROVING A MASTER AGREEMENT BETWEEN RIVERDALE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION, TO PROVIDE FOR WATER AND SEWER CHANGES RESULTING FROM THE 5600 SOUTH WIDENING PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utah Department of Transportation (herein UDOT) is beginning the final phases of the 5600 South widening project located primarily in Roy but also affecting portions of Riverdale City; and

WHEREAS, because the work on the widening project can and likely will affect some portions of Riverdale's water and sewer infrastructure, UDOT has asked that Riverdale City enter into a master agreement that outlines the understandings and obligations of both parties; and

WHEREAS, the parties desire to enter into a contract between Riverdale City and UDOT to set forth the understandings and obligations of the parties on the 5600 South Widening project; and

WHEREAS, the City Council of Riverdale City, Utah has reviewed the attached Master Agreement between Riverdale City and UDOT and agrees to all the terms and conditions contained therein and finds it to be in the best interests of the City; and

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

Section 1: That the City Council of Riverdale City, Utah does hereby approve the Master Agreement between Riverdale City and UDOT, attached hereto as Exhibit A.

Section 2: That the Council hereby authorizes the Mayor, or his designee, to execute the appropriate and necessary documents.

Section 3: This Resolution shall become effective immediately upon its passage.

RESOLVED AND ADOPTED by the City Council of Riverdale City, Utah, on the 17th day of January, 2023.

Braden Mitchell
Mayor, Riverdale City

Attest:

Michelle Marigoni
City Recorder

VOTE:

Alan Arnold	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Bart Stevens	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Steve Hilton	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Anne Hansen	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karina Merrill	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

**RIVERDALE CITY
MASTER AGREEMENT
(Project Third-Party Utilities)**

THIS MASTER AGREEMENT (Project Third-Party Utilities) (the “Agreement”), is made to be effective as of _____, 20__, by and between the **Utah Department of Transportation**, an agency of the State of Utah (“UDOT”), and **Riverdale City**, a municipality of the State of Utah, (“Third-Party”). Each may also be referred to as a party, (“Party”) and together as parties, (“Parties”).

RECITALS

WHEREAS, UDOT is preparing to award a Progressive Design-Build contract for the highway project identified as Project Number: S-R199(324), Project Name: I-15; SR-97 (5600 South) Widening of 5600 South in Weber County, Utah, (“Project”); and

WHEREAS, a progressive design-build contractor, (“Design-Builder”) will complete the Project design and administer construction; and

WHEREAS, UDOT has identified one or more Third-Party facilities within the limits of the Project (the “Facility” or “Facilities”), and when conflicts with the Project are present, the Project may necessitate the relocation, protection, or adjustment of any or all of the Facilities, (the “Third-Party Work”); and

WHEREAS, the Facilities can be generally described as follows: water and sewer; and

WHEREAS, the Third-Party desires for UDOT to design and perform the Third-Party Work on the Third-Party’s Facilities as necessitated by the Project under the terms stated in this Agreement; and

WHEREAS, the Third-Party will perform the necessary design review and inspection to accommodate the Project; and

WHEREAS, for the purpose of expediting any required Third-Party Work and reimbursements in connection therewith (if any), the Parties are entering into this Agreement to set out the general terms and conditions for the Third-Party Work, with the understanding that future Supplemental Agreements to this Agreement will be entered into covering specific requirements for the Third-Party Work at specific Project locations, and a sample form of a Supplemental Agreement is attached hereto as Exhibit A and incorporated herein.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals, which by this reference are incorporated into this Agreement, and for the terms set forth below, which the Parties acknowledge to be good and sufficient consideration, the Parties agree as follows:

1. APPLICATION OF AGREEMENT AND PROJECT'S RESPONSIBILITY FOR COSTS

This Agreement applies to Third Party Work, including: (i) Third-Party Work that UDOT performs on behalf of the Third-Party; (ii) Third-Party Work performed by the Third-Party which UDOT agrees to pay for; and (iii) betterments that relate to Third-Party Work if agreed to by UDOT and if the Third-Party pays for the betterment work (as further described in Section 10 below). The Parties must implement this Agreement for any such work by executing a Supplemental Agreement, and this Agreement is applicable to all of the work described in the Supplemental Agreement. All Supplemental Agreements executed by the Parties are hereby made a part of this Agreement by this reference. For all Supplemental Agreements, this Agreement shall continue to apply to each Supplemental Agreement unless a Party terminates the Supplemental Agreement. If the Parties do not enter any Supplemental Agreements to this Agreement, then this Agreement shall have no effect.

UDOT is responsible for a percentage of the cost to perform the Third-Party Work for Third-Party's Facilities when they are costs that comply with Utah Administrative Code R930-8 and Utah Code § 72-6-116(3)(a)(i), and relocation is necessary to accommodate the construction of a state highway project. If the Facilities include other types of improvements, costs shall be addressed in a Supplemental Agreement that governs such Facilities. This Agreement shall not alter any provision of state law.

2. CONTACT INFORMATION

UDOT's Project Representative is Debra Serio, Third-Party and Railroad Lead, telephone number (801) 540-8761, e-mail debra@dserio.com.

UDOT's Resident Engineer is Trent Beck, telephone number (435) 327-1185, e-mail tbeck@utah.gov, or their designated representative, as assigned.

UDOT's Field Representative is Brandon Wilson, Third-Party Utility Quality Lead (TPUQL), telephone (385) 235-0800, e-mail brandon@dserio.com

Third-Party's contact person is Norm Farrell, telephone number (801) 430-2369, and e-mail nfarrell@riverdalecity.com.

The Design-Builder contacts are Jacob Jensen, Design Utility Third-Party Lead, telephone (801) 300-2079, email jacob.jensen@horrocks.com and Morgen Baldwin, Third-Parties Utility Construction Lead, telephone (385) 450-1656, email mbaldwin@wwclyde.net. They are collectively referred to as the "Design-Builder Project Representative."

3. AUTHORIZATION FOR DESIGN WORK

In order to facilitate coordination and obtain technical information about the Third-Party's Facilities and requirements for inclusion in this Agreement and the Request for Proposals, UDOT provided a Design Authorization Letter to the Third-Party on June 08, 2022, which authorizes certain work as stated in the letter. The Third-Party hereby acknowledges its receipt of that letter and will coordinate in good faith with UDOT concerning any potential conflicts with the Project.

4. SUBSURFACE UTILITY ENGINEERING

UDOT has performed preliminary Subsurface Utility Engineering ("SUE") within the limits of the Project. Additional SUE work to determine the precise location of underground facilities at specific, critical locations on the Project will be reviewed with the Third-Party.

5. PROJECT COORDINATION

The Third-Party requested that UDOT include items of Third-Party Work for relocating and adjusting the Third-Party's Facilities when necessary, in connection with the Project.

During the development of the Project design, the Third-Party and UDOT, along with its Design-Builder, shall consult as necessary in an effort to determine if conflicts with the Third-Party's Facilities can be avoided. The Parties shall also consult if additional conflicts are identified, and work to address those conflicts can be made subject to this Agreement by executing a Supplemental Agreement for them. If Third-Party Work for the Third-Party's Facilities is required by the Project, the Parties will implement this Agreement for each location by entering a Supplemental Agreement to identify each Party's responsibilities. The Third-Party will perform the necessary design reviews prior to the start of Third-Party Work. UDOT's Project Representative and Design-Builder will be responsible for coordinating with others if they have interests that relate to the Third-Party's Facilities.

6. THIRD-PARTY REQUIREMENTS

UDOT will comply with the following Third-Party requirements for its water and sewer facilities:

- a. Required time for each activity after the Department approved Project design has been provided to the Third-Party:

- i. Design review: The Third-Party will review, provide comments and/or approve design plans and betterment cost estimates, if applicable, within **2 weeks** from the time UDOT delivers the design plans to the Third-Party.
 - ii. Third-Party Agreement review and signature routing: 2 weeks. Council approval is required, Council meetings occur the first and third Tuesday of each month. Time will restart with each Third-Party Agreement revision.
- b. Notify the Third-Party at least 1 week in advance of any planned facility shutdown or service interruption.
 - i. Third-Party is responsible to notify each affected customers 48 hours prior to commencement of work.
- c. Temporary shutdowns must take place between 10 pm and 5 am, unless otherwise approved in writing by the Third-Party.
- d. Provide pump around for continuous sewer service.
- e. UDOT will supply as-constructed plans, in a format specified by the Third-Party, upon completion of any required Third-Party Work.

7. UDOT PROCESSES

The following is required for design and construction:

- a. UDOT will schedule and meet with the Third-Party to review the design and scheduling of the Third-Party Work for the Third-Party's Facilities at specific locations on the Project to ensure maximum lead time for advance order of materials and workforce scheduling.
- b. UDOT will design and construct the Third-Party Work in accordance with Third-Party's current standards: Construction and Development Standards Technical Specifications and Drawings, which are dated April 2018, which are the standards that are regularly followed by the Third-Party in its own work and not considered a betterment. The Third-Party agrees that UDOT will rely on such standards for the duration of the Project. In the event of a conflict between UDOT and Third-Party standards, the higher standard will be applied.
- c. UDOT will secure permits required for Third-Party Work on their Facilities.
- d. UDOT will notify the Third-Party at least **2 business days** in advance of beginning any Third-Party Work covered by any Supplemental Agreements hereto, to allow the Third-Party time to schedule an inspector to be present during the Third-Party Work. Subsequent notification of when and where Third-Party Work will be performed will be given on a day-to-day basis.

8. RIGHT-OF-WAY

Any easements or replacement right-of-way required in conjunction with the Third-Party Work for Third-Party's Facilities will be acquired by UDOT in accordance with the requirements of Utah Administrative Code R930-8. If UDOT must access Third-Party property to perform or administer any Third-Party Work (or any related betterment work that UDOT agrees to), the Third-Party hereby consents to all such access.

9. **BETTERMENT WORK**

If the Third-Party desires to include betterment work in the Project at any specific location, UDOT, in its sole discretion, may agree to the betterment work if: (i) the difference in costs between the functionally equivalent required Third-Party Work and the Third-Party's desired betterment work that is not required by the Project is the sole cost of the Third-Party; (ii) the betterment work can be accommodated without delaying UDOT's Project; and (iii) the Parties provide for the betterment work in a Supplemental Agreement or in a separate Betterment Agreement. If the Parties enter a separate Betterment Agreement, the Parties agree that the terms of this Agreement shall also apply when not in direct conflict with the Betterment Agreement. UDOT may terminate betterment work that is included in a Supplemental Agreement, and may terminate a separate Betterment Agreement, if the Third-Party does not make payment as required, and at UDOT's convenience, such as if Project needs change. UDOT shall have no interest in, responsibility for, or liability of any kind in connection with any betterment work.

10. **SUPPLEMENTAL AGREEMENTS**

UDOT and the Third-Party shall enter into Supplemental Agreements to cover Third-Party Work at specific Project locations. Each Supplemental Agreement will include a description and location of the Third-Party Work to be performed, design drawings showing the original and proposed locations of the Third-Party's Facilities, Third-Party Work schedules, cost estimates from all Parties, participation shares for UDOT and the Third-Party (if any), and any other terms specific to the Third-Party Work. Cost estimates included in Supplemental Agreements do not account for increases due to unknown and unforeseen hardships or other contingencies in accomplishing the Third-Party Work and are subject to change.

All Supplemental Agreements are subject to the terms of this Agreement, and a Supplemental Agreement may only change a provision of this Agreement if it expressly cites such provision and states the change. Changes that are expressly stated in a Supplemental Agreement apply to that Supplemental Agreement only.

The Third-Party will review and approve any final Supplemental Agreement submitted to the Third-Party by UDOT within **2 weeks**.

In the event there are changes in the scope of the Third-Party Work covered by a Supplemental Agreement, a modification to the Supplemental Agreement approved in writing by the Parties is required prior to the start of Third-Party Work on the scope changes. UDOT may terminate Supplemental Agreements by giving reasonably notice to the Third-Party if UDOT no longer needs such work, such as if Project needs or Project funding change.

11. THIRD-PARTY TO NOTIFY UDOT

The Third-Party's personnel shall notify UDOT's Field Representative upon arriving and leaving the Project site in order to verify that Third-Party has inspected the Third-Party Work. Third-Party's personnel will comply with all applicable OSHA and Project safety requirements while within the Project limits.

12. INSPECTION

The Third-Party shall provide on-call engineering support by the Third-Party engineer or appropriate representative for design review, schedule coordination, and perform the necessary inspection on the Third-Party's Facilities installed by UDOT, in order to correct or clarify issues while the Third-Party Work is being performed.

- a. The Third-Party engineer and/or inspector shall work with and through UDOT's Field Representative and shall give no orders directly to UDOT's Design-Builder unless authorized in writing to do so by UDOT's Field Representative. UDOT will accomplish the Third-Party Work covered herein on Third-Party's Facilities in accordance with the plans and specifications provided and/or approved by the Third-Party, including changes or additions to the plans, which are approved by the Parties hereto.
- b. The Third-Party shall immediately notify UDOT's Field Representative of any deficiencies in the Third-Party Work on the Third-Party's Facilities. The Third-Party shall follow up with written detail to UDOT's Project Representative of its findings within 24-hours of making its initial notification.
- c. UDOT will respond to Third-Party's concerns within 24-hours of written notification.
- d. The Third-Party, through its inspection of the Third-Party Work, will provide UDOT's Field Representative with information covering any problems or concerns the Third-Party may have with acceptance of the facilities upon completion of the Third-Party Work.
- e. Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the Third-Party Work does not relieve the Third-Party of any duties in connection with the Third-Party Work or to ensure compliance with acceptable standards.

13. DAILY RECORDKEEPING

UDOT and the Third-Party will each keep daily records of onsite activities. The Third-Party's daily records will be completed on a form that has been preapproved by UDOT's Contracts, Compliance and Certification Manager. The daily records shall be signed by UDOT's Field Representative or an authorized designee and by the Third-Party or its authorized designee. Copies of the daily records shall be retained by the Parties to this Agreement.

14. **REIMBURSEMENT**

UDOT will not reimburse the Third-Party for costs incurred by Third-Party personnel for design review, observation, inspection, operation of any Facilities, or any other work performed as part of their duties. Should it become necessary for the Third-Party to procure outside professional services to perform design review, observation, or inspection to accommodate the Third-Party Work and Project schedule, the Third-Party shall notify UDOT. Upon concurrence by UDOT, the Parties then must execute a Supplemental Agreement to agree to the cost of the services; after execution, and after receiving a notice to proceed from UDOT, the Third-Party may procure outside services through applicable procurement requirements.

15. **SUBMITTAL OF ITEMIZED BILLS**

The Third-Party shall submit itemized bills covering the actual costs incurred for outside services to perform design review, oversight, and inspection work that is covered by the terms of a Supplemental Agreement, and shall submit bills to:

UDOT Contracts and Compliance Specialist
4501 South 2700 West
Construction Office, Box 148220
Salt Lake City, Utah 84114-8220

Itemized bills shall bear the Project and Supplemental Agreement numbers, supporting sheets, and a complete billing statement of all actual costs incurred, following the order of the items in the detailed estimates contained in the Supplemental Agreement, and shall be submitted to UDOT within **60 days** following completion of outside services by the Third-Party on the Project. Otherwise, previous payments to the Third-Party may be considered final, except as agreed to between the Parties in writing in advance.

UDOT will reimburse the Third-Party within **60 days** after receipt of the billings, but only for items complying fully with the provisions of Utah Administrative Code R930-8. Failure on the part of the Third-Party to submit final billings within **6 months** of the completion of outside services will result in UDOT's disallowance of that portion of outside services performed by the Third-Party.

16. **SALVAGED MATERIALS**

All materials from Third-Party's existing Facilities which are recovered by UDOT while performing the Third-Party Work and which are not reused on this Project shall become the property of the Design-Builder unless otherwise agreed to in advance by the Parties hereto.

17. **RIGHT TO AUDIT**

UDOT and the Federal Highway Administration shall have the right to audit all cost records and accounts of the Third-Party pertaining to this Project in accordance with the auditing procedure of the Federal Highway Administration and 23 C.F.R. § 645, subpart A (or other applicable provision). Should this audit disclose that the Third-Party has been underpaid, the Third-Party will be reimbursed by UDOT within **60 days** upon submission of additional billing to cover the underpayment. Should this audit disclose that the Third-Party has been overpaid, the Third-Party will reimburse UDOT within **60 days** of notification of audit findings in the amount of the overpayment. For purpose of audit the Third-Party is required to keep and maintain its records of outsides services covered herein for a minimum of 3 years after final payment is received by the Third-Party from UDOT.

18. **ACCEPTANCE AND MAINTENANCE**

UDOT will provide notification to the Third-Party to obtain an acceptance for Third-Party Work upon any completion of the final inspection for such work, and the notice will identify the portion of the Facilities that are subject to final acceptance. Upon receipt of any notice, Third-Party will have **60 days** to respond in writing to UDOT's Resident Engineer with any additional comments regarding the identified Third-Party Work. After 60 days the Third-Party is deemed to have accepted the identified Third-Party Work unless the Parties agree otherwise in writing. Upon UDOT's completion of the Third-Party Work identified in a notice, the Third-Party will solely own and maintain such Facilities unless otherwise agreed to by the Parties in writing.

Acceptance means that except as otherwise agreed in a writing signed by authorized representatives of both parties, the Third-Party accepts the Third-Party Work in its "as-is" condition without conditions or reservations, and the Third-Party waives and releases all claims against UDOT and its employees, agents, contractors, and consultants for any and all losses of every kind (including claims, liabilities, liens and damages), whether known or unknown, and whether or not involving negligence. This includes, but is not limited to, releasing UDOT from any responsibility or liability that may result from its new Facilities or the operation thereof (except to the extent prohibited by law). However, the foregoing release shall not apply to matters that are covered by a warranty provided by a contractor. All contractor warranties shall apply as written to obligate the contractor to remedy the warranted work.

19. **ACCESS**

Access for maintenance and servicing of Third-Party's Facilities located on the right-of-way of the Project will be allowed only by permit issued by UDOT to the Third-Party, and the Third-Party will obtain the permit and abide by the conditions thereof (for policing and other controls) in conformance with Utah Administrative Code R930-7. If access during the Project is needed, the Third-Party shall coordinate access with UDOT.

20. INDEMNIFICATION

Each Party agrees to indemnify, defend, and save harmless the other from and against all claims, suits and costs, but not attorneys' fees, for injury or damage of any kind, arising out of its own negligent acts, errors or omissions and those of its officers, authorized agents, and employees in the performance of this Agreement (which includes any Supplemental Agreements), but subject to the following limitations. UDOT is a governmental entity that is subject to the Utah Governmental Immunity Act, and if the Third Party is also a governmental entity within the coverage of that Act, the Third Party is also subject to that Act. Nothing in this paragraph is intended to create additional rights to third parties, or to waive any of the provisions of the Governmental Immunity Act, or to prevent a Party from tendering a claim to its authorized agents, contractors, or others. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided a Party is a governmental entity that is within the coverage of that Act and the Act applies to the action or omission giving rise to the protections described in this paragraph. UDOT shall have no interest in, responsibility for, or liability of any kind in connection with any betterment work. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

21. MISCELLANEOUS

The following terms apply to this Agreement:

- a. Any Party may give a written notice under this Agreement by delivering it to the following physical addresses (an email may be used in addition as a courtesy), and notice is effective upon delivery when delivered by hand or by overnight delivery service with confirmation of delivery (or, if placed in the U.S. mail, notice is effective three days after such notice receives a postmark):

<p>To UDOT:</p> <p>UDOT 4501 South 2700 West Box 143600 Salt Lake City, UT 84114 Attention: Lincoln Port Phone: (801) 620-1660 Email: lport@utah.gov</p>	<p>To Third -Party:</p> <p>Riverdale City 4600 South Weber River Drive Riverdale City, Utah 84405</p>
--	---

- b. The Parties agree to undertake and perform all further acts that are reasonably necessary (except when expressly prohibited by law) to carry out the intent and purpose of the Agreement and to assist UDOT with maintaining compliance with the legal requirements applicable to UDOT after receiving a written notice that explains the need for such action.
- c. UDOT's action or inaction when providing a consent, review, acceptance, approval or taking other action hereunder for any conditions, inspections, plans,

specifications, or work, is for purposes of administering this Agreement only, and it does not constitute an assumption by UDOT of any responsibility or liability for the same. Any consent, review, acceptance, approval or other action must be taken or given by UDOT's authorized employee or representative.

- d. No part of this Agreement may be waived, whether by a Party's failure to insist on strict performance of this Agreement or otherwise, except in a writing signed by an authorized representative of the Party waiving. Neither Party may assign or delegate this Agreement and actions required by it without the other Party's prior written authorization, and any purported assignment or delegation to the contrary is void. This Agreement does not create any agency, joint venture, partnership, or other relationship among the Parties, and it is intended only for the Parties hereto and does not create any third-party beneficiaries. This Agreement is governed by Utah law without reference to choice or conflict of law provisions. Jurisdiction for any judicial action brought in connection with this Agreement shall be in brought in a court in Salt Lake County, Utah, and ALL PARTIES KNOWINGLY AND VOLUNTARILY WAIVE THEIR RIGHTS TO A JURY TRIAL. Time is of the essence. This Agreement shall be construed to enforce its provisions to the fullest extent allowed under applicable law to give effect to the intent of the Parties, whether or not any provision of this Agreement is invalidated. All Parties negotiated this Agreement and are collectively considered its drafter. Before taking any legal action in connection with this Agreement, each Party agrees to first advise the other of a dispute and to meet in good faith in an effort to resolve it. All rights and remedies in this Agreement are cumulative and nonexclusive and do not limit any other rights and remedies of the Parties. Nothing in this Agreement shall be construed to limit UDOT's governmental powers and authority. The indemnity provision herein and other terms that by their nature are intended to survive this Agreement's termination shall survive. This Agreement may only be amended in a written document that is signed by an authorized representative of each Party. This is the entire agreement of the Parties with respect to the subject matter hereof and it shall supersede all prior negotiations, understandings, and agreements with respect to such subject matter. Each Party warrants that its authorized representative has signed this Agreement with authority to bind such Party, which also binds its successors and assigns. Each Party further warrants that all signatures necessary to make this Agreement binding against the Party have been included below, and that this Agreement's terms do not violate other contracts and commitments of the Party. This Agreement may be signed in counterparts and signed electronically.
-

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST

Riverdale City

Title: _____

Title: _____

Date: _____

Date: _____

(IMPRESS SEAL)

.....

Recommended For Approval

Utah Department of Transportation

Title: Utility and Railroad Leader

Title: Project Director

Date: _____

Date: _____

Approved as to Form

Comptroller Office

Title: Assistant Attorney General

Title: Contract Administrator

Date: _____

Date: _____

EXHIBIT A
RIVERDALE CITY
SUPPLEMENTAL AGREEMENT NO. ____

Supplement to Master Agreement UDOT Finance No. _____

THIS SUPPLEMENTAL AGREEMENT is made to be effective as of the following date, _____, by and between the **Utah Department of Transportation**, (“UDOT”), and Riverdale City, a Municipality of the State of Utah (the “Third-Party”). Each may also be referred to as a party, (“Party”) and together as parties, (“Parties”). The Parties agree as follows for the Third-Party Work identified in this Supplemental Agreement:

1. The Parties hereto entered into a Master Agreement (Project Third-Party Utilities) dated _____, UDOT Finance No. _____ (the “MA”). This Supplemental Agreement is hereby made a part of the MA, and the MA applies to and governs this Supplemental Agreement except as expressly stated in Section 3 below. Among other things, the capitalized defined terms in the MA apply to this Supplemental Agreement as well. This Supplemental Agreement applies only to the Third-Party work described herein. All of the provisions of the MA remain in full force and effect, except as expressly modified for this Supplemental Agreement only in Section 3 below.
2. The MA is hereby modified **for this Supplemental Agreement only** as expressly stated below: Not Applicable
3. The Third-Party will perform the following described Third-Party Work in accordance with the terms and conditions of the MA and this Supplemental Agreement:
 - a. Not Applicable – no work by Third-Party
4. UDOT will perform the following described Third-Party Work in accordance with the terms and conditions of the MA and this Supplemental Agreement.
 - a. Plan sheets depicting the Third-Party Work to be performed by UDOT are shown in Exhibit “A,” which is attached hereto and incorporated herein by this reference, and the work is generally described as:
 - b. The Third-Party Work will be completed between x and x. A schedule for the Third-Party Work is shown in Exhibit “B,” which is attached hereto and incorporated herein by this reference.
 - c. Total estimated cost of Third-Party Work is shown in Exhibit “C,” which is attached hereto and incorporated herein by this reference.

5. Third-Party As-Built Survey Responsibility: It is the responsibility of the installing Party to collect survey data as required by R930-7-11(6) GPS Requirements.
 6. Betterments. If UDOT agrees that betterments can be part of the Third-Party Work, the Parties may enter a separate Betterment Agreement to govern the betterments, or the betterment work shall be as stated below.
 - a. Plan sheets depicting the betterment work are shown in Exhibit "D," which is attached hereto and incorporated herein by this reference, and the work is generally described as:
 - b. The betterment work will be completed as shown on the schedule at Exhibit "B."
 - c. Total estimated cost of the betterment work is included as a part of Exhibit "C" and is included in the cost estimate summary in section 8 below. The Third-Party agrees that 100% of all betterment costs shall be paid by the Third-Party. The Third-Party must pay UDOT the full amount of the estimated cost of all betterments at the time of signing this Supplemental Agreement. From time to time, UDOT may request additional payments for estimated betterment costs. UDOT may refuse perform, or refuse to continue to perform, betterment work until all requested payments are made. Upon completion of the betterment work, UDOT will either return any overpayment made by the Third-Party, or will send an invoice showing the amount still due from the Third-Party for betterment work. The Third-Party agrees to make payment within 30 days after receiving any invoice from UDOT. UDOT shall have no interest in, responsibility for, or liability of any kind in connection with any betterment upon completion of applicable warranty period.
-

7. Cost Estimate Summary for this Supplemental Agreement:

TOTAL ESTIMATED COST OF SUPPLEMENTAL AGREEMENT	\$0.00
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Estimated Cost Breakdown:

TOTAL ESTIMATED COST OF THIRD-PARTY-PERFORMED WORK	\$0.00
TOTAL ESTIMATED COST OF ANY THIRD-PARTY BETTERMENT WORK*	\$0.00
TOTAL ESTIMATED COST OF UDOT-PERFORMED THIRD-PARTY WORK	\$0.00
COMBINED TOTAL ESTIMATED COST OF THIRD-PARTY WORK	\$0.00
 TOTAL ESTIMATED AMOUNT OF THIRD-PARTY PARTICIPATION @ xx%	 \$0.00
TOTAL ESTIMATED AMOUNT OF UDOT PARTICIPATION @ xx%	\$0.00

* If betterments are not included in this Supplemental Agreement, the estimated cost is zero.

8. Notification and contact information for this Supplemental Agreement:

- a. UDOT will notify the Third-Party's contact person, Norm Farrell, telephone number (801) 430-2369, and e-mail nfarrell@riverdalecity.com at least **2 business days** in advance of beginning and completing its portion of the Third-Party Work covered herein.
 - b. Third-Party will notify UDOT's Resident Engineer, Trent Beck, telephone number (435) 327-1185, e-mail tbeck@utah.gov, or UDOT's Field Representative at least **2 business days** in advance of beginning and completing its portion of the Third-Party Work covered herein.
-

IN WITNESS WHEREOF, the Parties hereto have executed this Supplemental Agreement (which is part of the MA) to be effective as of the date first written above, and each Party has executed this Supplemental Agreement below by an individual who is authorized to sign on its behalf to create a binding agreement.

Attest

Riverdale City

Title: _____

Title: _____

Date: _____

Date: _____

.....

Recommended For Approval

Utah Department of Transportation

Title: Utility and Railroad Leader

Title: Project Director

Date: _____

Date: _____

Comptroller's Office

Title: Contract Administrator

Date: _____

EXHIBIT A

UDOT PERFORMED PLAN SHEETS

EXHIBIT B SCHEDULE

EXHIBIT C

ESTIMATED COSTS

EXHIBIT D

BETTERMENT WORK

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 17, 2023**

AGENDA ITEM: G2

SUBJECT: Consideration of Resolution #2023-07 approving an interlocal agreement between Riverdale City and numerous other local agencies concerning a contractors list to be used for seal and board services and hazardous materials services.

PRESENTER: Jared Sholly, Fire Chief

INFORMATION:

- a. [Resolution #2023-07](#)
- b. [Interlocal Agreement](#)

[BACK TO AGENDA](#)



RESOLUTION NO. 2023-07

A RESOLUTION OF RIVERDALE CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT BETWEEN RIVERDALE CITY AND NUMEROUS OTHER LOCAL AGENCIES CONCERNING A CONTRACTORS LIST TO BE USED FOR SEAL AND BOARD SERVICES AND HAZARDOUS MATERIALS SERVICES.

WHEREAS, Utah Code Ann. § 11-13-101 et. sec. permits governmental entities to enter into cooperation agreements with each other; and

WHEREAS, Riverdale City has previously entered into Interlocal Agreements and Amendments thereto, concerning Secure and Seal Services that become necessary after a fire, the most recent being in July 2022, with numerous local entities; and

WHEREAS, the parties hereto have met and considered the need for an additional provision(s) that would compile a professional rotating contractors list that the agencies could use for the Securing and Sealing services and Hazardous Materials Services rotation list; and

WHEREAS, the Riverdale City Council has fully reviewed the attached Interlocal Agreement between Riverdale City and numerous other entities concerning a joint agreement for a rotating contractors list to provide the Board and Seal Services and Hazardous Materials services and agrees to all the additional terms and conditions contained therein; and

NOW THEREFORE, the Riverdale City Council hereby approves the attached Interlocal Cooperation Agreement (attached hereto as Attachment A and incorporated hereby) as written and authorizes the Mayor of Riverdale City to execute this Agreement on behalf of the City.

RESOLVED this _____ day of January 2023.

Mayor Braden Mitchell
Riverdale City

Attest:

Michelle Marigoni
City Recorder

VOTE:

Alan Arnold	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Bart Stevens	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Steve Hilton	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Anne Hansen	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karina Merrill	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

Attachment A

**INTERLOCAL COOPERATION AGREEMENT
FOR SEAL AND SECURE AND HAZARDOUS
MATERIALS SERVICES ROTATION LIST**

This Agreement, made and entered into this _____ day of January, 2023, pursuant to the provisions of the Interlocal Cooperation Act, Section 11-13-101, et. seq., Utah Code Annotated, 1953 as amended, by and between Ogden City, a Utah Municipal Corporation, hereinafter referred to as "Ogden City," Weber Fire District, a political subdivision of the State of Utah, hereinafter referred to as "Weber Fire," North View Fire District, a political subdivision of the State of Utah, hereinafter referred to as "North View Fire," Riverdale City, a Utah Municipal Corporation, hereinafter referred to as "Riverdale City," Roy City, a Utah Municipal Corporation, hereinafter referred to as "Roy City," and South Ogden City, a Utah Municipal Corporation, hereinafter referred to as "South Ogden City," Morgan County, a Utah Municipal Corporation, hereinafter referred to as "Morgan County", Mountain Green, a Utah Municipal Corporation, hereafter referred to as "Mountain Green", Plain City, a Utah Municipal Corporation, hereafter referred to as "Plain City", Washington Terrace, a Utah Municipal Corporation, hereafter referred to as "Washington Terrace", and the Weber Area Dispatch 911 and Emergency Services District, hereinafter referred to as "Weber Area Dispatch," the parties. The parties, other than Weber Area Dispatch, may be referred to herein as "Agency" or "Agencies."

WITNESSETH

WHEREAS, the Utah Interlocal Cooperation Act, Utah Code Ann. § 11-13-101 et seq., (the "Act"), permits local governmental units including cities, counties, and other political subdivisions of the State to make the most efficient use of their powers by enabling them to cooperate with other public agencies on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities for the overall promotion of the general welfare of the state; and

WHEREAS, in the normal course of business, the Agencies have a need to arrange for post-incident seal and secure services and hazardous materials recovery and cleanup for members of the public who need such services; and

WHEREAS, to take advantage of the service level requirements and other economies, the Agencies desire to participate in Ogden City's agreements with private contractors who can provide seal and secure and hazardous material recovery and cleanup services which agree to participate on a rotation list.

WHEREAS, Ogden City is willing to have the Agencies be parties to its contracts for

seal and secure and hazardous material recovery and cleanup services, the dispatching of those services, as the Agencies desire; and

WHEREAS, Weber Area Dispatch is willing to receive the Agencies' requests for seal and secure and hazardous material recovery and cleanup services either communicate those requests directly to private contractors on a rotation list or contract with a third-party dispatch service to implement a rotation list for each service type.

Now therefore, upon the mutual promises, and other good and satisfactory consideration, the parties agree as follows:

SECTION ONE EFFECTIVE DATE AND DURATION

This Agreement shall be effective on the date it is signed by the parties, and shall continue through December 31, 2033, unless extended or sooner terminated as provided herein.

SECTION TWO ADMINISTRATIVE ENTITY

No separate legal or administrative entity is created by this Agreement. This Agreement shall be administered by the parties and each party shall appoint a representative to facilitate performance of this Agreement.

SECTION THREE PURPOSE

This Agreement is established for the purpose of allowing certain political subdivisions of the State of Utah to cooperate in the sharing of agreements and the utilization of Weber Area Dispatch or a private dispatch service and to set forth the respective duties and responsibilities of the parties in conjunction therewith.

SECTION FOUR OBLIGATIONS OF THE PARTIES

The Agencies agree to join Ogden City's agreements with private contractors for provision of post-incident seal and secure and hazardous material cleanup services. Private contractor rotation lists are separately created for three service types as follows: Seal and secure residential and commercial structures post incident, law enforcement requests for seal and secure services, and hazardous material recovery and cleanup services. An Agency may enter into its own agreements with private contractors for provision of seal and secure and hazardous material cleanup services and still join Ogden City's rotation list. In that event, the Agency agrees to include in its contract for provision of seal and secure or hazardous materials recovery and cleanup services the requirement that the company pay fees to Weber Area Dispatch, or a private dispatch service as requested, and that failure to pay will be grounds for termination of the

agreement between Agency and company. Participating Agencies collectively shall establish one policy, including provisions for handling complaints; addressing potential suspension or termination from the rotation list; and an appeal process. Ogden City agrees to maintain records associated with the agreements for seal and secure, and hazardous material cleanup services, and this Agreement.

SECTION FIVE OBLIGATION OF WEBER AREA DISPATCH

Weber Area Dispatch agrees to receive the Agencies' requests for seal and secure, and hazardous material recovery and cleanup services and agrees to communicate such requests to private contractors on a rotation list or to a private dispatch provider to implement the rotation list for each type of service request. Weber Area Dispatch may enter into separate agreements with third parties as necessary to facilitate the dispatch of seal and secure and hazardous materials recovery and cleanup calls for service.

SECTION SIX INDEPENDENT CONTRACTORS

In the performance of this Agreement, the parties are independent contractors, and as such shall have no authorization, expressed or implied, to bind any other party to any agreements, settlements, liability, or understanding whatsoever, and agree not to perform any such acts as agent for any other party except as expressly set forth herein.

SECTION SEVEN HOLD HARMLESS

Each party shall indemnify, defend, and hold the other parties, their officers, agents, and employees harmless from any and all claims, demands, liabilities, costs, expenses, penalties, damages, losses, and liens, including, without limitation, reasonable attorney's fees, arising out of or any way related to any act, omission or event occurring as a consequence of performing under this Agreement; provided, however, that each party shall be responsible for its own negligent acts and agrees to indemnify and hold the other parties harmless therefrom.

SECTION EIGHT GOVERNMENTAL IMMUNITY

All parties to this agreement are governmental entities as defined in the Utah Governmental Immunity Act found in Title 63G Chapter 7 of the Utah Code. Nothing in this agreement shall be construed as a waiver by any party of any rights, limits, protections, or defenses provided by the Act. Nor shall this agreement be construed, with respect to third parties, as a waiver of any governmental immunity to which a party

to this agreement is otherwise entitled. Subject to the Act, each party will be responsible for its own actions and will defend any lawsuit brought against it and pay any damages awarded against it.

SECTION NINE MANNER OF FINANCING

This Agreement and the matters contemplated herein shall not receive separate financing, nor shall a separate budget be required. Each party shall be responsible for its own obligations under this Agreement and shall be responsible for any costs incurred as a result thereof.

SECTION TEN FILING OF AGREEMENT

A copy of this Agreement shall be placed on file in the Office of the Recorder of any participating Agency or maintained with the parties' other official records and shall remain on file for public inspection during the term of this Agreement.

SECTION ELEVEN GOVERNING LAW, JURISDICTION, AND VENUE

This Agreement is made and entered into subject to the provisions of the laws of the State of Utah, which laws shall control the enforcement of this Agreement. The parties also recognize that certain Federal laws may be applicable. In the event of any conflict between this Agreement and the applicable State or Federal law, the State or Federal law shall control.

SECTION TWELVE ANNUAL REVIEW

The parties, through their appointed representatives shall meet at least annually to review this Agreement. The parties shall review and assess the usage of a private dispatch provider. The objective of the parties during their annual review is to make any necessary revisions or amendments to this Agreement and to extend or terminate it.

SECTION THIRTEEN TERMINATION

Any party may terminate any rights and obligations under this agreement at any time by giving thirty (30) days written notice to the other parties of its intent to withdraw from this Agreement. In addition, the parties may mutually agree to terminate the Agreement prior to the expiration of the term.

SECTION FOURTEEN

COMPLIANCE WITH LAWS

In connection with their activities under this Agreement, the parties shall comply with all applicable federal, state, and local laws and regulations.

SECTION FIFTEEN PROPERTY

No real or personal property shall be acquired, nor improvements constructed by the parties because of this Agreement.

SECTION SIXTEEN GENERAL PROVISIONS

A. Severability. If any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

B. Entire Agreement. This Agreement contains the entire agreement between the parties. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied upon by the parties. All prior understandings, negotiations, or agreements are merged herein and superseded hereby.

C. Amendments. This Agreement may be modified only by a written amendment signed by each of the parties hereto.

D. Not Assignable. This Agreement is specific to the parties hereto and is therefore not assignable.

E. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

F. No Partnership, Joint Venture, or Third-Party Rights. Nothing in this Agreement shall be construed as creating any partnership, joint venture, or business arrangement among the parties hereto, nor any rights or benefits to third parties.

IN WITNESS WHEREOF, the below signing parties have signed and executed this Agreement, after resolutions duly and lawfully passed on the dates listed below.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Weber Area Dispatch 911
And Emergency Services District

WEBER FIRE DISTRICT

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Weber Fire District

OGDEN CITY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Ogden City

SOUTH OGDEN CITY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for South Ogden City

ROY CITY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Roy City

RIVERDALE CITY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Riverdale City

NORTH VIEW FIRE DISTRICT

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for North View Fire District

MORGAN COUNTY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Morgan County

MOUNTAIN GREEN

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Mountain Green

PLAIN CITY

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Plain City

WASHINGTON TERRACE

By: _____

Its _____

Attest:

By: _____

Its _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:

Attorney for Washington Terrace

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 17, 2023**

AGENDA ITEM: G3

SUBJECT: Consideration of Resolution #2023-05 of a Development Agreement for property located approximately 4142 Riverdale Road, Riverdale, Utah 84405; as submitted by H & P Investments (Owner).

PRESENTER: Steve Brooks, City Administrator

INFORMATION:

- a. [Executive Summary](#)
- b. [Resolution #2023-05](#)
- c. [Development Agreement](#)

[BACK TO AGENDA](#)



City Council Executive Summary

For the Council meeting on:
January 3, 2023

Petitioner:
Steve Brooks, City Admin/Attorney

Summary of Proposed Action

Consideration of Resolution 2023-05 approving a development agreement between Riverdale City and H & P Investments for the development of land at 4142 Riverdale Road (Old Farmers Insurance Building – Shake Shack).

This is part of a requirement from Weber Basin to have both a Development Agreement in place and a contract, both covering the terms of water purchase. This Development agreement would be very basic with anticipation of at least another agreement down the road as development is further along.

Summary of Supporting Facts & Options

This is part of a requirement from Weber Basin to have both a Development Agreement in place and a contract both covering the terms of water purchase. This Development agreement would be very basic with anticipation of at least another agreement down the road as development is further along.

As of the date of putting this packet together, we have not received back a final copy of this. Given that Monday is a holiday, we may not be able to get it to you until the day of the meeting. This item is not as time sensitive as we initially anticipated given the Weber Basin Board meeting change but I will leave it on for now in case it comes through. Like I said above, it will be a very basic agreement.

Legal Comments – City Attorney

Steve Brooks, Attorney

Fiscal Comments – Business Administrator/Budget Officer

Cody Cardon,
Business Administrator

Administrative Comments – City Administrator

Steve Brooks,
City Administrator



RESOLUTION NO. 2023-05

A RESOLUTION OF RIVERDALE CITY COUNCIL APPROVING A DEVELOPMENT AGREEMENT BETWEEN RIVERDALE CITY AND H & P INVESTMENTS, CONCERNING THE DEVELOPMENT OF PROJECT LOCATED AT APPROXIMATELY 4142 RIVERDALE ROAD, RIVERDALE, UTAH

WHEREAS, Riverdale City, acting pursuant to their authority under Utah Code Annotated §§ 10-9a-101, et seq., as amended, §§ 17C-1-101, et seq., and the Municipal Code for the City of Riverdale (the "City Code"), and in furtherance of their land use policies, goals, objectives, ordinances, resolutions, and regulations, have made certain determinations with respect to the proposed development of the Property located at approximately 4142 Riverdale Road, in exercise of its legislative discretion, and has elected to enter into this Agreement.

WHEREAS, OWNER, H & P Investments, is the owner of certain real property commonly known as the old Farmers building location, located on the east side of Riverdale Road at approximately 4142 Riverdale Road, Riverdale, Utah, legally described in the attached Exhibits (the "Property") and desires to develop said property to allow for its development consistent with the terms of this Agreement.

WHEREAS, the Owner contemplates, and the City understands that the development of the Property shall be consistent with the Concept Plan, when submitted, of the development, all laws and ordinances and including the list of essential elements identified therein or any future Development Agreements.

WHEREAS, the Riverdale City Council has fully reviewed the attached Agreement between the City and H & P Investments, and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Riverdale City Council hereby approves the attached Development Agreement (Attached hereto as Exhibit 1 and incorporated hereby) as written and authorizes the Mayor of Riverdale City to execute this Agreement on behalf of the City.

RESOLVED this ____ day of January, 2023.

Mayor Braden Mitchell
Riverdale City

Attest:

VOTE:

Alan Arnold	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Bart Stevens	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Steve Hilton	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Anne Hansen	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karina Merrill	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

[Remainder of Page Intentionally Blank]

[Attachment Page(s) Follows]

Exhibit 1

**DEVELOPMENT AGREEMENT
FOR A COMMERCIAL DEVELOPMENT LOCATED AT 4142 RIVERDALE ROAD**

THIS AGREEMENT is made and entered into this ____ day of _____, 2023 by and between Riverdale City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the “City”), and H&P INV, LLC, (hereinafter the “Owner;”). This agreement could also refer to a separate party Developer (“Developer” herein includes successors and/or assigns of Owner), as follows:

RECITALS

WHEREAS, Owner is desirous of developing a commercial site (Shake Shack) on certain real property located at approximately 4142 Riverdale Road, in the City of Riverdale, County of Weber, State of Utah and more particularly described on the Property Location Map attached hereto as Exhibit A.

WHEREAS, the purpose of this Agreement is to define certain development standards, conditions, improvements and other terms and conditions pursuant to which the proposal by the Owner is to be developed within the City; and

WHEREAS, the City is willing to authorize this commercial site development by Owner in conformance with this Agreement, City Ordinances, approval of the commercial site plan, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. GENERAL DESCRIPTION.

- A. Area Description. The property upon which the project shall be developed (the “Property”) is approximately 1.21 acres located as shown on the Property Location Map, a copy of which is attached as Exhibit A hereto and incorporated by reference herein. The property is further described as parcel # 060310051.
- B. Project Description. The project proposed by Owner/Developer at this time is a restaurant consisting of approximately 3500 square feet.

2. DEVELOPMENT STANDARDS AND GUIDELINES.

- A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Project (the “Development Standards”), the following in addition to all other applicable City Ordinances, standards, and guidelines:

- (1) Approved Site Plan. Plan shown in Exhibit B

The following requirements shall apply:

- a. Final approved plan shall resemble the dimensions and setbacks of the site plan shown in Exhibit B

Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the project, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable commercial development in an appropriate location for this particular site. The City further finds that the development of the site, in conformance with the Development Standards of Riverdale City, in conjunction with the agreed upon terms of this Development Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council.

Subject to the Owner/Developer’s performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Owners’ rights to develop the Facility in accordance with an approved site plan, approved construction drawings, and approved building plans, would be determined to be vested.

3. ON-SITE PROJECT IMPROVEMENTS

Owner/Developer shall construct and install all site improvements, including utilities, required for the development, at Owner's/Developer's sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, The Central Weber Sewer District, other providers, and the State of Utah.

4. WATER DEDICATION

The Developer has calculated the total water usage for the development of this property to be 3.5 (three and one half) acre feet of water per year (hereinafter "Water Required"). The City acknowledges that the property has had a past 3-year usage average of approx. .5 (one half) acre feet of water per year (hereinafter "Existing Water"). Owner/Developer shall convey to the City water shares or water rights equaling an additional 3-acre feet of water, when combined with the Existing Water, will total the 3.5 (three and one half) acre feet of Required Water required for the development, and as required by City code. If no water shares are available or acceptable to the City, and the City determines that the Owner/Developer cannot provide the water shares needed (based upon reasonable efforts and availability), the City may accept that the Owner/Developer purchase water (hereinafter "Purchased Water") from the Weber Basin Water Conservancy District, through the City at City's designated rate, as determined and established by the Weber Basin Water Conservancy District. Upon purchase of the water from Weber Basin Water Conservancy District, the City shall: (i) verify and guarantee that the Weber Basin water program allocation of Purchased Water equaling 3 (three) acre feet, along with the Existing Water, will be made available to this development in perpetuity; (ii) monitor usage and ensure that the calculated Water Required is sufficient in providing full watering services to the lot within this approved development and plan; (iii) provide the Owner, in writing, a letter that certifies that the total amount of Purchased Water combined with the amount of Existing Water, totaling 3.5 (three and one half) acre feet, shall be fixed to the property (described in Section 1) in perpetuity, and that water cannot be forfeited by non-use, reduction in use, or for any other reason, without written consent of the Owner or its assigns. If a future development changes water usage on this property, usage requirements and/or credits for that new development will be revaluated at that time.

5. REPRESENTATIONS OF DEVELOPER

- A. Authority. Owner hereby represents that it has the legal authority to acknowledge, sign for and to proceed with the project.

- B. Ability. Owner represents that it has the ability, either individually or through a Developer, to timely proceed with the development and construction of the project.

6. ASSIGNMENT

Owner may assign the rights contained in this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform Owner's obligations hereunder. The City may withhold approval of assignment, without consequence, if the city reasonably believes that the anticipated assignee will be unable to meet the requirements of this agreement or any City ordinances.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. ATTORNEY'S FEES

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand, or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed, and interpreted in accordance with the laws of the State of Utah.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations, or understandings by and among them, whether written or oral, pertaining to the subject matter hereof. This Agreement may only be amended, supplemented, modified, or canceled by a written instrument duly executed by both parties.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

- A. **City.** The execution of this Agreement by the City has been authorized by the City Council of Riverdale City at a regularly scheduled meeting of that body, pursuant to the notice.
- B. **Owner.** The execution of this Agreement has been duly authorized by the Owner.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

OWNER: H&P INV LLC

ATTEST

BY: _____

BY: _____

Title: _____

Name: _____

ATTEST

BY: _____
Riverdale City Recorder

: SS.

NOTARY PUBLIC

: SS.

NOTARY PUBLIC

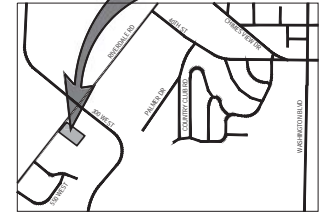
SHAKE SHACK - RIVERDALE

CONSTRUCTION PLANS

RIVERDALE ROAD



SITE



VICINITY MAP
SCALE: N.T.S.

DRAWING INDEX

CIVIL PLANS

SHEET	DESCRIPTION
C0.00	CIVIL COVER SHEET
C0.01	GENERAL NOTES, LEGEND AND ABBREVIATIONS
C0.10	SITE DEMOLITION PLAN
C1.01	CIVIL SITE PLAN
C2.01	GRADING AND DRAINAGE PLAN
C2.10	EROSION CONTROL PLAN
C4.01	SITE UTILITY PLAN
C5.01	MISCELLANEOUS SITE DETAILS

LANDSCAPE PLANS

SHEET	DESCRIPTION
L0.01	LANDSCAPE NOTES AND SPECIFICATIONS
L2.01	LANDSCAPE PLANTING PLAN
L3.01	LANDSCAPE IRRIGATION PLAN
L5.01	LANDSCAPE DETAILS
L5.02	LANDSCAPE IRRIGATION DETAILS
L5.03	LANDSCAPE IRRIGATION DETAILS

ELECTRICAL PLANS

SHEET	DESCRIPTION
E000	ELECTRICAL GENERAL NOTES, SYMBOL SCHEDULE, AND DETAILS
E101	ELECTRICAL SITE PLAN
E101A	ELECTRICAL SITE PHOTOMETRIC PLAN
E801	ELECTRICAL SCHEDULES
E901	ELECTRICAL SPECIFICATIONS

ALL WORK AND MATERIALS MUST
CONFORM TO RIVERDALE STANDARDS
AND SPECIFICATIONS.
RIVERDALE CITY
4600 SOUTH WEBER RIVER DRIVE
RIVERDALE, UTAH 84405

OPERATOR
SHAKE SHACK
JUSTIN DEHNER
25 VARICK STREET, SUITE 301
NEW YORK, NY 10014
(206) 580-3835



Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

S:\2022\res\22180\Cre\Prod Date\22180 Print Date Job# Aug 22, 2022 - 10:51am



C1.01

C1.01

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 17, 2023**

AGENDA ITEM: G4

SUBJECT: Consideration to un-table Ordinance #953 to approve proposed rezone request from Agricultural (A-1) Zoning to Single-Family Residential (R-1-6) Zoning for property located at approximately 3450 South Parker Drive, Riverdale, Utah, 84405 as requested by Hugh Parke.

PRESENTER: Mike Eggett, Community Development

INFORMATION:

- a. [Ordinance 953 for approval](#)
- b. [Ordinance 953 for denial](#)
- c. [3450 S Parker Drive – Hugh Parke – Rezone Map](#)
- d. [City Eng Purin Rezone Review letter – Geotech and FEMA 09 15 2022](#)
- e. [9-20-2022 City Council Regular Meeting Section](#)
- f. [3450 S Parker Dr, Parke-Purin Update Rezone App 20220407](#)
- g. [Draft Geotech Report Riverfront](#)
- h. [FEMA Evaluation Letter 2022-11-11](#)

[BACK TO AGENDA](#)



ORDINANCE NO. 953

AN ORDINANCE AMENDING THE ZONING OF PROPERTY AND THE CITY'S LAND USE MAP, TO CHANGE THE LAND USE DESIGNATION OF LAND LOCATED AT APPROXIMATELY 3450 SOUTH PARKER DRIVE, RIVERDALE UTAH, FROM AGRICULTURAL (A-1) TO SINGLE-FAMILY RESIDENTIAL (R-1-6) ZONING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the petitioner, Hugh Parke, on behalf of the current property owners, (Petitioner), has requested that approximately four acres, located at approximately 3450 South Parker Drive, be rezoned from Agricultural (A-1) to Single-Family Residential (R-1-6) zoning, all located in Riverdale City, Weber County; and

WHEREAS, the Riverdale City Planning Commission held a duly advertised public hearing on June 14, 2022, to receive comments on the proposed amendment and has considered all comments received, as required by state law and local ordinance and approved a recommended motion to grant the requested rezone and amendment to the land use map; and

WHEREAS, the Planning Commission voted to APPROVE the rezone request and forwarded that APPROVAL recommendation to the City Council. The original petition has now been passed on to the City Council to either follow or modify the recommendation of the Planning Commission and either allow or deny the rezone and plan amendment; and

WHEREAS, the Riverdale City Council has conducted a duly advertised public meeting on the proposed amendment and reviewed the minutes of the Planning Commission and all other relevant information and finds that the proposed rezone IS in the best interest of the City or of the citizens of Riverdale City; and

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

Section 1.

After reviewing the material presented to the Planning Commission in the public hearing, and all subsequent information and evidence presented in addition thereto, the Riverdale City Council finds that it IS in the best interest of Riverdale City and DOES meet the goals or policies of the City's land use development plan and does not raise significant issues or concerns about safety, planning and/or the impact on the City's resources and services. The Council hereby APPROVES the rezone request made by the landowner to amend approximately four acres, located at approximately 3450 South Parker Drive be rezoned from Agricultural (A-1) to Single-Family Residential (R-1-6) zoning as outlined in the attached documentation, as outlined therein and incorporated hereby, and directs staff

to implement any and all action(s) to help facilitate the lawful and conforming re-zone approval and map amendment.

Section 2. Severability.

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

Section 3.

The effective date of this ordinance shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED this _____ day of January, 2023.

Braden Mitchell, Mayor

Attest:

Michelle Marigoni, City Recorder



ORDINANCE NO. 953

AN ORDINANCE AMENDING THE ZONING OF PROPERTY AND THE CITY'S LAND USE MAP, TO CHANGE THE LAND USE DESIGNATION OF LAND LOCATED AT APPROXIMATELY 3450 SOUTH PARKER DRIVE, RIVERDALE UTAH, FROM AGRICULTURAL (A-1) TO SINGLE-FAMILY RESIDENTIAL (R-1-6) ZONING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the petitioner, Hugh Parke, on behalf of the current property owners, (Petitioner), has requested that approximately four acres, located at approximately 3450 South Parker Drive, be rezoned from Agricultural (A-1) to Single-Family Residential (R-1-6) zoning, all located in Riverdale City, Weber County; and

WHEREAS, the Riverdale City Planning Commission held a duly advertised public hearing on June 14, 2022, to receive comments on the proposed amendment and has considered all comments received, as required by state law and local ordinance and approved a recommended motion to grant the requested rezone and amendment to the land use map; and

WHEREAS, the Planning Commission voted to APPROVE the rezone request and forwarded that APPROVAL recommendation to the City Council. The original petition has now been passed on to the City Council to either follow or modify the recommendation of the Planning Commission and either allow, deny or modify the rezone and plan amendment; and

WHEREAS, the Riverdale City Council has conducted a duly advertised public meeting on the proposed amendment and reviewed the minutes of the Planning Commission and all other relevant information and finds that the proposed rezone IS NOT in the best interest of the City or of the citizens of Riverdale City; and

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

Section 1.

After reviewing the material presented to the Planning Commission in the public hearing, and all subsequent information and evidence presented in addition thereto, the Riverdale City Council finds that it IS NOT in the best interest of Riverdale City and DOES NOT meet the goals or policies of the City's land use development plan and does raise significant issues or concerns about safety, planning and/or the impact on the City's resources and services. The Council hereby DENIES the rezone request made by the landowner to amend approximately four acres, located at approximately 3450 South Parker Drive be rezoned from Agricultural (A-1) to Single-Family Residential (R-1-6) zoning as outlined in the attached documentation.

Section 2. Severability.

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

Section 3.

The effective date of this ordinance shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED this _____ day of January, 2023.

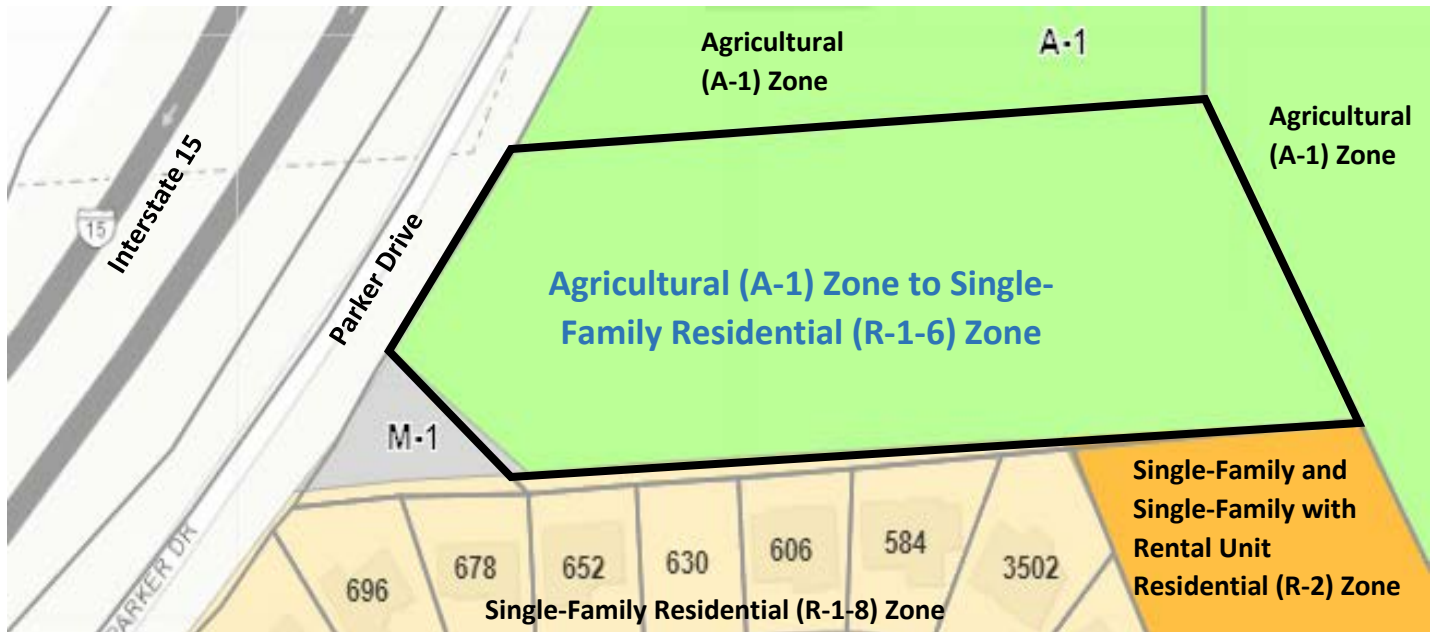
Braden Mitchell, Mayor

Attest:

Michelle Marigoni, City Recorder

May 31, 2022

Hugh Parke – rezone request for property located at approximately 3450 South Parker Drive from Agricultural (A-1) Zone to Single-Family Residential (R-1-6) Zone. Area bound in black requested to be rezoned as noted.



15 September 2022

Riverdale City
4600 South Weber River Drive
Riverdale, Utah 84405

Attn: Mike Eggett, Community Development Director/RDA Deputy Executive Director
Proj: **3480 Parker / Riverfront Subdivision**
Subj: Review of FEMA evaluation letter and Geotechnical Investigation Report

Dear Mike,

We have reviewed the proposed subdivision FEMA Evaluation letter dated August 23, 2022, from Ensign Engineering and the Geotechnical Investigation dated September 2, 2022 prepared by Christensen Geotechnical. The following are the concerns and recommendations.

FEMA Evaluation Letter

1. It is described that the cul-de-sac at the east end of the proposed subdivision will be built up so that Lot 7 will remain above the base flood elevation (BFE). What about Lot 106 and maybe Lot 105. River Glen subdivision and the subdivision to the south have areas that appear to be in the base flood elevation as well.
2. The other concern with this site being brought up seven (7) to nine (9) feet with undocumented, uncompacted fill several years ago brings a concern with pushing the flood elevation water to the south if this subdivision roads are higher than the subdivisions to the south. The site appears to be much higher than the Storage Units to the north and the subdivisions to the south.

Geotechnical Report

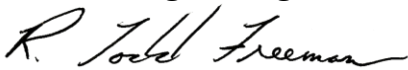
1. The geotechnical report states that undocumented (and uncompacted) fill has been brought onto the site. The report states that if some risk of settlement is acceptable then they recommend that at least 2 feet of structural fill be placed below the pavement sections. We believe that Riverdale City does not want to accept any risk of settlement. The Geotech reports recommended that the 7 to 9 feet of undocumented fill be removed. We feel within the City right-of-way (from sidewalk to sidewalk) that all undocumented fill be removed and replaced with material required by the geotechnical engineer to meet minimum city standards. This will eliminate the risk of Riverdale City having to fix/repair future issues with settlement of the city improvements (waterline, sewer, storm, sidewalk, curb and gutter, etc.).

2. For the residential lots, the Geotechnical report recommends that undocumented fill be removed from all concrete slabs, footings, pavement, etc. If the contractor wants to assume some risk it stated that a minimum of 2 feet of material be removed and replaced with structural fill. As the site is developed and consideration of the adjacent developed properties grades, the undocumented/uncompacted fill may be removed. The imported undocumented/uncompacted fill appears to be substantially higher than the existing properties to the north and south.
3. The option of helical piers to be installed to eliminate the conventional strip and spread footings may be valid for the residential homes but additional costs may be encountered with connection and design of footings/foundation walls and slabs. There would still be concerns with settlement with the driveways and/or stairs to the homes.
4. The geotechnical report states that all parties that will be related to this project be aware of this report in its entirety. The Geotech also assumes that they will review the project plans and specifications to ensure recommendations are incorporated. We feel that the geotechnical engineer should be present and document all construction activities during the construction of the subdivision road and the individual lots.

Should you have any questions or concerns please contact me at your earliest convenience.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

A handwritten signature in black ink that reads "R. Todd Freeman". The signature is written in a cursive, flowing style.

R. Todd Freeman, S.E., P.E.

City Engineer

Cc. Shawn Douglas, Public Works Director
Jeff Woody, Building official

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, September 20, 2022, 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 Bart Stevens, Councilmember Steve Hilton, Councilmember Anne Hansen, Councilmember Karina Merrill, Councilmember
City Employees:	Steve Brooks, City Attorney Cody Cardon, Business Development Mike Eggett, Community Development Jared Sholly, Fire Department Michelle Marigoni, City Recorder
Visitors:	Dennis Peters Lori Fleming Tim Snideman Hugh Park Lynn Donohoo Tammy Donohoo Kim Choate Velden Wardle Cam Preston Jake Tate

Public Comment

Velden Wardle commented regarding the rezone on Parker Drive. He said they have lived there for 14 years and have never had an issue with water or flooding. He said there is a slope and then a roadway behind his home, with a slope right behind that. He is sure there will be problems with water if the neighborhood is built. He doesn't have a problem with a neighborhood being there, only that the backyard will be soggy and swampy due to the lower elevation than the new subdivision. The roadway behind his house does get swampy when it rains and in the spring. He is not opposed to development, but the illegal fill needs to be removed before. He said he would welcome new neighbors if that was completed and he is not okay with any studies that say it won't cause a problem, as he sees it right behind his property. He asked Council to consider this, and said the purchase has not been made, though a purchaser should know they are responsible to take the fill out. He hopes Council will seriously consider these concerns moving forward.

Tammy Donohoo lives next to Mr. Wardle and has the same concerns. If it is developed, the person who owns it now should be responsible to correct the mistake and remove the fill. She feels the fill needs to be taken out before the rezone from Agricultural.

Lori Fleming said she is a resident, realtor, and former planning commission. She said no one has been required to jump through hoops like this. He has agreed to do the survey, remove the fill. She said the concern that property values will be reduced is not true, as this development would beautify the area. Riverdale needs moderately affordable housing. There are only 11 homes on the market right now and three of them are mobile homes. She mentioned the values of these homes. The value is still there. She said if she had wanted to "protect" her property, she would have complained about Coleman Farms, but the engineering was done, and she doesn't understand why it has been such an issue for this developer to come in and do the right things to improve this property. They don't want to spend money on designs if they still don't know if it will be approved. Engineer, design review, etc. still will need to go over it.

She said this development has got her heated and they should be given a chance. She agrees with the police officers and firefighters that will be hired. She said Riverdale has an RDA Program to help officers as first-time home buyers, and asked council to look at the program and went over the current requirements. She asked if this could be opened up to everywhere in Riverdale to give the police the ability to use this as a recruitment tool. This would help keep the officers in the city and give them the opportunity to get into a home in the city. She said it should be for police, fire, teachers, etc. She requested it be put on an agenda.

3. Consideration to un-table Ordinance #953 to approve proposed rezone request from Agricultural (A-1) Zoning to Single-Family Residential (R-1-6) Zoning for property located at approximately 3450 South Parker Drive, Riverdale, Utah, 84405 as requested by Hugh Parke.

Mr. Eggett noted at the conclusion of the July 5 meeting, there was a requirement for the applicant to get a floodplain study and geotechnical report. These have been made available. The city engineer has also looked over the reports and his report is included in the packet.

Motion: Councilmember Arnold made a motion to un-table Ordinance #953

Second: Councilmember Merrill

Councilor Hilton: Yes

Councilor Stevens: No

Councilor Merrill: Yes

Councilor Arnold: Yes

Councilor Hansen: Yes

Motion passes 4 to 1. Item un-tabled.

Discussion:

Mr. Brooks suggested Mr. Parke present his studies.

Mr. Parke said he reviewed the city engineer report. They received reports and as initially thought, there was some fill in the area. The property is too high for what they want to do with it right now, so they plan to grade it down a bit to avoid any problems for the adjoining neighbors. The geotechnical engineer states that cities have been able to mitigate this issue by removing 2-3 feet of fill and bringing in other fill, but that he can't promise with no risk that it would work. This would be a risk for the city. The fill would be removed completely along the roadway and next to Riverglen. The fill would be replaced with engineered compacted fill, therefore there would be no risk to the city for the street sinking. He said the homes issue would be mitigated by the helical piers, which is tried, true and tested. This would mitigate the issue with the fill beneath the houses. City code and state law say they can't push water on to anyone else, so they would have to take care of the water without affecting the neighborhood.

Cam Preston, Ensign Engineering, reported he completed the survey of the property. Along the existing subdivision, there is a 2-foot elevation drop behind them. They would be able to slope from west to east toward the river. A yard drain system could be installed behind the homes in the soggy areas to move water to a detention basin before draining to the river. There is currently water draining toward the Riverglen subdivision, and this could fix that. None of the neighbors to the south would be impacted.

Mr. Parke said this would address the issues that the residents have.

Councilmember Hansen asked about the compaction for driveways and stairs. Mr. Parke said they would come out far enough with the engineered fill to support the driveways and stairs. Ms. Hansen said she is having a hard time picturing the buildup of the last lot in the corner being sloped. Mr. Preston explained the elevation and slope by showing a map of the area. The lot would be graded with a positive slope back to the river so that no water will be caught in the corner. Mr. Parke said there would be no basements in the subdivision. Mr. Preston said there is plenty of slope to grade the back yard of that lot for proper drainage.

Ms. Hansen asked about the possibility of a development agreement, and when that would come into play. Mr. Brooks said that could be done at any time. Mr. Eggett said it is usually a part of the subdivision process.

Mayor Mitchell noted the homes in Panunzio Farms are beautiful and he would be thrilled with the same type of homes in the area. He was concerned that it would be a huge cost to remove the fill.

Mr. Parke said he feels it must be done. Mr. Preston said he anticipates it going down 2-3 feet in the high area, and that there wouldn't be an elevation change more than a foot or two from the existing neighborhood, with a slope to a yard drain system. Mr. Parke said most of the homes would be single level. If anything doesn't work as far as the fill that is there, it will be hauled out.

Mr. Hilton thought it was implied that the fill will be removed by spreading it around. Behind Mr. Wardle's home there is up to a six-foot slope. Mr. Preston explained the road will be within a foot or two of where his is, so the homes would be about the same. Mr. Hilton asked if they would be okay with a restriction on homes more

than one story. Mr. Parke said they would be amenable to keeping one story homes along the south property line.

Mr. Hilton mentioned the engineering report suggested all the fill be removed. Mr. Parke said that refers to the street only, where the fill will be completely removed and replaced with engineered compact fill. Mr. Hilton asked if that would need to be dug out lower than the original level. Mr. Preston said the studies would show where the compaction rates are, the city inspectors and testing would make sure that it was done properly. He has worked with Shawn, Travis and Jeff and knows they will make sure it is done correctly.

Mr. Arnold stated in 2011 there was a flood, and the fill and the bridge are the problem, not the fill. The Ensign document said it was higher than both the north and south. The fill was put in after a cease-and-desist letter. The property was a lake in 2011. If the city is willing to take a risk for the city and said if there are water issues the city and council would be suing Mr. Parke. He doesn't have a problem with the product or the pilon design, but the bridge has not been addressed and he feels that is the key to the whole thing. A pump was put in place which takes the water back to the river when it backs up at the bridge. The illegal fill is going to be a serious problem someday in the future. The risk for the city is huge and this is a bad idea.

Mr. Parked asked how the fill being gone would remedy the flooding issue. Mr. Arnold spoke about the property in 1983 being about 6 feet of water. Mr. Preston said the storage units have exacerbated the problem. The area to the west needs to be cleaned up. Some material needs to be moved to create a berm. The elevations needed based on the FEMA flood study will be met. The area will be cleaned up and the water will be given somewhere to go.

Mr. Arnold said he has seen the area flooded twice already. The city allowed the Riverglen subdivision to be built, which caused the problems. The bridge and roadway need to be improved. The residents need to be protected and the cease-and-desist letters were ignored. The fill is not "undocumented", but illegal. If the property is purchased knowing about the problems, the new owners would be responsible.

Ms. Merrill asked if there were any criminal charges pursued when the cease-and desist letters were ignored. Mr. Brooks said there wasn't time to file anything, as it happened so fast.

Mr. Hilton said he can't support it because of the fill and the fact that it will still be two feet higher.

Mr. Stevens read part of the Geotech report regarding the fill, noting that it recommended undocumented fill be removed, but that it would be cost-prohibitive. The current owner should deal with the problem they caused before the purchase is complete. The report states if some risk of settlement is acceptable, it could be done. He asked who assumes this risk, Mr. Parke said he does. Mr. Stevens disagreed. When the landslide happened, homeowners sued the city for allowing the homes to be built, even though the city wasn't incorporated when it happened.

Mr. Parke replied that this is referring to the driveways. He read the next part of the report, noting that it suggests the helical piers system for the foundations, and that structural engineers be involved as well as builders who are experienced in this system. The report says if the fill isn't removed, the helical pier should be used.

There was further back and forth discussion between Mr. Stevens, Mr. Arnold and Mr. Parke regarding the fill being removed, and who should be responsible. Mr. Parke said most driveways are poured on fill anyway. Mr. Arnold said there are about 90 homes that are about to be built with no discussion of water being necessary, and that this is a bad idea.

Ms. Hansen said she is split on this tricky situation. She said a lot of what is being said is not about this development and Mr. Parke did not create the problem. Riverdale has never enforced that it was illegally placed there. It has been years and the property shouldn't be held up over this when it could be improved. New development shouldn't be denied over it. She asked about fallen trees that were buried with this fill and asked what would happen if the trees were rotting and the ground shifted. Mr. Parke said the studies didn't show any vegetation. He asked if the fill was all removed over the entire property, would they approve it. Mr. Hilton said he would not if there was any elevation above Riverglen. Mr. Preston said he wasn't sure about the exact elevation of the road, but that there would be appropriate slope for drainage.

Mr. Stevens asked why the fill dirt was put in. Mr. Parke said he does not know and has not met him. Mr. Brooks said the owner benefitted financially for taking that fill from McKay Dee.

There was general discussion about fill types and procedures.

Motion: Councilmember Hansen made a motion to approve Ordinance #953 to approve proposed rezone request from Agricultural (A-1) Zoning to Single-Family Residential (R-1-6) Zoning for property located at approximately 3450 South Parker Drive conditional upon the removal of the fill, based on what was presented to address the problems.

Second: No second, motion dies

Mr. Arnold apologized if he seemed angry, but said it is his job to protect the residents there. He said a bad decision over the top of a bad decision is worse.

Mr. Stevens said there is a lot of concern over the illegal fill, and at some point, someone is going to have to fix it at an expense. Taking action is more effective than asking what-if questions. Mr. Parke asked if Mr. Stevens expects him to spend hundreds of thousands of dollars on just the possibility that it gets approved. He asked Mr. Brooks what the difference would be between illegal and undocumented fill. The fill that is there could have possibly been used as is if it had been documented.

Dennis Peters, Hugh Park's partner, said there are three scenarios right now. Leave it how it is, remove the fill, go ahead with the plan as is. He asked Mr. Preston which would solve the flooding issue. Mr. Preston said removing the fill will not solve the issue and removing and replacing the fill will not solve the issue. He talked about the FEMA flood plain elevations and said there are a multitude of factors that could cause flooding, which cannot be designed around. All they can do is design to the standards, and this design would drain and push the water away and get the elevation above the flood plain. Adding some infrastructure to the drainage system is the best way to mitigate 100-year events.

Mr. Hilton said this will affect the neighboring properties in some way if the lake is removed. He said the reality is the river leaves its bank at the bench and flows into the property. It needs to be left there for possible future flooding. Anyone who has problems in the future is going to be angry at the city and go after them.

Mayor Mitchell mentioned he lives in the same subdivision, and they have land drains to keep them from flooding, designed by engineers, but they didn't work. Mr. Preston said the water in the lake is a drop in the bucket compared to the river flow.

Motion: Councilmember Hansen made a motion to Table Ordinance #953.

Second: No second, motion dies.

Mr. Stevens asked what the trigger would be to bring it back after tabling. Ms. Hansen said it seems this is impeding the meeting and no resolution is being come to and this would give them more time to think about things. Mr. Stevens said he is ready to vote against it. Ms. Hansen asked if city staff had any advice on this. Mr. Brooks replied that a development agreement could be looked at if this were tabled. He said the dynamic could change with the fill removed. Mr. Stevens reiterated acting goes a long way to show there is genuine concern about fixing it.

Mr. Peters spoke about possible river flooding issues in his neighborhood in Cottonwood Heights. He said the experts have suggested that developing as proposed is the best scenario, but there is no way to guarantee that there will never be a flood again due to the location next to the river. He said Council is asking them to spend hundreds of thousands to mitigate the fill issue. The fill could be used right across the street.

Mr. Arnold said the city is at risk for suit. The water must go somewhere, a heavy snow year would make it back up somewhere, and it will probably be Riverglen.

Mr. Peters asked Mr. Brooks if having a public discussion about this subject, if the council denied the application, would the city be more responsible or liable? Mr. Brooks said the courts give a lot of deference to the Council for their decisions. Mr. Peters said they would be helping to mitigate the flooding. Mr. Arnold said it would mitigate the flooding on their property, but not Riverglen. Mr. Preston said it would help Riverglen, not hurt them. The designs meet the ordinance and the floodplain standards to push the water back to the river.

Mr. Stevens spoke about how fast the fill was added. The owners were responsible for it, and it was discussed that they wouldn't be able to sell the property with that fill on it.

Councilmember Merrill said she wanted clarification and asked if the civil engineer said this development would not make the flooding worse but would help. Mr. Preston said yes, that is his opinion. The drainage would make it better, and he doesn't know why it flooded in 2011, but Riverglen and this property would not be in the 100-year flood plain, which is the engineering standard in the state. Councilmember Merrill asked if this development could make it better. Mr. Preston said some grading and drainage could be done to improve the area. Mrs. Merrill asked if denying something that could better the flooding outcome if the city would be responsible for damages at that point. Mr. Brooks answered if the reasons are valid, it would be okay.

Mr. Arnold said in 2011, this property was the river, and there was no possible way to push water back to the river. If the same thing happened as in 2011, the homes would flood. Mr. Parke said the lake is not big enough to make a difference. Mr. Preston said he is going to find the flow data from 2011, but that requiring a development to be designed based on more than 100-year event would be outside the ordinance. Mr. Eggett reported the standard is 100-year.

Mr. Stevens asked about one part of the property that was cut out, and if it had any fill. Mr. Brooks reported it was a sign and isn't developable.

Motion: Councilmember Arnold moved to deny ordinance #953 stating the facts that were entered on the record tonight with flood and fill issues.

Second: Councilmember Hilton

Discussion on motion:

Mr. Stevens asked if the petitioner could refile instead of tabling and bringing it back. He asked at what point it would be triggered to come back and get it moving. He would like to see it move; his issue is the fill. He wants to see what it would take to get it to move forward.

Mr. Arnold said they asked for the floodplain study. The engineer said if the city is willing to assume some risk. The property is too high, which was confirmed by the study. He doesn't want to make a bad decision on top of bad decisions. Mrs. Merrill said she thinks it should be tabled. Mr. Stevens agreed.

Councilor Hansen: No
Councilor Arnold: Yes
Councilor Stevens: No
Councilor Hilton: Yes
Councilor Merrill: No

Motion fails with 2 in favor and 3 against.

Mr. Parke said they were asked to do the flood plain study, and they did. The engineer study just stated that it is too high right now. This gives them the opportunity to mitigate that problem. Asking them to lower the property to the original elevation doesn't make sense either. They are amenable to removing fill and design to a 100-year study.

Mr. Peters said they would come back with a better presentation. Mr. Stevens said it is more effective to table it, though it will not change his vote unless he sees some action.

Motion: Councilmember Hansen moved to table ordinance #953.

Second: Councilmember Merrill

Mr. Arnold said tabling takes it to the council, so if someone is not here it can be un-tabled and approved. He alleged Councilmember Hansen is saying it's okay for residents to flood. Councilmember Hansen assured him, and those present, that she does not think it is okay for residents to flood. There were some arguments between councilmembers.

Councilor Stevens: Yes
Councilor Hansen: Yes
Councilor Arnold: No
Councilor Merrill: Yes
Councilor Hilton: No

Motion passes with 3 in favor and two against, item tabled.



Riverdale City

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

RIVERDALE CITY REZONE REQUEST APPLICATION

DATE SUBMITTED

5/11/22

FEE SCHEDULE: \$250

APPLICANT NAME

HUGH PARKE

PHONE NUMBER: 801-564-0910

APPLICANT ADDRESS

3912 N 3050 W
LAYTON UT 84041

ADDRESS OF SITE

APPROX 3450 S PARKER DRIVE.

PROPERTY OWNER

JAMES & JULIE PURIN.

PRESENT ZONING

A

PRESENT USE:

NONE

PROPOSED ZONING

R1-G

PROPOSED USE:

SINGLE FAMILY RESIDENTIAL.

PROPERTY ACREAGE:

4.0

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

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


Signature of Applicant


Signature of Property Owner

Julie Purin

developed
06/05/22 4:37 PM MST
UTW-5000-NM024102

scanned with
KAMILEY'S EYE
SAFETY SYSTEM

I authorize HUGH PARKE to act as my representative in all matters relating to this application.



APPLICATION REQUIREMENTS AND PROCEDURE FOR REZONE REQUEST

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

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

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

Planning Commission scheduled public hearing:

Date: 6-14-2022

Decision: Recommend City Council
approval of rezone request

City Council consideration of application:

Date: 7-5-2022

Decision: Tabled

9-20-2022

RIVERDALE CITY CORPORATION
4600 SOUTH WEBER RIVER DRIVE
RIVERDALE UT 84405

394-5541

Receipt No: 15.549972

May 12, 2022

PARKE WAY

Previous Balance: .00

MISCELLANEOUS - ZONING & SUBDIV. FEE 250.00

10-34-1500 ZONING & SUB. FEES

Total: 250.00

CHECK Check No: 169 250.00

Total Applied: 250.00

Change Tendered: .00

05/12/2022 12:39 PM

NE 1/4

143

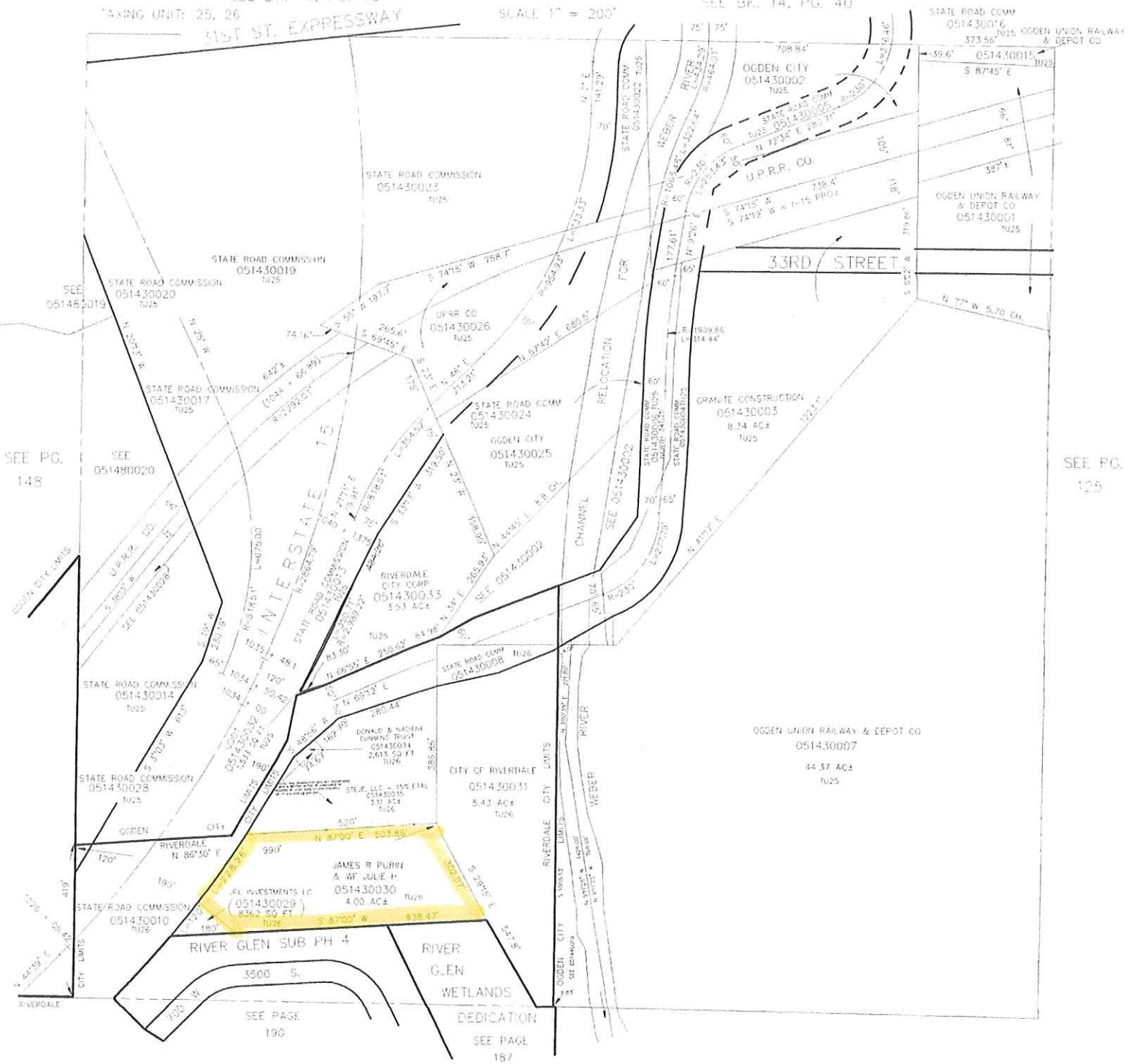
SECTION 6, T.5N., R.1W., S.L.B. & M.

SEE BK. 14, PG. 40
TAXING UNIT: 25, 26

IN OGDEN CITY
SCALE 1" = 200'

SEE BK. 14, PG. 40

1ST ST. EXPRESSWAY



SEE PAGE 144

FOR TAX PURPOSES ONLY

KBR 07-91

PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY I-15 FRONTAGE ROAD, SOUTH 88°36'50" EAST 282.30 FEET AND NORTH 0°22'51" EAST 2825.21 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 6 AND RUNNING THENCE NORTHLY ALONG A 3054.79 FOOT RADIUS CURVE TO THE LEFT FOR AN ARC LENGTH OF 348.26 FEET (LONG CHORD BEARS NORTH 36°15' EAST 348.07 FEET) TO AN OLD FENCE LINE BETWEEN SUBJECT PROPERTY AND PROPERTY ON THE NORTH, THENCE NORTH 87° EAST ALONG SAID FENCE AND FENCE EXTENDED 503.86 FEET, THENCE SOUTH 29°50'03" EAST 302.07 FEET, THENCE SOUTH 87°00' WEST 860.44 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM: BEGINNING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PROPERTY AND RUNNING THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID FRONTAGE ROAD A DISTANCE OF 120 FEET, THENCE SOUTH 51°14'17" EAST 139.5 FEET TO A POINT NORTH 87° EAST FROM BEGINNING, THENCE SOUTH 87° WEST 180 FEET TO THE PLACE OF BEGINNING.

Riverdale City Rezone Request Responses

A.

The property is currently not utilized for any purpose. It is zoned agricultural but is not being used for that purpose. The East end is not usable as it is in a flood plain and the new use will allow this to remain such as open space. The change would allow for the development of single family homes with open space to the East and a trail to the city trail system.

B.

The property is bordered on the North by storage units. On the West by a freeway and a frontage road. On the East by city property with a conservation easement and to the South with R 1-8 single family residential homes. The R 1-6 lots would allow clustering of the development on the West of the property and allowing the Eastern portion to remain as open space for the residence. In the Riverdale city plan on page 59 "Area Five" (the location of this property) it states "A larger property in this area is zoned A-1 and may be developed as low density residential. When development occurs, utilities are available and perhaps only slab on grade structures would be allowed. Development in such a manner with the adjacent Weber River Trail System and other open space amenities could in fact result in a continuation of quality residential development." This sentence refers to this piece of property specifically. In the Riverdale city code, it specifically defines R 1-6 as low density.

10-9B-1: PURPOSE AND INTENT:

The purpose of the R-1-10, R-1-8 and R-1-6 zone classifications is to provide regulated areas for single-family residential use at three (3) different low density levels.

C.

We believe the proposed change is in harmony with the area.

D.

Currently the property is not utilized. The city has dealt with several issues with fill and wetlands. We have consulted engineers and the Army Core of Engineers and have solutions for the issues on the property. Developing this piece to residential homes would allow the area to be utilized for its highest and best purpose and providing quality housing in the area.

Figure 11 - Alternate Land Uses - Area 5



LAND USE GENERAL PLAN

- | | |
|-----------------------------------|---|
| Agricultural | Planned Manufacturing |
| Residential - Low Density | Special Use District - Light Industrial / Business Park |
| Residential - Medium Density | Institutional |
| High Density - Multi Family | Recreational / Open Space |
| Residential Overlay Zone | Weber River Parkway |
| Mixed Use | Utility |
| Neighborhood Commercial - Low | |
| Planned Commercial / Prof. Office | |
| Planned Commercial - High | |
| Commercial/Office/Business Park | |

AREA FIVE

See Figure 11 for more regarding this area. This area is enclosed by I-15 and Parker Drive to the west, Parker Drive and Ogden City limits to the north, the Weber River to the east, and 4100 South to the south. Roadways within this area are expected to operate as local neighborhood and collector roads as already constructed and established.

This area, is adjacent to the Weber River, and a portion of this area includes the Weber River Trail System and a main trailhead on the north for this trail system. This area also has the potential for a future trailhead expansion location at the main trailhead that would be of benefit for the City to develop in the future. There is a federally protected wetlands site located in this area along the Weber River.

The property to the south has been developed as low density residential with fourteen acres donated to Riverdale City for trail access and regulated open space. That allowed the Weber River Trail System to be completed along the river. Part of the property from the Ogden City boundary change allowed the completion of the trail system, a trailhead, under bridge trail connection, a parking lot and restroom facilities. The remaining property was brought in as Agricultural and was allowed to be developed as a personal storage facility as a result of a court judgment. This development is a legal non-conforming use in the A-1 zone and was planned, engineered, reviewed and approved to alleviate potential impacts to the adjacent properties. There is also a legal non-conforming use currently existing on an A-1 zoned property operating as a production/shipping business facility.

A larger property in this area is zoned A-1 and may be developed as low density residential. When development occurs, utilities are available and perhaps only slab on grade structures would be allowed. Development in such a manner with the adjacent Weber River Trail System and other open space amenities could in fact result in a continuation of quality residential development. Portions of this area are in the flood plain. The adjacent freeway to the west with continual increasing volume of traffic creates higher levels of sound. A sound wall has been installed to help mitigate this issue.

There are also two Residential Overlay Zone areas within this area. One, designed with townhome style condominiums, is located along 700 West and 4050 South. The other, developed as single story patio-home style units, is located along 850 West between 4100 South and 3950 South.

**Geotechnical Investigation
Riverfront Subdivision
Riverdale, Utah**



September 2, 2022

Prepared by:



8143 South 2475 East, South Weber, Utah



8143 South 2475 East South Weber, Utah 84405
Phone: 801 814-1714

Prepared for:

Forest Creek Construction
Attn: Hugh Park
1274 West Jack D Drive, Suite 3
Layton, Utah 84041

**Geotechnical Investigation
Riverfront Subdivision
3460 South Parker Drive
Riverdale, Utah
CG Project No.: 216-004**

Prepared by:

Mark I. Christensen, P.E.
Principal

Christensen Geotechnical
8143 South 2475 East
South Weber, Utah 84405

September 2, 2022

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Plate 1	Vicinity Map
Plate 2	Exploration Location Map
Plates 3 to 9	Test Pit Logs
Plate 10	Key to Soil Symbols and Terms
Plate 11	Grain Size Distribution Test Results

1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE OF WORK

This report presents the results of a geotechnical investigation that was performed for the proposed Riverfront Subdivision which is to be located at approximately 3460 South Parker Drive in Riverdale, Utah. The general location of the project is indicated on the Project Vicinity Map, Plate 1. In general, the purposes of this investigation were to evaluate the subsurface conditions and the nature and engineering properties of the subsurface soils, and to provide recommendations for general site grading and for the design and construction of concrete slabs, pavements, and foundations. This investigation included subsurface exploration, representative soil sampling, field and laboratory testing, engineering analysis, and preparation of this report. The work performed for this report was authorized by Mr. Hugh Park.

1.2 PROJECT DESCRIPTION

Based on conversations with our client, we understand that the proposed construction at the site is to consist of a residential subdivision. The subdivision is to be approximately 4 acres in size and is to be developed with single-family residences. The single-family residences are to be one to two stories in height with structural floors. The development of the site will also include roadways, utilities, and landscaping. The structural loads for the proposed residences are anticipated to be on the order of 3 to 4 klf for walls. If the structural loads are different from those anticipated, Christensen Geotechnical should be notified in order to reevaluate our recommendations.

2.0 METHODS OF STUDY

2.1 FIELD INVESTIGATION

The subsurface conditions at the site were explored by excavating seven test pits to depths of 8 to 11 feet below the existing site grade. The approximate test pit locations are shown on the Exploration Location Map, Plate 2. The subsurface conditions as encountered in the test pits were recorded at the time of excavation and are presented on the attached Test Pit Logs, Plates 3 to 9. A key to the symbols and terms used on the Test Pit Logs may be found on Plate 10.

The test pit excavations were accomplished with a mini tracked excavator. Disturbed soil samples, which were placed in bags and buckets, were collected from the test pit sidewalls at the time of excavation. The samples were visually classified in the field and portions of each sample were packaged and transported to our laboratory for testing. The classifications for the individual soil units are shown on the attached Test Pit Logs.

2.2 LABORATORY TESTING

Of the soils collected during the field investigation, representative samples were selected for testing in the laboratory in order to evaluate the pertinent engineering properties. The laboratory testing included moisture content determinations, Atterberg limits evaluations, and gradation analyses. A summary of our laboratory testing is presented in the table below:

Table No. 1: Laboratory Test Results

TEST HOLE NO.	DEPTH (ft.)	NATURAL DRY DENSITY (pcf)	NATURAL MOISTURE (%)	ATTERBERG LIMITS		GRAIN SIZE DISTRIBUTION (%)			SOIL TYPE
				LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (+ #4)	SAND	SILT/CLAY (- #200)	
TP-1	8		6.0	NP	NP	41.3	26.8	31.9	GM
TP-2	2		6.7	NP	NP	27.6	41.2	31.3	SM

The results of our laboratory tests are also presented on the Test Pit Logs, Plates 3 through 9, and more detailed laboratory results are presented on the laboratory testing plate, Plate 11.

The samples will be retained in our laboratory for 30 days following the date of this report, at which time they will be disposed of unless a written request for additional holding time is received prior to the disposal date.

3.0 GENERAL SITE CONDITIONS

3.1 SURFACE CONDITIONS

At the time of our investigation, the subject site was undeveloped land. The lot generally sloped down to the east with grades of 5 to 20 percent. The total elevation change across the property was approximately 40 feet. The vegetation at the site generally consisted of common grasses and weeds with some mature trees on the eastern portion of the property. The site was bordered by a storage unit complex to the north, the Ogden River to the east, Parker Drive to the west, and an existing subdivision to the south.

3.2 SUBSURFACE CONDITIONS

3.2.1 Soils

Based on the seven test pits that were completed for this investigation, the site is covered with 7 to 9 feet of undocumented fill and topsoil. The fill soils generally consisted of zones of Silty GRAVEL with sand (GM), Clayey GRAVEL with sand (GC), and Lean CLAY (CL) with varying amounts of sand and gravel. The native soils below the fill and topsoil generally consisted of zones of Silty GRAVEL with sand (GM), Lean CLAY (CL), Silty SAND (SM), and Sandy SILT (ML) through the maximum depth explored (11 feet).

3.2.2 Groundwater

Groundwater was encountered within five of our test pits at depths of 7 to 8 feet below existing site grade. It should be understood that groundwater may fluctuate in response to seasonal changes, precipitation, and irrigation.

4.0 GEOLOGIC CONDITIONS

4.1 SURFACE GEOLOGY

The subject site is located within a large valley basin in Riverdale, Utah. Geologic mapping of this area indicates that the near-surface geology of the subject site consists of Holocene to uppermost Pleistocene-aged stream alluvium and flood-plain deposits. These deposits generally consist of sand, silt, clay, and gravel soils deposited in channels, flood plains, and river terraces. (Coogan and King, 2016).

4.2 FAULTING

Based upon published data, no active faults are known to traverse the site and no faulting was indicated during our field investigation. The nearest known active fault is the Weber Segment of the Wasatch Fault which lies approximately 2.9 miles east of the subject property (ibid.).

4.3 SEISMIC DESIGN CRITERIA

The State of Utah and Utah municipalities have adopted the 2018 International Building Code (IBC) for seismic design. The IBC seismic design is based on seismic hazard maps which depict probabilistic ground motions and spectral response; the maps, ground motions, and spectral response having been developed by the United States Geological Survey (USGS). Seismic design values, including the design spectral response, may be calculated for a specific site using the web-based application by the Applied Technology Council (ATC), the project site's approximate latitude and longitude, and its Site Class. Based on our field exploration, it is our opinion that this location is best described as a Site Class D. Since a deep boring was not completed, we recommend that Site Class D default values be used. The spectral acceleration values obtained from the ATC's web-based application are shown below.

Table 2: IBC Seismic Response Spectrum Values

Site Location: 41.198954° N -111.994525° W	
Name	Response Spectral Value
S_s	1.355
S₁	0.485
S_{MS}	1.626
S_{M1}	See ASCE Section 11.4.8
S_{DS}	1.084
S_{D1}	See ASCE Section 11.4.8
PGA	0.61
PGA_M	0.732

4.4 LIQUEFACTION

Certain areas in the intermountain west possess a potential for liquefaction. Liquefaction is a phenomenon in which soils lose their intergranular strength due to an increase of pore pressures during a dynamic event such as an earthquake. The potential for liquefaction is based on several factors, including 1) the grain-size distribution of the soil, 2) the plasticity of the fine fraction of the soil (material passing the No. 200 sieve), 3) the relative density of the soils, 4) earthquake strength (magnitude) and duration, 5) overburden pressures, and 6) the depth to groundwater.

A review of the “Liquefaction-Potential Map for a Part of Weber County, Utah” (Anderson, 1994), indicates that the subject site is located in an area designated as having a moderate potential for liquefaction. A moderate potential for liquefaction indicates that there is a 10 to 50 percent probability of liquefaction at this site within a 100-year period. A site-specific liquefaction assessment was outside the scope of our services for this project. If a liquefaction assessment for this development is desired, Christensen Geotechnical should be contacted to discuss the additional work required.

5.0 ENGINEERING ANALYSIS AND RECOMMENDATIONS

5.1 GENERAL CONCLUSIONS

Based on the results of our field and laboratory investigations, it is our opinion that the subject site is suitable for the proposed construction provided that the recommendations contained in this report are incorporated into the design and construction of the project.

5.2 EARTHWORK

5.2.1 General Site Preparation and Grading

In general, we recommend that all vegetation, topsoil, undocumented fill soils, and loose or disturbed soils be stripped (removed) from below strip and spread footings, concrete slabs-on-grade, and pavement areas. Following the stripping operations, the exposed soils should be proof rolled to a firm, unyielding condition. Site grading may then be conducted to bring the site to design grade.

Based on the test pits completed at the site, 7 to 9 feet of undocumented fill and topsoil cover the subject site. This undocumented fill and topsoil should be removed from below all strip and spread footings. In general, we also recommend that the undocumented fill be removed from below interior concrete slabs-on-grade and pavements. In this case, however, due to the large amount of fill present, we understand that it may be cost prohibitive to remove all of the undocumented fill from below the concrete flatwork and pavements. If some risk of settlement is acceptable, some of the undocumented fill may be left below the concrete flatwork and pavements. The level of risk relates directly to the thickness of the undocumented fill left below the concrete and pavement. The more undocumented fill that is left in place, the higher the risk of settlement. At a minimum, we recommend that at least 2 feet of the undocumented fill be removed from below any interior concrete slabs-on-grade and pavement and be replaced with structural fill.

5.2.2 Soft Soil Stabilization

Once exposed through excavation, all subgrade soils should be proof rolled with a relatively large, wheeled vehicle to a firm, unyielding condition. Due to the high groundwater at the site, soft soils are likely to be encountered. Where encountered, these localized soft areas should be removed and replaced with granular structural fill. If soft areas extend more than 18 inches deep, or if large areas are encountered, stabilization may be considered. The use of stabilization should be approved by the geotechnical engineer, but would likely consist of over-excavating the area by at least 18 inches

and then placing a geofabric (such as Mirafi RS280i) at the bottom of the excavation. Over this, a stabilizing fill, consisting of angular coarse gravel with cobbles, would be placed to the design subgrade.

5.2.3 Temporary Construction Excavations

Based on OSHA requirements and the soil conditions encountered during our field investigation, we anticipate that temporary construction excavations at the site that have vertical walls that extend to depths of up to 5 feet may be occupied without shoring; however, where groundwater or fill soils are encountered, flatter slopes may be required. Excavations that extend to more than 5 feet in depth should be sloped or shored in accordance with OSHA regulations for a type C soil. The stability of construction excavations is the contractor's responsibility. If the stability of an excavation becomes questionable, the excavation should be evaluated immediately by qualified personnel.

5.2.4 Structural Fill and Compaction

All fill that is placed for the support of structures, concrete flatwork, and pavements should consist of structural fill. The structural fill may consist of the native sand and gravel soils. The existing undocumented sand and gravel fill at the site may also be reworked and used as structural fill. The native clay and undocumented clayey fill soils should not be used as structural fill. If the existing undocumented fill is reused as structural fill, care should be taken to remove all debris and particles larger than 4 inches in diameter. Imported structural fill, if required, should consist of a relatively well-graded granular soil with a maximum particle size of 4 inches, with a maximum of 50 percent passing the No. 4 sieve and with a maximum of 30 percent passing the No. 200 sieve. The liquid limit of the fines (material passing the No. 200 sieve) should not exceed 35 and the plasticity index should be less than 15. Additionally, all structural fill, whether native soils or imported material, should be free of topsoil, vegetation, frozen material, particles larger than 4 inches in diameter, and any other deleterious materials. Any imported materials should be approved by the geotechnical engineer prior to importing.

The structural fill should be placed in loose lifts that are a maximum of 8 inches thick. The moisture content should be within 3 percent of optimum and the fill should be compacted to at least 95 percent of the maximum density as determined by ASTM D 1557. Where the fill heights exceed 5 feet, the level of compaction should be increased to 98 percent.

5.3 FOUNDATIONS

5.3.1 Strip and Spread Footings

The foundations for the planned structures may consist of conventional strip and/or spread footings established either on undisturbed native soil or on properly placed and compacted structural fill which extends down to undisturbed native soil. The footings for the proposed structure should be a minimum of 20 inches and 30 inches wide for strip and spread footings, respectively. The exterior footings should be established at a minimum of 30 inches below the lowest adjacent grade to provide frost protection and confinement. Interior footings that are not subject to frost should be embedded a minimum of 18 inches for confinement.

Strip and spread footings that are established on undisturbed native soils or structural fill may be proportioned for a maximum net allowable bearing capacity of 2,000 psf. A one-third increase may be used for transient wind or seismic loads. All footing excavations should be observed by the geotechnical engineer prior to the construction of footings.

5.3.2 Helical Pier Foundations

It is our understanding that due to the cost associated with the removal and replacement of the large quantities of undocumented fill below the footings, recommendations for an alternative foundation system are desired. As an alternative to conventional strip and spread footings, the proposed structures may be founded on a helical pier foundation system. Helical piers are small-diameter steel shafts with one, two, or three flights of auger. The steel shaft is twisted into the ground to provide support. The helical piers are installed to a depth where a predetermined torque is achieved which correlates to a specific bearing capacity. In general, the manufacturer's recommendations should be followed for the design, installation, and testing of the piers. At a minimum, we recommend that the helical piers extend through the existing undocumented fill soils and found in the underlying native soils. We recommend that a reputable contractor with several years of experience installing helical piers be contacted to install the piers. We also recommend that a structural engineer be involved with the design of the connection of the helical pier system to the structure.

5.4 ESTIMATED SETTLEMENT

If the foundations are designed and constructed in accordance with the recommendations presented in this report, there is a low risk that total settlement will exceed 1 inch and a low risk that differential settlement will exceed ½ inch for a 30-foot span.

5.5 LATERAL EARTH PRESSURES

Buried structures, such as basement walls, should be designed to resist the lateral loads imposed by the soils retained. The lateral earth pressures on the below-grade walls and the distribution of those pressures will depend upon the type of structure, hydrostatic pressures, in-situ soils, backfill, and tolerable movements. Basement and retaining walls are usually designed with triangular stress distributions, which are based on an equivalent fluid pressure and calculated from lateral earth pressure coefficients. If soils similar to the native soils are used to backfill the basement walls, then the walls may be designed using the following ultimate values:

Table No. 3: Lateral Earth Pressures

Condition	Lateral Pressure Coefficient	Equivalent Fluid Density (pcf)
Active Static	0.29	34
Active Seismic	0.27	32
At Rest	0.48	58
Passive Static	3.12	375
Passive Seismic	-1.65	-198

We recommend that walls which are allowed little or no wall movement be designed using “at rest” conditions. Walls that are allowed to rotate at least 0.4 percent of the wall height may be designed with “active” pressures. The coefficients and densities that are presented above assume a level backfill with no buildup of hydrostatic pressures. If anticipated, hydrostatic pressures and any surcharge loads should be added to the presented values. If sloping backfill is present, we recommend that the geotechnical engineer be consulted to provide more appropriate lateral pressure parameters once the design geometry is established.

The seismic active and passive earth pressure coefficients provided in the table above are based on the Mononobe-Okabe method and only account for the dynamic horizontal force produced by a seismic event. The resulting dynamic pressure should therefore be added to the static pressure to determine the total pressure on the wall. The dynamic pressure distribution can be represented as an inverted triangle, with stress decreasing with depth, and the resultant force acting approximately 0.6 times the height of the retaining wall, measured upward from the bottom of the wall.

Lateral building loads will be resisted by frictional resistance between the footings and the foundation soils and by passive pressure developed by backfill against the wall. For footings on native soils, we recommend that an ultimate coefficient of friction of 0.38 be used. If passive

resistance is used in conjunction with frictional resistance, the passive resistance should be reduced by $\frac{1}{2}$. The passive earth pressure from soils subject to frost or heave should usually be neglected in design.

The coefficients and equivalent fluid densities presented above are ultimate values and should be used with an appropriate factor of safety against overturning and sliding. A value of 1.5 is typically used.

5.6 CONCRETE SLAB-ON-GRADE CONSTRUCTION

It is our understanding that the residences within the proposed subdivision are to be constructed with structural floors supported on piers and grad beams. However, if concrete slabs-on-grade are constructed within the subdivision, we recommend that they be constructed over at least 4 inches of compacted gravel to help distribute floor loads, break the rise of capillary water, and to aid in the curing process. The gravel should consist of free-draining gravel compacted to a firm, unyielding condition. To help control normal shrinkage and stress cracking, the floor slabs should have adequate reinforcement for the anticipated floor loads, with the reinforcement continuous through the interior joints. In addition, we recommend adequate crack control joints to control crack propagation.

As previously mentioned, the test pits completed for this investigation indicate that 7 to 9 feet of undocumented fill and topsoil cover the subject site, and we generally recommend that this undocumented fill be removed from below interior concrete flatwork. As discussed in Section 5.2.1, if an increased risk of settlement is acceptable, some of the undocumented fill may be left below the concrete flatwork. At a minimum, we recommend that at least 2 feet of properly placed and compacted structural fill be placed below all interior concrete slabs (concrete slab and 4 inches of gravel). As an alternative, interior floor slabs could be constructed as structural floors using grade beams to support the floors instead of the underlying soils. Structural floors should be design by a qualified engineer.

5.7 MOISTURE PROTECTION AND SURFACE DRAINAGE

Any wetting of the foundation soils will likely cause some degree of volume change within the soil and should be prevented both during and after construction. We recommend that the following precautions be taken at this site:

1. The ground surface should be graded to drain away from the structures in all directions, with a minimum fall of 8 inches in the first 10 feet.

2. Roof runoff should be collected in rain gutters with downspouts that are designed to discharge well outside of the backfill limits.
3. Sprinkler heads should be aimed away from and placed at least 12 inches from foundation walls.
4. There should be adequate compaction of backfill around foundation walls, to a minimum of 90% density (ASTM D 1557). Water consolidation methods should not be used.

5.8 SUBSURFACE DRAINAGE

Due to the high groundwater at the subject site, we recommend that all basement walls that extend more than 3 feet below the existing site grade incorporate a foundation drain. The foundation drain should consist of a 4-inch-diameter slotted pipe placed at or below the bottom of footings and encased in at least 12 inches of free-draining gravel. The gravel should extend up the foundation wall to within 2 feet of the final ground surface, and a filter fabric, such as Mirafi 140N, should separate the gravel from the native soils. The pipe should be graded to drain to the land drains, a storm drain or to another free-gravity outfall unless provisions for pumped sumps are made. The gravel which extends up the wall may be replaced by a fabricated drain panel such as Mirafi G200N or equivalent.

5.9 PAVEMENT DESIGN

As indicated above, we would generally recommend that the 7 to 9 feet of undocumented fill and topsoil that covers the subject site be removed from below any pavements. As discussed in Section 5.2.1, if an increased risk of settlement is acceptable, some of the undocumented fill may be left below the pavements. At a minimum, we recommend that at least 2 feet of properly placed and compacted structural fill be placed below all pavement sections (below the untreated base).

Pavement sections for roadways within the proposed development were assessed using the PAS computer program (prepared by the American Concrete Pavement Association) and an assumed laboratory obtained CBR value of 5 percent. No traffic information was available at the time this report was prepared; Christensen Geotechnical has therefore assumed a traffic load for the roadways based on our experience with similar projects. We have assumed that traffic will consist of 100 passenger cars per day, 4 medium trucks per day and 4 heavy trucks per day. We have further assumed no increase in traffic over the life of the pavement. Based on this information, we recommend a pavement section consisting of 3 inches of asphalt over 8 inches of untreated base. The asphalt should consist of a high-stability plant mix and should be compacted to at least 96 percent of the Marshall maximum density. The untreated base should meet the material

requirements for Riverdale City or UDOT and should be compacted to at least 95 percent of the maximum dry density as determined by ASTM D 1557.

6.0 LIMITATIONS

The recommendations contained in this report are based on limited field exploration, laboratory testing, and our understanding of the proposed construction. The subsurface data used in this report was obtained from the explorations that were made specifically for this investigation. It is possible that variations in the soil and groundwater conditions could exist between and beyond the points explored. The nature and extent of variations may not be evident until construction occurs. If any conditions are encountered at this site that are different from those described in this report, Christensen Geotechnical should be immediately notified so that we may make any necessary revisions to the recommendations contained in this report. In addition, if the scope of the proposed construction changes from that described in this report, Christensen Geotechnical should be notified.

This report was prepared in accordance with the generally accepted standard of practice at the time the report was written. No other warranty, expressed or implied, is made.

It is the client's responsibility to see that all parties to the project, including the designer, contractor, subcontractors, etc., are made aware of this report in its entirety. The use of information contained in this report for bidding purposes should be done at the contractor's option and risk.

The recommendations presented within this report are based on the assumption that an adequate program of tests and observations will be followed during construction to verify compliance with our recommendations. We also assume that we will review the project plans and specifications to verify that our conclusions and recommendations are incorporated and remain appropriate (based on the actual design).

7.0 REFERENCES

- Anderson, L.R., Keaton, J.R. and Bay, J.R., 1994, “Liquefaction-Potential Map for a Part of Weber County Utah,” Utah Geological Survey, Public Information Series 27.
- Coogan, James C. and King, Jon K., 2016, “Interim Geologic Map of the Ogden 30' x 60' Quadrangle, Box Elder, Cache, Davis, Morgan, Rich, and Summit Counties, Utah, and Uinta County, Wyoming,” Utah Geological Survey, Open-file Report 653DM.

November 11, 2022

R. Todd Freeman, S.E., P.E.
Riverdale City Engineer
5141 1500 West,
Riverdale, UT 84405

RE: FEMA Evaluation
Purin Subdivision – Project No. 11509
Parker Drive

Dear Todd,

FEMA Map Evaluation

In evaluating the FEMA map for this area, it was found that the Weber River overtops its bank during the base flood event (i.e. 100-yr storm) east of the project site (hereinafter referred to as The Site) as well as east of the River Glen Phase 4 subdivision to the south (hereinafter referred to as River Glen) of The Site. As the flood occurs, it travels north along the east boundary line of River Glen, through The Site and then through the storage unit complex north of the Site prior to re-entering the River.

Upon inspection of the topography that was surveyed for The Site and the east portions of River Glen was found to be lower than the 100-Year flood elevations as outlined on the FEMA map for Zone AE. It was also found that the Storage Units to the north were built up for the design of the site and assumed to get out of the flood plain. In building this area up, the Storage Units have impeded the natural flow of the water from re-entering the River as shown on the current FEMA FIS map. See the attached concept plan showing the Base Flood Elevation (B.F.E.) at the site and the existing topography from the survey for The Site. The key factor for the River Glen subdivision is that the rear yards for lots along the east were found to be lower than the adjacent 100-Yr flood elevation (see highlighted grade labels along the east boundary and the adjacent 100-Yr BFE). While the full area of the Riverdale City property from River Glen to the river was not completely surveyed, the contours show that most of the property is below the 100-Yr flood elevation.

As part of the design process for The Site, the cul-de-sac at the east end of the subdivision is planned to be built up to ensure the home on Lot 107 remains above the B.F.E. To go along with this, the grading for Lot 107 will be such that there will be positive slope (i.e. grade direction) from the southwest to the northeast away from the existing back of the proposed home and the existing lots of River Glen toward the River. Adjusting the grading of this lot as outlined will improve the current condition in the 100-year event providing a way for the water to exit the area and not just create a pond. The road design in The Site is planned to be lowered from the existing ground elevation through lots 109-113 to better match the south property line elevations along River Glen. The attach plan shows the approximate sidewalk elevations along lots 109-113 to show how The Site design will match the River Glen elevations along the shared south/north property line. The design for The Site will include a yard drain system for Lots 107-114 to ensure all backyard runoff from these lots will be collected and directed to a detention pond area to the east and not discharge any runoff onto the adjacent lot owners of River Glen. This will be an improvement to the current drainage patterns as currently a large portion of The

SANDY

45 W 10000 S, STE 500
Sandy, UT 84070
P: 801.255.0529

LAYTON

919 North 400 West
Layton, UT 84041
P: 801.547.1100

CEDAR CITY

88 E Fiddler's Canyon Rd, STE 210
Cedar City, UT 84721
P: 435.865.1453

TOOELE

169 N. Main St, Unit 1
Tooele, UT 84074
P: 435.843.3590

RICHFIELD

225 N 100 E
Richfield, UT 84701
P: 435.896.2983

Site drains to the south to the River Glen lots with not outlet due to the flat elevations along lots 113-110.

Due to the found elevations along the east side of River Glen, the majority of the rear yards are below the adjacent 100-yr BFE, so added fill to the east portion of The Site will not increase the risk of flooding for the existing homes. Based on the proposed improvements described above and shown on the attached map, it is our opinion that the proposed work and subdivision improvements to The Site will improve the current drainage conditions for the proposed development and the River Glen Phase 4 Subdivision.

If you have any questions concerning the information noted above, feel free to contact us at any time.

Sincerely,

A handwritten signature in blue ink, reading "Timothy J. Shaffer".

Timothy Shaffer, PE
Assistant Project Manager

Reviewed by:

A handwritten signature in blue ink, reading "Cam Preston".

Cam Preston, PE, SE
Principal

FLOODWAY

1% ANNUAL FLOOD INUNDATION ZONE

ZONE X OUTSIDE OF THE 0.20% CHANCE FLOODPLAIN



ENSIGN

THE STANDARD IN ENGINEERING

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PURIN SUBDIVISION

PARKER DRIVE
RIVERDALE CITY, UTAH

CONCEPT SUBDIVISION

PROJECT NUMBER: 11509
DRAWN BY: DTB
PROJECT MANAGER: CMP

DATE: 01/10/2022
CHECKED BY: CMP

EX-1

consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevation (BFE)** and/or **Flowways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevation (CBFE) shown on this map apply only landward of 0.2° North American Vertical Datum (NAVD83). Users of the FIRM should be aware that coastal flood elevations may also be provided in the Summary of Floodway Elevations table in the Flood Insurance Study report for the community. Elevations shown in the Summary of Floodway Elevations table should be used for construction, water resource management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **Flowways** were computed at cross sections and interpolated between cross sections. The flowways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Flowway widths and other pertinent flowway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures in this jurisdiction.

The **projection** used in the preparation of this map is Universal Transverse Mercator (UTM) zone 12. The **horizontal datum** is NAVD83, GRS1980 adjusted. Differences in datum, projection or UTM zones used in the production of FIRM for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

National Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(202) 771-3191

To obtain current elevation, description, and/or location information for **benchmarks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (202) 771-3242, or visit their website at www.ngs.noaa.gov.

Base map information shown on this FIRM was provided in digital format by U.S. Geological Survey Digital Orthophoto Quarterframes, produced at a scale of 1:12,000 from photography dated July 16, 1997 or later.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or deannexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

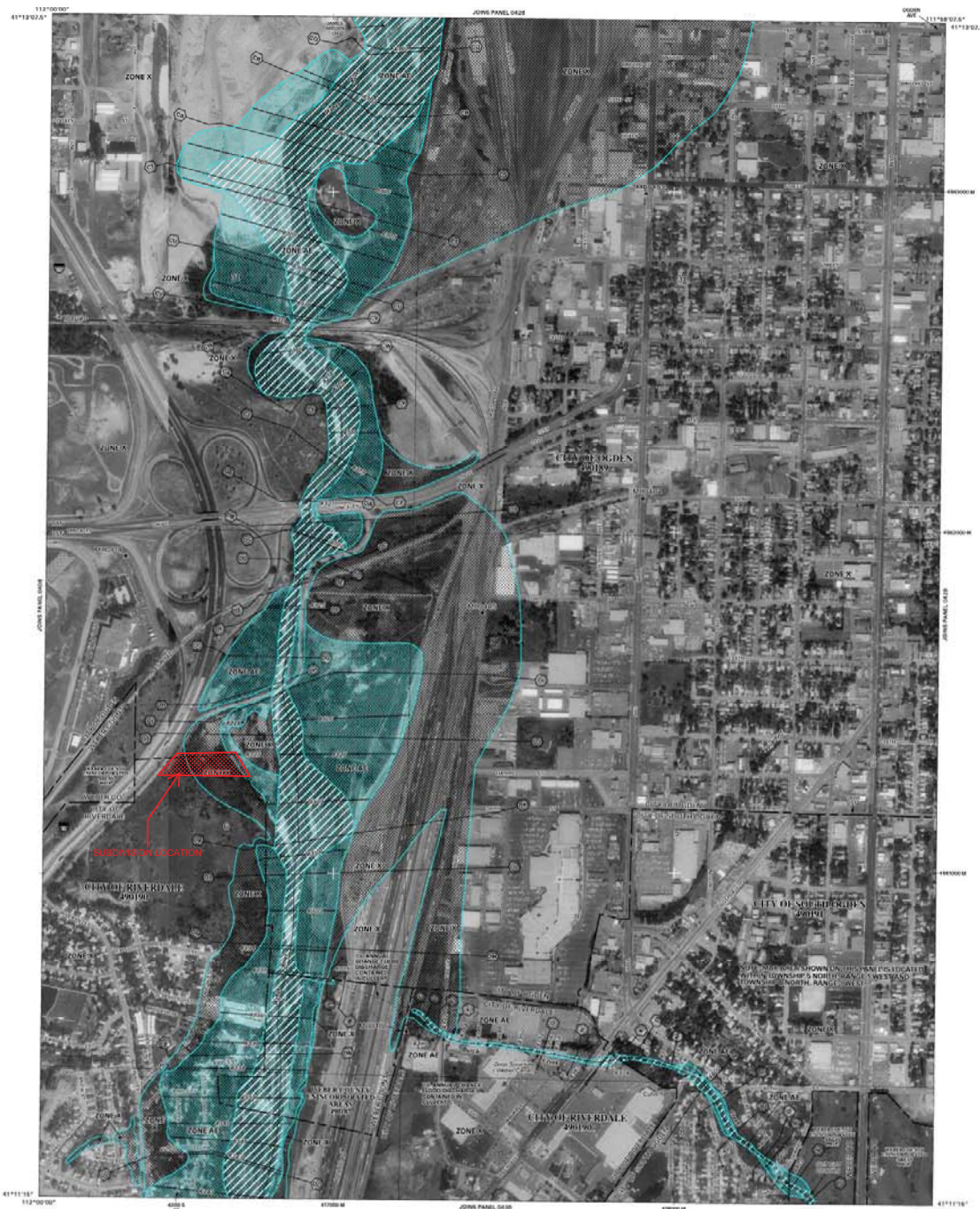
Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a listing of communities table containing National Flood Insurance Program data for each community, as well as a listing of the panels on which each community is located.

An accompanying **Flood Insurance Study report**, Letters of Map Revision or Letters of Map Amendment revising portions of this panel, and digital versions of this panel may be available. Contact the **FEMA Map Service Center** at the following phone numbers and internet address for information on all related products available from FEMA.

Phone: 800-358-9616
FAX: 800-358-9620
www.fema.gov

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at www.fema.gov.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and flowways that were transferred from the previous FIRM may have been referred to, in part, to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report may reflect stream channel distances that differ from what is shown on this map.



Panel 428 of 600

FIRM FLOOD INSURANCE RATE MAP
WEBER COUNTY,
UTAH AND
INCORPORATED AREAS

Panel 428 of 600
SEE MAP INDEX FOR FIRM PANEL LAYOUT

COMMUNITY	JANUARY	FEBRUARY	MARCH
CADIZ CITY UT	10000	10000	0
HEBER CITY UT	10000	10000	0
HEBER CITY UT (SOUTH)	10000	10000	0
HEBER CITY UT (NORTH)	10000	10000	0

Notes to Users: The Map Number shown below should be used when making any reference to the Flood Insurance Study report. The Flood Insurance Study report should be used in conjunction with the Flood Insurance Study report for the jurisdiction.

MAP NUMBER
49057C0428E

EFFECTIVE DATE:
DECEMBER 16, 2005

National Flood Hazard Layer FIRMette



111°59'58"W 41°12'10"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

111°59'20"W 41°11'43"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/22/2022 at 5:06 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

**RIVERDALE CITY
CITY COUNCIL AGENDA
January 17, 2023**

AGENDA ITEM: G5

SUBJECT: Consideration of Ordinance #961 regarding proposed amended updates and corrections to the Moderate-Income Housing Plan element of the Riverdale City General Plan to be in compliance with House Bill 462.

PRESENTER: Mike Eggett, Community Development

INFORMATION:

- a. [Executive Summary](#)
- b. [Ordinance #961](#)
- c. [GP Riverdale Housing Plan – Final Amended Update 20221214](#)
- d. [GP Riverdale Housing Plan – Final Amended Update 20221214 \[changes made\]](#)
- e. [A. Gamble Email Resp 20221221](#)
- f. [Notice of Public Hearing 1-10-2023 GP Update](#)
- g. [GenPlan Updated Standard Ex Publish Proof 20221231](#)
- h. [PC draft minutes associated with this item from January 10, 2023](#)

[BACK TO AGENDA](#)



City Council Executive Summary

For the Council meeting on: 1-17-2023

Presenter: Community Development Department

Summary of Proposed Action

In response to a finding of non-compliance from the Utah State Department of Housing and Community Development, City Staff has been working with the Utah Department of Housing staff to correct the previously submitted updated Moderate Income Housing Element. Following multiple conversations over the phone and by email, Community Development staff was able to complete an update that has been satisfactorily approved by the representative for the State Department of Housing as meeting the House Bill 462 requirements. Therefore, we as a City now need to review and consider approval of the proposed amended update to the Moderate Income Housing Element in order to be in compliance with the requirements of House Bill 462. Previous background information on this matter is found below.

In accordance with House Bill 462 passed early in 2022, Riverdale City is required to update the Moderate Income Housing Element of the City's General Plan and thereafter annually prepare and submit an Annual Moderate Income Housing Report to the Division of Workforce Services newly designated Department of Housing (and Statistics) in order to be in full compliance with these State Codes. Further, a component of this submitted reporting is to provide links to this same report information (as housed on the DWS housing database) on the City website so that this information may be accessible by the public who may have interest in this information. This new reporting requirement is expected to be completed by or before October 1st of each year hereafter. Previously, the Riverdale Community Development Department completed a final draft Moderate Income Housing Element update to fulfill these requirements and, following Council approval of the previous Housing Element update, thereafter, submitted this element along with all the reporting documentation and links to DWS and WFRC in an effort to be in compliance with these State Codes. However, a finding was made that our submitted plan was not in compliance with all requirements of House Bill 462 and, therefore, the Housing Element needed to be amended and updated to meet all requirements.

Due to the fact that this is an amendment to a component of the General Plan, there was a requirement to hold a public hearing on this matter. A public hearing was advertised for this General Plan amendment, in accordance with all state and city noticing requirements. On January 10, 2023, the Planning Commission held a public hearing on this matter. No public comments were provided to the City prior to the meeting or during the public hearing. Following the public hearing, the Planning Commission approved a favorable recommendation to the Council to approve the Moderate Income Housing element amendments and corrections.

Following discussion in the matter, the City Council may make a motion to approve the proposed amendment to the General Plan, approve suggested modifications and/or changes, table the matter to a later date (not advised), or not approve the proposed amendments with the appropriate findings of fact provided for any decision submitted. If the Council were to approve the corrections and amendments, then the updated Moderate Income Housing element documentation would be submitted to the State Department of Housing and Community Development to fulfill the HB462 requirements.

There is no Title 10 Ordinance guidance in this matter, however, this reporting has been completed in compliance with House Bill 462 and associated Utah State Codes affected by this bill.

Following discussion in the matter, the City Council is encouraged to review and discuss the final draft Moderate Income Housing Element update proposal and thereafter take appropriate action to approve the proposed amendment to the General Plan, approve suggested modifications and/or changes, table the matter to a later date (not advised), or not approve the proposed amendments with the appropriate findings of fact provided for any decision submitted.

General Plan Guidance (Section Reference)

There is no General Plan Guidance necessary for this report as this affects housing planning that is localized internal within the Riverdale General Plan document.

Legal Comments – City Attorney

Steve Brooks, Attorney

Administrative Comments – City Administrator

Steve Brooks, City Administrator



ORDINANCE NO. 961

AN ORDINANCE PROVIDING FOR AMENDMENTS AND UPDATES TO THE GENERAL PLAN; MODERATE-INCOME HOUSING PLAN ELEMENT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Riverdale City (herein City) recognizes the importance of proper and effective planning and zoning within the corporate city limits; and

WHEREAS, the City has previously adopted a General Plan and Maps, outlining the city's vision and intent to provide for future planning and zoning of the City; and

WHEREAS, the City recognizes occasional updates are required to provide maximum attention and care to the General Plan, General Plan Goals, Plans, Objectives, Commentary and Maps; and

WHEREAS, the Utah State Legislature, in House Bill 462 requires that the City update their Housing policies and make amendments as necessary, and the City recognizes the importance of staying current with community needs and desires and to comply with all state law mandates. In addition, occasionally the State Legislature requires cities to incorporate new provisions to their general plan; and

WHEREAS, the Planning Commission held a public hearing on January 10, 2023, to consider all competent evidence offered in support of and opposed to the said proposed amendments and recommended approval of the amendments and updates and further, all other State and local requirements have been complied with concerning changes made to a municipal general plan; and

WHEREAS, to keep the citizenry informed and current with the most recent information, data, plans and future development goals, the City wishes to incorporate the proposed amendment(s) and make them a part of the City's current General Plan; and

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE that the attached amendments be hereby incorporated and adopted into the City's General Plan, specifically pertaining to the Moderate Income Housing Element, (Attachment A), as incorporation and updates and said updates shall replace currently existing portions in conflict therewith and, along with any and all unchanged portions of the currently existing Plan, shall be known as the Riverdale City General Plan and be on file in the Riverdale City Recorder's Office and readily available for public inspection.

PASSED, ADOPTED AND ORDERED POSTED this 17th day of January 2023.

Braden Mitchell, Mayor

Attest:

Michelle Marigoni, City Recorder

VOTE:

Alan Arnold	<u> </u> Yea	<u> </u> Nay	<u> </u> Absent
Bart Stevens	<u> </u> Yea	<u> </u> Nay	<u> </u> Absent
Steve Hilton	<u> </u> Yea	<u> </u> Nay	<u> </u> Absent
Anne Hansen	<u> </u> Yea	<u> </u> Nay	<u> </u> Absent
Karina Merrill	<u> </u> Yea	<u> </u> Nay	<u> </u> Absent

Attachment A

HOUSING POLICIES

Updated by Community Development – 12-14-2022

INTRODUCTION

The attractiveness and desirability of neighborhoods as well as the design, location and the quality of the construction of residential units greatly influences the quality of life for a community's residents. Riverdale encourages residential communities and those living in them to take pride in caring for their homes.

The population of Riverdale City has grown in the past 45 years.

Table G - Population Growth

Riverdale City			Weber County	
Year	Population	Growth	Population	Growth
1980	6031		144,616	
1990	6419	6.4%	158,333	9.4%
2000	7656	19.3%	196,533	24.1%
2010	8189	7.0%	222,849	13.4%
2020	8826	7.8%	255,284	14.6%
2025	9496 est.	7.6% est.	283,415 est.	11.0% est.

1. Housing is constructed to meet the minimum requirements of the adopted codes which include safeguards against natural and man-made environmental hazards.
2. Residential developments within the Hill AFB/APZ areas are regulated or restricted by an easement agreement with property owners within this area.
3. Future residential development will be designed so as to be compatible with existing neighborhoods and to preserve the peaceful character of Riverdale.
4. Commercial, industrial, and high-density housing shall be located in areas offering the least impact on existing residential areas and infrastructure.

Part of Riverdale's General Plan (adopted April 25, 2001 and updated on November 15, 2011, September 2, 2014, and most recently parts of the Plan on November 19, 2019) includes a Housing Development Plan for the city with a Housing Goals and Objectives section as a foundation for all affordable housing or supportive activities, goals, policies and potential programs.

MODERATE INCOME HOUSING ELEMENT

INTRODUCTION

The availability of moderate income housing has become a statewide concern. In 1996, the Utah State Legislature adopted 10-9-307 of the Utah Code dealing with “Plans for Moderate Income Housing”. This section of the State Code requires that every municipality adopt a plan for moderate income housing within the community. The plan must address the following five issues:

- 1) An estimate of the existing supply of moderate income housing located within the municipality;
- 2) An estimate of the need for moderate income housing in the municipality for the next five years as revised biennially;
- 3) A survey of total residential land use;
- 4) An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- 5) A description of the municipality’s program to encourage an adequate supply of moderate income housing.

The purpose of the Moderate Income Housing Element of the Riverdale City General Plan is to address these five issues and to establish the City’s goals and policies for moderate income housing.

Moderate income housing, as defined by the Utah State Code 10-9a-103 (34), is: “...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income for households of the same size in the county in which the city is located”. The 2020 median income level for Weber County for a household of four is approximately \$90,397 and in Riverdale it is approximately \$65,234 according to US Census Bureau data.¹ The Weber County median income level is recommended by the State to be used by Riverdale in determining whether or not housing is affordable.

Further, in 2022, the Utah State Legislature adopted House Bill 462 which significantly revised the Moderate Income Housing Element of the Utah Code. This revision now requires that designated cities and counties of a large enough population grouping are to include additional reporting content which is specifically:

- A description of each moderate income housing strategy selected by the municipality, from a menu listing of multiple options outlined in House Bill 462; and
- An implementation plan for those selected strategies with specific measures and benchmarks to explain the progress of each of the selected strategies.

1. RIVERDALE AFFORDABLE HOUSING POLICIES

Housing is one of the most basic needs of all people. All residents of Riverdale should have access to adequate housing regardless of income.

- Riverdale should encourage the development of residential areas of various densities and price ranges.

¹ U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey

- The city encourages a diversity of housing types and cost ranges, including those that will permit persons of low and moderate incomes to locate in Riverdale City.

Riverdale has various alternative housing types. These existing units represent owner occupied mobile homes and trailers, as well as rental units including apartments, duplexes and fourplexes. These housing units total 1,307 dwellings, which represents 39 percent of the 3,369 total number of dwellings in the City. Additionally, there are currently (as of August 2022) 991 rental unit dwellings within Riverdale City.

The cost of housing continues to rise due to the increasing cost of building materials, real estate and necessary public infrastructure such as roads, water, sewer and power. According to the U.S. Census Bureau, in 2020 the average sales price for a home was approximately \$249,100 in Weber County. In 2020 the home prices in Riverdale City averaged \$230,100.² Further, according to the Wasatch Front Multiple Region Listing Service (MLS) in 2022 the median sales price for a home in the Riverdale/Ogden area was \$507,500.³ Another interesting feature of Riverdale City is that the City as a whole is located in only one established Census block.

2. ESTIMATE OF EXISTING SUPPLY

In order to assist municipalities in estimating the existing supply of affordable housing units within each city, the State has provided analysis tools for estimating affordable housing units available in Riverdale City. Riverdale City used this data to estimate their existing supply, which involved an evaluation of the current census data, as well as, residential building permits issued between 2018 (the date of the last moderate income housing analysis) and June of 2022, including the number of single family and multifamily permits issued and their valuation.³ An analysis of residential building permits issued between 2018-June 2022 showed that the City issued the following number of residential permits for new housing:

2018-June 2022 Residential Permits

Single Family 99

Condominium 0

Twin Home 0

Duplex 0

Internal Accessory Dwelling Units (IADUs) 0

Mobile Homes 56

Apartment Units 42

Total: 197⁴

Using the State's criteria for median income housing and affordability, an analysis of the valuation of each permit was done. That analysis showed that of the 197 residential permits issued between 2018 and June 2022, approximately 28 percent would be

² U.S. Census Bureau. Table B25097: Mortgage status by median value (dollars). American Community Survey

³ Salt Lake Tribune, 2022, “Weber County”, <https://www.sltrib.com/homeprices/>

⁴ Riverdale City Planning and Zoning Department, 2022

DRAFT

considered affordable housing and up to 50 percent could potentially be considered affordable housing. Most of the noted mobile home units are due to the location of new mobile homes onto available lots within currently existing mobile home residential areas.

According to the Utah State Five-Year Housing Projection, Riverdale has a smaller number of rental units for households making 80 to 50 percent (approximately 230 units) and a small shortage of available rental units (approximate deficit of 45 plus units) for households making 30 percent of Metropolitan Statistical Area Median Income (MSAMI).⁵

3. ESTIMATE OF THE NEED FOR MODERATE INCOME HOUSING IN THE MUNICIPALITY FOR THE NEXT FIVE YEARS

The majority of the need for moderate income housing within Riverdale is to serve the city's own growth as well as provide housing for migrants/commuters working in Weber County and the neighboring cities of the Metropolitan Statistical Area (MSA). Riverdale's goal is to provide adequate housing for existing and incoming residents and more particularly their children as they grow up and move out of their parents' homes.

According to the 2020 U.S. American Community Survey data, Riverdale's population increased from 8,189 in 2010 to 8,826 in 2020 with an increase of 637 residents. If the city's current growth trend continues, the Utah State Five-Year Housing Projection estimates that new residents should be able to find moderate income housing options for the foreseeable future. It is estimated that population growth in Riverdale between the present time and 2040 will likely create moderate-income housing demand for individuals and families earning 80 percent, 50 percent, and 30 percent of the MSAMI.

Currently, Riverdale has affordable housing availability for moderate income families making 80 percent of the MSAMI with 39 percent of the city's housing potentially available to provide moderate income housing to create an adequate supply of units. Additional moderate income housing units may be required during the next five years as previously undeveloped areas of the city are developed and/or redeveloped. The net need for moderate income housing in the 80 to 50 percent categories is currently slightly less than available housing units. There has been a significant decrease in net housing need for families in the 30 percent category although there still exists a deficit of housing units needed in this demographic category.

Riverdale has various alternative housing types. These existing units represent owner occupied mobile homes and trailers, as well as rental units including apartments, duplexes and fourplexes. There have been several studies presented to Riverdale City during previous years, by multifamily dwelling developers, indicating there is a market for apartment, condominium, and townhome type multifamily dwellings in the Weber County area. Currently in the city, single family dwelling rentals, mobile homes, apartment units, duplexes and fourplexes total 1,307 dwellings and represent 39 percent of the 3,369 total dwellings in the City as of 2020. In 2020, based on a breakdown of housing types and U.S. Census data, the statistics reflect that Riverdale City has a 6.2 percent rental vacancy rate and this would indicate that the City currently has a somewhat limited number of current

⁵ Department of Workforce Services, State of Utah. Five Year Housing Projection Calculator, 2021

multifamily dwelling units available.⁶

Table I - Housing Types

Year	Owner Occupied Homes	Rental Homes	Occupied Units Paying Rent	Homeowner Vacancy	Rental Vacancy
2010	2286	748	741	1.7%	5.8% ⁷
2014	2153	899	844	1.8%	12.9% ⁸
2016	2430	799	721	3.1%	15.7% ⁹
2020	2463	883	828	0.7%	6.2% ¹⁰

The cost of housing in Utah continues to rise due to the increasing cost of building materials, real estate, and necessary public infrastructure such as roads, water, sewer and power. According to the Utah Census, in 2020 the average sales price for a home was approximately \$249,100 in Weber County. In 2020 the home prices in Riverdale City averaged \$230,100 and in 2022 were at \$507,500. The need for affordable housing throughout Weber County continues to grow but Riverdale City is nearly built out and has a limited amount of land still available for development. Larger single-family subdivisions should be developed in neighboring cities because Riverdale does not have much land available for this type of development. There are areas of the city that could be redeveloped into housing, but this requires the removal of existing homes on lots that could potentially accommodate multiple dwellings. There are also a very limited number of building lots in the city that may qualify as infill lots without removing existing dwellings.

Table J - Housing Costs

Year	Riverdale City House Payment	Rent	Weber County House Payment	Rent
1980	\$395	\$237	\$344	\$224
1990	\$661	\$326	\$650	\$286
2010	\$914	\$756	\$1,284	\$628 ¹¹
2016	\$968	\$765	\$1,046	\$795 ¹²
2020	\$1,309	\$965	\$1,437	\$958 ¹³

According to the 2020 American Community Survey numbers, Riverdale's average owner-occupied home ownership was 73.1 percent, and the renter-occupied housing units was at 24.6 percent with a small percentage of vacant housing units at 2.3 percent. Riverdale City's housing objectives include providing adequate moderate income housing for individuals who

⁶ U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

^{7&8} U.S. Census Bureau. Selected Housing Characteristics American Community Survey 5-Year Estimates

^{9&10} U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

¹¹ www.city-data.com Riverdale Utah Houses and Residents 2009 and the Utah Affordable Housing Model
<http://www.huduser.org/datasets/50per.html> 2001-2012

^{12&13} U.S. Census Bureau. Table B25088: Median selected monthly owner costs (dollars) by mortgage status. and Table B25064: Median gross rent (dollars). American Community Survey.

wish to work and live in the city so that families renting or seeking less expensive housing have an alternative to locating in outlying areas and commuting if employed in Riverdale City. This goal will help the city prevent: increased traffic congestion, the need for more roads, greater energy consumption and an increase in air pollution, all while encouraging businesses to locate closer to their employee base. Development of the West Bench RDA Project Area has the potential to create an estimated 500 plus new retail/service type jobs based on the 60 acres of land available for new development. The number and types of jobs created could necessitate additional affordable housing in Riverdale, some of which could conveniently be constructed within the boundaries of Riverdale City. Projected needed affordable housing units to support the West Bench Project Area are based on the 2019 census information which indicates approximately 6.5 percent of those who live in Riverdale work in Riverdale.¹⁴

Riverdale City leadership would like to see this percentage increase so that more residents have closer access to job opportunities within their local community. Using these figures, Riverdale estimates this project area could create a need for the potential addition of 100 moderate income housing units, which our present and projected vacancy rates would absorb. Over the next five years, the city is confident this vacancy rate and absorption is accurate and does not create a great need for the development of large amounts of additional moderate income affordable housing units.

Table K - Housing Income

	Riverdale City	Weber County
Year	Household Income	Household Income
1980	\$18,323	\$17,287
1990	\$31,075	\$30,125
2010	\$52,125	\$54,086
2016	\$53,665	\$59,660
2020	\$54,723	\$71,275 ¹⁵

The percentage of households renting in Riverdale had decreased from 32.5 percent in 1990 to 23.2 percent in 2010. However, in 2020, the percentage of households renting in Riverdale has increased slightly to 24.6 percent as compared to 23.1 percent for Weber County.

Riverdale City has more than the state required rental housing for our population with the inclusion of mobile and modular home rental spaces. With the rapid rise of the elderly segment of the City's population, affordable elderly housing is a growing need that Riverdale City proactively addressed by building a Senior Center with 20 housing units using RDA funds in 2005. Riverdale City is also supportive of the new growth in owner occupied, slab-on-grade, patio type single-family dwellings that have recently been built in Riverdale as these types of dwellings are easy to market and popular with Riverdale's growing senior population. Further, we anticipate more of this style of development in the future within Riverdale City.

¹⁴ "Inflow/Outflow Analysis" at <http://onthemap.ces.census.gov/>

¹⁵ U.S. Census Bureau Table B25119: Median household income past 12 months. American Community Survey

Table L - Percent Renting

Year	Riverdale City Percent Renting	Weber County Percent Renting
1980	21.8%	29.6%
1990	32.5%	27.0%
2010	23.2%	25.0%
2016	23.1%	25.5%
2020	24.6%	23.1% ¹⁶

There were 766 persons living below the poverty level in Riverdale City in 2020, which represents 8.7 percent of the population with 29.5 percent children under 18 years old.¹⁷ The average Riverdale per capita income in 2020 was \$26,471, just under Weber County at \$29,186.¹⁸ As people begin their careers in entry-level positions with modest incomes they typically reside in apartments or starter homes. These types of housing in Riverdale City attract youth and bring vitality to the community. Therefore, one of Riverdale's goals is to promote an adequate supply of housing to meet the needs of all economic segments of the community. To encourage more affordable housing opportunities, Riverdale must continue to support the following programs:

- Private or public sector U.S. Department of Housing and Urban Development (HUD) housing development grants and Section 8 program rental subsidy certification for families, the elderly, and handicapped households. All of Riverdale's large meter residential complexes and Senior Housing Facility and all new residential construction are Americans with Disabilities Act (ADA) compliant.
- The Land Use Master Plan map provides for development densities that allow a variety of housing types, including townhouses, condominiums, manufactured homes, and detached single-family homes. This range in housing types and densities is designated in order to help meet the need for affordable housing. The Riverdale core neighborhoods are an ideal location for infill development (where available) compatible with existing homes. They would be close to developed infrastructure and existing goods and services.
- In addition to these residential zones, the City also allows clustered residential developments under Planned Residential Unit Development and Cluster Subdivisions ordinances. The PRUD provisions function as overlay zones and allow design flexibility in the development of lands within the City. These clustering ordinances encourage the realization of many potential public benefits, one of them being to encourage the construction of affordable housing units under conditions and requirements that will insure development of residential environments of sustained desirability and stability.

¹⁶ U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

¹⁷ U.S. Census Bureau. Table B17020: Poverty status in the past 12 months by age. American Community Survey

¹⁸ U.S. Census Bureau. Quick Facts: Per capita income in past 12 months (in 2020 dollars), 2016-2020, Riverdale City, Utah

- Riverdale City currently has several PRUD developments currently with 185 single story on-grade patio homes. These developments typically have small lots and with this type of dwelling are geared more toward the senior population.
- Riverdale City encourages the availability of affordable housing alternatives for the disabled, elderly, single mothers, persons with AIDS, victims of domestic abuse, and the homeless. Riverdale City has never adopted ordinances that would prevent the development of moderate income housing for the above mentioned groups. Considered a regional retail hub, Riverdale is a small suburb with a population of approximately 8,800 residents adjacent to Ogden City and therefore subsidizes alternative housing in larger cities in Weber County because 80 percent of Riverdale's population sales tax is redistributed to neighboring cities with larger populations. This redistribution of tax dollars helps to fund affordable housing for the disabled, elderly, single mothers, persons with AIDS, victims of domestic abuse and the homeless. Large facilities designed to house the homeless and those with AIDS are located approximately two miles from Riverdale in Ogden at The Ogden Rescue Mission and one mile from Riverdale at St. Anne's Shelter/Lantern House. Housing for victims of domestic abuse is available three and a half miles from Riverdale at the Ogden YCC and the WSU Women's Center provides housing resource assistance for single mothers with a dedicated resource center three miles east of Riverdale. Developmental and physically disable housing is available at Graham Court and OWCAP Disabilities Housing in Ogden both just two short miles from Riverdale and at Tri-County Independent Living which is three miles and Trinity Mission Wide Horizons located five miles from Riverdale.

4. SURVEY OF RESIDENTIAL ZONING¹⁹

The City has fifteen zones that allow for residential uses. They are: Agricultural A-1 (40,000 sq. ft.) and A-2 (2 acres); Residential Estate RE-15 (15,000 sq. ft.) and RE-20 (20,000 sq. ft.); Single Family Residential R-1-10 (10,000 sq. ft.), R-1-8 (8,000 sq. ft.), R-1-6 (6,000 sq. ft.), and R-1-4.5 (4,500 sq. ft.); Residential Single-Family R-2 (8,000 sq. ft.) and Single Family and Rental Unit R-2 (10,000 sq. ft.); Multiple Family R-3 (moderate density), R-4 (moderate/high density) and R-5 (high density); Mobile Home Park RMH-1; Low Impact Transition Overlay LIT (specialized housing/apartments/assisted care); Mixed Use MU (housing/apartments in a commercial setting). Riverdale City also has an ordinance regulating Planned Residential Unit Developments PRUD with areas of the city that are designated for such type of development specified in the General Plan, and this Plan supports cluster development options and multiple family residential overlay (MFROZ) desires.

The Residential Zones of Riverdale City are formulated to provide a range of housing choices to meet the needs of Riverdale City residents, to offer a balance of housing types and densities, and to preserve and maintain the City's residential areas as safe and

¹⁹ Riverdale City Code, https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-4324 and https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-4858

convenient places to live. These zones are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings, multifamily dwellings, condominiums, and townhouses. Also allowed are parks, open space and conservation areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City and residents of each of the City's neighborhoods.

The larger land zones including the A-1 and A-2 zones are primarily for agricultural use; however residential uses are also allowed in these zones. The A-1 and A-2 zones may be designed to preserve lands suited for farming and ranching operations and may be in areas that are intended to protect land suited for farming and ranching operations and may be in areas that are intended to protect the land from adverse development; this protective measure is in place on properties along South Weber Drive as part of the Air Installation Compatible Use Zone AICUZ implemented by Hill Air Force Base and the State of Utah. Additionally, these zones are intended to allow viable agricultural uses to remain on lands potentially suited for the eventual development for other uses, pending proper timing and the provision of the required services including all public utilities, streets, parks, schools, and other facilities so that an orderly development pattern is encouraged.

The purpose of the Low-Density Residential Zones (RE-15, RE-20, R-1-10, R-1-8, R-1-6 and R-2) is to provide for single family residential areas and single-family dwelling units on larger individual lots.

The purpose of the Medium Density Residential Zone (R-2 with rental unit and R-3) is to identify and encourage the development of a variety of medium density housing types and styles, including single-family dwellings, two-family dwellings, and four-family dwellings. The purpose of the High-Density Residential Zone (R-4 and R-5) is to provide an environment and opportunities for higher density residential uses, including single-family detached and attached residential units and apartments. The City also has passed a Multiple Family Residential Overlay Zone (MFROZ) ordinance to facilitate the development of condominiums and townhouses. The purpose of the Mixed Use (MU) Zone is to foster and provide an area of mixed, compatible residential, commercial and office uses in certain areas of the City. The purpose of the Low Impact Transition Overlay Zone (LIT) is to allow the presentation of uses that will not adversely impact adjacent properties; specialized apartments such as senior housing may be considered in this zone.

In addition to these residential zones, the City also allows clustered residential developments under Planned Residential Unit Development (PRUD) and Cluster Subdivisions ordinances. The PRUD provisions function as overlay zones and allow design flexibility in the development of lands within the City. These clustering ordinances encourage the realization of several potential public benefits, one of them being to encourage the construction of affordable housing units within the City under conditions and requirements that will insure development of residential environments of sustained desirability and stability.

Zoning for multifamily housing: Multifamily housing in Riverdale City is considered housing that is comprised of attached units such as apartments, condominiums, and

townhouses. Riverdale City currently has six, R-5 zoned, High Density residential complex developments (RCC 10-9F), five of which are rental apartment developments and two are owner-occupied condominium developments. Additionally, there is a senior apartment complex located in a Low Impact Transition Zone that is considered high density.

There are three areas of the city that are zoned R-4, which is a medium/high density zone (RCC10-9E). One area is occupied by apartments, another area has a number of mobile home single-family dwellings currently existing on the property, and the last area has one existing business with additional undeveloped vacant property making up the area. A planned townhome apartment project is also planned for this property within the R-4 zone.

The R-3 zoned areas (RCC 10-9C) are considered a medium density. There are currently four areas of the city that are zoned R-3, three of these areas contain fourplex dwelling units and one of these areas would accommodate a fourplex structure.

The R-2 (RCC 10-9C) areas of the city allows and has mixed existing attached Two-Family dwellings, which consist of side-by-side duplex type dwellings or over/under apartment type dwellings, mixed in with a large number of single-family dwellings. A large amount of Riverdale City's low density residential unit areas are zoned R-2.

Additionally, there are two, four-unit townhouses existing in a Mixed Use (MU) Zone and a large parcel of Mixed Use (MU) Zoned property that is planned for future development into variable housing uses (e.g. apartments, townhomes, and single-family dwellings).

Provision of density bonuses: Riverdale City has adopted ordinances, RCC 10-13H: Multiple Family Residential Overlay Zone (MFROZ), RCC 10-22: Planned Residential Unit Development (PRUD) and RCC 10-23: Cluster Subdivisions. These zones allow the implementation for increasing densities through clustering, lot area reduction, reduction of yard setbacks and by the flexibility of entering into a Development Agreement between the city and developer.

Allowance of inclusionary zoning: Riverdale City has implemented the concept of inclusionary zoning; it is something that naturally exists within our city. Approximately 30 percent of the city's residential areas are rental properties. This includes single family dwellings, apartments, and manufactured (mobile) homes all of which are affordable to lower-income households. In addition, in multiple residential zones Riverdale City allows for the potential to convert a portion of existing dwelling units to accommodate Internal Accessory Dwelling Units (ADU's) use therein.

Special infill and adaptive reuse ordinance: Riverdale City ordinance, RCC 10-12: INFILL LOTS allows for residential development on lots that would not otherwise qualify for development under existing ordinances. The provision for a residential development agreement allows the city the flexibility when dealing with infill properties that can safely be developed.

Flexible development standards and design allowances: Riverdale City has adopted a MULTIPLE FAMILY RESIDENTIAL OVERLAY ZONE that allows individually owned

townhomes or condominiums to be developed with flexible guidelines and future control regulations by means of a Development Agreement with the city. Also, as part of the RCC 10-22: PLANNED RESIDENTIAL UNIT DEVELOPMENT ordinance the city has the ability to negotiate and modify development aspects to allow flexibility and initiative in site and building design and location.

Other: Riverdale City's MIXED USE ZONE allows the development of residential uses, whether rental apartments or owner occupied to exist within commercially developed areas. We currently have a 70-acre parcel of land that is zoned Mixed Use and as stated above we have a townhome development in an existing Mixed Use zoned area.

EVALUATION OF ZONING'S AFFECT ON HOUSING OPPORTUNITIES

The Riverdale City Planning Commission and City Council holds one of the most important keys to providing housing opportunities for persons of moderate income with the power to determine zoning designations throughout Riverdale. According to U.S. Census Data, Riverdale City's numbers of rentals including apartments, mobile homes, and other dwelling units that are at a rental rate for our population is at approximately 24.6 percent. It appears from the data received that Riverdale's zoning has established housing for moderate income families. According to HUD, families making 50 percent of the median income will typically be renters and may be affected by zoning, but may also be impacted by market conditions beyond the control of the city.²⁰ HUD also asserts that families making 30 percent of the median income often need federal or state government housing assistance and are beyond the scope of zoning influence.

5. RIVERDALE'S PROGRAM TO ENCOURAGE MODERATE INCOME HOUSING

The Moderate Income Housing Element was originally adopted as part of the Riverdale City General Plan in April of 2001. From 1995 to 2020 the City has seen the population go from 7207 to just over 8800. Estimates of the City and WFRC have determined that the population forecast of Riverdale in the year 2042 will be up to between 13,000 and 17,000 residents.

Riverdale City has implemented a Redevelopment Agency (RDA) Loan Program that provides no-interest or low-interest loans of up to \$30,000 to homeowners that qualify. Riverdale will continue to support the supply of affordable housing in both rental and owner occupied for people at low- and moderate-income levels that meet the needs of a population which varies in household size and age. The City anticipates that current zone and land use regulations will continue to provide a more than adequate supply of moderate income housing in the future. At this time the City is seeing potential for a substantial increase in moderate income housing units as there are new proposals for apartments, townhomes, and/or condominium units being planned to be reviewed and considered by the Planning Commission and City Council. Currently, the City appears to be over the State moderate income housing recommendation based on our population and median income levels. If a previously undeveloped area of the city were to be developed in the future and at that time it was determined there is a greater need for moderate income housing, city officials could update the General Plan and pursue the adoption of

²⁰ <http://portal.hud.gov/hudportal/HUD>

appropriate ordinances to encourage additional moderate income housing growth and development.

Allowances for impact fee waivers and “fast tracking” of the approval process: Most developers and contractors are pleasantly surprised to discover that Riverdale City has no impact fees and our permit and development fees are some of the lowest in the State. As far as “fast tracking” the approval process, our Planning Commission and Council each meet twice a month and are noted for moving that process along quickly. Riverdale City also allows for “fast tracking” in the building process which allows contractors to submit and proceed with the construction of design segments of a plan while continuing preparation of the entire building plan.

MODERATE INCOME HOUSING STRATEGIES AND IMPLEMENTATION PLANNING

As noted earlier in this moderate income housing plan element, in 2022 the Utah State Legislature passed and approved House Bill 462 with the requirement that designated cities and counties of a large enough population grouping are to include additional reporting content. Based on Riverdale City being located within the Weber County population grouping, House Bill 462 requires that Riverdale City participate in this moderate income affordable housing strategy analysis and implementation planning activity.

In following the guidance and requirements of House Bill 462, Riverdale City is expected to select a minimum of at least three strategies from a large menu of options proffered by House Bill 462. Riverdale City is currently utilizing eight of these proffered menu options, which is well beyond the minimum requirement established by House Bill 462. Riverdale City’s selected strategies are discussed briefly in more detail hereafter with a bit of additional information regarding current and future implementation plans associated with the selected strategies.

Moderate Income Housing Strategy #1: Rezone for densities necessary to facilitate the production of moderate income housing.

Over the last few years, Riverdale City has approved multiple rezone requests that allow for the development of smaller lot single-family homes and also multi-family homes development. Further in conversations with developers, Riverdale City leadership has been strongly encouraging the consideration of developing a percentage of home units within these rezoned project areas as moderate income affordable housing units to provide more affordable housing options to financially impacted groups within the City.

As it relates to the implementation policies and planning for rezoning to accommodate moderate income affordable housing growth, Riverdale City has most recently approved rezoning to the smallest sized zones that accommodate small lot single family homes (R-1-4.5 and R-1-6) and also rezoning to multi-family (R-4 and R-5) zoned areas to accommodate new multi-family housing opportunities within Riverdale. These efforts to rezone have been implemented as a first step to work with developers on establishing more moderate income affordable housing units in the near and long term future of Riverdale City. Development associated with rezoning of these areas will be tracked to better

identify how many new housing units are established in these rezoned areas and further to identify and attempt to quantify how many are set aside as moderate income affordable housing units to assist financially impacted demographic groups within the City.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in years 2020 and 2022 to accommodate new higher density and moderate income development opportunities in the rezoned areas;
- Anticipated City review of higher density and moderate income housing to go through subdivision review process in 2022-2023 years within the above noted rezone areas;
- Anticipated development of new higher density and moderate income housing expected to occur in 2023-2025 years within the above noted rezoned areas;
- Additional rezone requests of property that may accommodate and support opportunities for more moderate income housing may also be reviewed and considered by the City by or before the year 2027.

Moderate Income Housing Strategy #2: Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing.

As noted earlier in this moderate income housing analysis, the Redevelopment Agency of Riverdale City has invested RDA funding into a Riverdale Senior Center that provides approximately 20 senior apartments with moderate income rental rates. This investment in real estate, infrastructure, and facility development was deemed to be a benefit to the community and those financially impacted seniors seeking low-impact housing at moderate income rental rates. More recently, the Redevelopment Agency of Riverdale has funded remodeling and additional improvements to benefit the senior residents as well as to provide other services to the senior community of Riverdale and Weber County. Further, Riverdale City has approved multiple Planned Residential Unit Developments (PRUDs) that often are developed as patio home style developments and tend to be more attractive to senior lifestyles with limited income opportunities.

Additionally, the Redevelopment Agency of Riverdale City (under direction of City leadership) has subsidized the installation of public infrastructure improvements and utilities upgrades within RDA areas that are intended to not only benefit commercial development but also residential development in the near future. City leadership anticipates and is requiring the development of some form of low to moderate income housing to be a component of multi-family housing unit development within one of these particular RDA areas and is further seeking more opportunities to assist in the rehabilitation of utilities and other activities to benefit existing multi-family housing development areas with the encouragement to have these developments consider more moderate income and affordable housing unit availability.

As it relates to the implementation planning and policies, Riverdale City will continue to track the establishment of new housing units within these RDA areas

and further encourage/require the development of moderate income and affordable housing units within these RDA areas. Further, Riverdale City and the RDA will continue to work with existing multi-family rental unit facilities to seek opportunities to establish more moderate income housing units in potential exchange for investment in adjacent rehabilitation or expansion of City utilities and facilities.

Benchmarks for this strategy are linked to the following timeline:

- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City's senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;
- Anticipated discussion, City review, and development of property for moderate income housing units within the 550 West RDA area is expected to occur by or before the year 2027;
- Anticipated Redevelopment Agency infrastructure investment to benefit newly developed moderate income housing units and multi-family development within the 550 West RDA area expected to occur by or before the year 2027.

Moderate Income Housing Strategy #3: Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

Riverdale City is benefitted by multiple major transit investment corridors, commercial centers, and employment centers that are scattered in multiple locations throughout the City. As a result, Riverdale City leadership is well aware of the fact that variations in housing options should be explored and made available to the local community and even more that there needs to be an improvement of more moderate income and affordable housing options in closer proximity to these locations. That being the case, in the more recent years and even currently this year, Riverdale City has approved rezoning from high density commercial zoning and moderate residential density zoning to multi-family (R-4 and R-5) density zoning areas that are adjacent or near to major transit investment corridors, commercial centers, and employment centers. Examples of such rezoning include rezoning of parcels at the corner of 4400 South and 700 West, rezoning of parcels along Riverdale Road and 700 West, and rezoning of parcels along 300 West and Pacific Avenue that will now accommodate new multi-family housing units. Further, future development areas that have previously been rezoned to and planned to accommodate multi-family housing units and moderate income housing units therein include: properties across the Weber River to the east of 900 West and River Park Drive (Mixed Use Zoning), along River Park Drive (to consider a future potential Mixed Use Zoning), and along 550 West within the 550 RDA area (to consider a future multi-family density rezoning).

The hope of and strong encouragement by City leadership is for these developments to accommodate a percentage of moderate income affordable housing options to those with limited income opportunities. Riverdale City

leadership is aware that more multi-family residential development adjacent and approximate to commercial and employment centers and boost and benefit the economic opportunities of those areas and benefit the residents of the community as a whole.

The implementation planning and policies will include, like other selected strategies, the tracking of new housing unit development and further efforts to work to identify and quantify new moderate income and affordable housing units developed within the future planned multi-family housing development areas. Additionally, as previously noted, Riverdale City will also consider and support rezoning requests that bolster new multi-family and affordable housing opportunities more specifically along major transit investment corridors, commercial centers, and local employment centers.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in prior years for a mixed-use zoned area adjacent to a large commercial center. More recently during the years 2020 and 2022 rezoning of properties has been approved to accommodate new higher density and moderate income development opportunities in other areas of the City that are adjacent to Riverdale Road and other employment/commerce centers of the City;
- Anticipated City review and consideration of higher density and moderate income housing development project adjacent to Riverdale Road to go through subdivision review process in 2022-2023 years;
- Anticipated City review and consideration of higher density and potential moderate income housing development project adjacent to employment and commerce center to go through subdivision review process in 2022-2023 years;
- Anticipated City review and consideration of a large acreage (70 acres) mixed-use style higher density and moderate income housing development project adjacent to large commercial center to go through subdivision review process in phases during the 2022-2027 years. This development is anticipated to have nearly 900 new residential units of varying sizes and use needs (small density up to high density residential units development);
- Anticipated development of multiple new higher density and moderate income housing expected to occur in 2023-2027 years within these rezoned areas that are adjacent to Riverdale Road, large commercial centers, and employment hubs;
- Additional rezone requests of property located along Riverdale Road and/or near employment/commerce centers may also be reviewed and considered by the City by or before the year 2027.

Moderate Income Housing Strategy #4: Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund.

Riverdale City has directed and authorized the Redevelopment Agency of Riverdale City to support and fund various housing rehabilitation and maintenance activities of existing housing units in older neighborhoods identified throughout the City. This RDA program is called the “RDA Residential Loan Program” and was

established to maintain and improve existing residential areas of the City through a property Purchase Assistance Program—to benefit new home buyers of older homes in the City that may need a bit of repair or improvement; and a Housing Rehabilitation Loan Program to provide no-interest or low-interest loans to homeowners who meet certain income guidelines and are qualifying at or below 80% HAMFI standards in order to qualify for the funding assistance.

The RDA of Riverdale provides this service to the residents of the community in order to maintain moderate income and affordable housing opportunities within the community to young, lower income, and/or elderly residents looking to purchase a home in Riverdale or currently living within the City. The City supports this program because it provides the additional benefit of maintaining property occupancy and stability in the neighborhoods that currently have a higher amount of moderate income housing units.

As it relates to the implementation planning and policies for this strategy, Riverdale City is able to monitor annual progress towards this goal through the review and evaluation of efforts of the Redevelopment Agency staff in administering these programs to applicants. Further, these programs require educational components to be provided to existing and future residents and Riverdale City makes effort to frequently provide information to the residents and the public about the availability of these programs. This information regarding the housing program subsidies is provided to Riverdale homeowners and other individuals who may be seeking to live in Riverdale City and qualify as needing moderate income and affordable housing assistance.

Benchmarks for this strategy are linked to the following timeline:

- This RDA Residential Loan Program has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to assist homeowners and future home buyers to rehabilitate moderate income housing units—this program is anticipated to continue functioning to the year 2027 and thereafter as a benefit to the Riverdale community;
- Anticipated review and reporting of qualifying loans issued to existing homeowners and future home buyers to occur at the end of years 2022 to 2027 to verify how the program is functioning in assisting with rehabilitation of moderate income housing units throughout the City.

Moderate Income Housing Strategy #5: Reduce, waive, or eliminate impact fees related to moderate income housing.

As noted earlier in this document, Riverdale City does not impose impact fees on any residential development projects (as well as commercial development projects). Having no impacts fees is a consistent administrative tradition that City leadership has been proud of over the many years and continues to support. This is viewed as a great benefit of developing residential projects in Riverdale City. That being said, it should be noted that there is a pass along Central Weber Sewer District fee that the City collects on behalf of the Sewer District during the building permit process.

This strategy of no impact fees provides cost savings to project developers who are desiring to build or redevelop more residential units within Riverdale City and encourages money to be set aside to fund the addition of moderate income and affordable housing units as part of residential development projects. Further, this benefit may allow for the development of a higher quality multi-family housing development project that is more attractive to a larger targeted demographic who is seeking housing within the Riverdale community. Having no impact fees has been and will continue to be a key component to the success of development within Riverdale City, as the City has no interest in assessing impact fees in the near and distant future.

The implementation planning and tracking for this strategy is accomplished by identifying how many new housing units, specifically multi-family housing units, are being newly developed or redeveloped in the City based on a understanding that no impact fees contributed to this new housing growth and/or redevelopment. Further, the City can then identify and work to quantify how many of these new residential housing units are being set aside by the project developers and owners as moderate income and affordable housing units.

Benchmarks for this strategy are linked to the following timeline:

- This waiving of impact fees has been established for many prior years to now and is anticipated to continue functioning as such well beyond the year 2027 to the benefit of the overall Riverdale community;
- Anticipated review and reporting of new moderate income housing units that have benefited from no impact fee assessment in the City and have been developed throughout the year, to be summarized at the end of each year starting with the year 2023 and moving forward thereafter to the year 2027 and beyond.

Moderate Income Housing Strategy #6: Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

As previously noted in “Moderate Income Housing Strategy #4”, Riverdale City has directed and authorized the Redevelopment Agency of Riverdale City to support and fund housing rehabilitation and maintenance activities of existing housing units in older neighborhoods throughout the City. This RDA program is identified and known as the “RDA Residential Loan Program” and is discussed in more detail in the “Moderate Income Housing Strategy #4” review commentary above. This program has two specific program options and expectations to qualify for program compensation assistance. The two program options are entitled the Purchase Assistance Program and the Housing Rehabilitation Loan Program, with an explanation of each program in more detail under “Housing Strategy #4” and also on the City RDA website.²¹ These funds are provided to this RDA loan program through specified housing funding set asides that are dedicated to housing development and retention of moderate income housing within the

²¹ RDA Residential Loan Program, <https://www.riverdalecity.com/rda-housing-loan-program.html>

entirety of City limits.

Additionally, as noted previously in “Moderate Income Housing Strategy #2” the Redevelopment Agency of Riverdale City has other newer RDA areas that have been established and are required to develop infrastructure, utilities, and identify other ways to dedicate RDA funding to benefit the development of new moderate income affordable housing stock within these specific RDA areas. The set aside funding for these RDA areas should support and strengthen development interest in adding new multi-family and moderate income housing facilities within the RDA areas that is anticipated to thereafter contribute to the success of the surrounding commercial development within these RDA areas.

As previously outlined in “Moderate Income Housing Strategy #2” and “Moderate Income Housing Strategy #4”, the implementation planning and policies Riverdale City should utilize for this strategy are to monitor annual progress towards the goal of developing new moderate income affordable housing by making sure that RDA funding is dedicated to infrastructure and utility development that benefit the development of new moderate income housing units within the City and through the review and evaluation of efforts of the RDA staff in administering the RDA housing programs to applicants. Redevelopment Agency staff will continue to verify that these activities are occurring as previously established and will work to quantify and qualify the amount of newly generated moderate income housing units, as well as, the retention of existing and improved moderate income housing units that benefit from the RDA Residential Loan Program options.

Benchmarks for this strategy are linked to the following timeline:

- This RDA Residential Loan Program has been established for many prior years now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to assist homeowners and future home buyers to rehabilitate moderate income housing units—this program is anticipated to continue functioning to the year 2027 and thereafter as a benefit to the Riverdale community;
- Anticipated review and reporting of qualifying loans issued to existing homeowners and future home buyers to occur at the end of years 2022 to 2027 to verify how the program is functioning in assisting with rehabilitation of moderate income housing units throughout the City.
- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City’s senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;
- Anticipated discussion, City review, and development of property for moderate income housing units within the 550 West RDA area is expected to occur by or before the year 2027;
- Anticipated Redevelopment Agency infrastructure investment to benefit newly developed moderate income housing units and multi-family development within the 550 West RDA area expected to occur by or before the year 2027.

Moderate Income Housing Strategy #7: Develop a moderate income housing project for residents who are disabled or 55 years old or older.

Earlier in this document “Moderate Income Housing Strategy #2” briefly explained that the Redevelopment Agency of Riverdale City has invested RDA funding into a Riverdale Senior Center that provides 20 senior (55 years old or older) apartments to residents at moderate income rental rates. This facility is composed of 12 single-bedroom units and 8 two-bedroom units that are always occupied with senior aged renters. This senior apartment facility additionally provides access to activities, weekday lunches, occasional clinics and other RDA and City funded activities and administration to the benefit of the apartment residents, as well as, the overall senior community within Riverdale City and Weber County. Riverdale City takes pride in this facility and the housing and services provided to the elderly demographic within the local community.

This RDA investment in real estate, infrastructure, and facility development was deemed to be a benefit to the community and those financially impacted seniors seeking low-impact housing at moderate income rental rates. More recently, the Redevelopment Agency of Riverdale has funded remodeling and additional improvements to benefit the senior residents as well as to provide other services to the senior community of Riverdale and Weber County.

Additionally, as noted multiple times in this document, Riverdale City has approved multiple Planned Residential Unit Developments (PRUDs) that often are developed as patio home style developments and tend to be more attractive to senior lifestyles with limited income opportunities. At the current time, Riverdale City has 8 PRUD approved and developed residential areas throughout the community and one that has been approved but not developed presently. A large number of these PRUD residential housing units are currently occupied by senior aged (55 years old and older) residents living in Riverdale.

As it relates to the implementation planning and policies for this strategy, Riverdale City will continue to maintain and utilize the Riverdale Senior Center and internal apartments in order to provide continued housing, activities, and support services to the elderly demographic of the community who are often on fixed incomes and limited new income opportunities. Further the City will continue to track the establishment of new PRUD housing units throughout the City and will continue to work with new housing developers to seek inroads for new moderate income housing growth within these PRUD areas.

Benchmarks for this strategy are linked to the following timeline:

- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City’s senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;
- Improvements continue to be made with the Riverdale Senior Center. The Redevelopment Agency will continue to monitor expenses utilized to maintain senior apartment units that are at moderate income rates and track annually the

progress made in maintaining these units at moderate income rental rates, as previously tracked, and will continue said reporting into years 2022 to 2025.

- Anticipated review and reporting of any potential new moderate income housing units that may have been established by future Planned Residential Unit Development (PRUD) that are developed to financially assist the needs of senior aged (55 years old and older) homeowners in these projects, to be summarized with the year 2023 and moving forward thereafter to the year 2027 and beyond.

Moderate Income Housing Strategy #8: Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones.

As noted throughout this document, Riverdale City zoning code currently has an established Mixed Use (MU) zoning standards and criteria ordinance. The Mixed Use (MU) zoning has been applied in two distinct areas at the current time to allow for a variety of mixed uses (single family and multi-family residential, commercial, office, etc.) to be developed together in a specified geographical district within the City. Additionally, the City is open to considering the application of the Mixed Use (MU) Zone into other districts of the City that may benefit from this zoning application as it may enhance and connect to existing similar uses and districts in an area of the City (e.g. surrounding commercial and/or job centers). The Mixed Use (MU) Zone uses and standards are outlined in more detail in the Riverdale City Code.²²

At current time, there is a 70-acre area of land that is zoned Mixed Use (MU) and the City anticipates in the near future development of a high-level multi-family, townhomes, and single-family mixed use residential development that may bring in up to 900 new residential housing units to Riverdale City. This development alone will have huge implications on the housing stock within the City and will surely impact and we expect to provide new moderate income affordable housing unit availability to the Riverdale community. There have also been discussions with another property owner of developing a newer concept of work-live units on property near one of City's established commercial districts that would require rezoning to the Mixed Use (MU) Zone to accommodate these new residential-commercial combination units within the City. The City leadership seems to be supportive of this idea due to its proximity to an existing commercial district and relative location within the City.

The implementation planning and policies to support this strategy include: a willingness by the City leadership to consider amendments to the Mixed Use (MU) Zone to better attract more moderate income housing units development within the MU Zone, as well as, attract high-quality development with these potential amendments; City leadership willingness to consider development agreement strategies that allow for variations of the Mixed Use (MU) zoning codes so that unique visions within a Mixed Use (MU) Zone framework can be considered within a specified district of the City; and monitoring development of future projects

²² Riverdale City Code, https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-5729

within the Mixed Use (MU) Zones to better understand development trends, quantify new housing growth within these areas, qualify the benefits and impacts to integrated commercial and job opportunities in these MU Zoned areas, and more specifically work to achieve significant new moderate income affordable dwelling development within these MU Zoned districts.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in prior years for a mixed-use zoned area adjacent to a large commercial center. More recently during the years 2020 and 2022 rezoning of properties has been approved to accommodate new higher density and moderate income development opportunities in other areas of the City that are adjacent to Riverdale Road and other employment/commerce centers of the City;
- Anticipated City review and consideration of a large acreage (70 acres) mixed-use style mixed density and moderate income housing development project adjacent to large commercial center to go through subdivision review process in phases during the 2022-2027 years. This development is anticipated to have nearly 900 new residential units of varying sizes and use needs (small density up to high density residential units development) that will function in a walkable micro-community within the City;
- Development Agreement between the City and developer of the large acreage (70 acres) mixed-use style housing development has recently been amended in the year 2022 and is anticipated to be further amended in the year 2023 with the expectation the developer will provide moderate income housing unit inclusion in the development project;
- Anticipated construction and development of multiple new single family residential units, moderate density residential units, and new higher density units with an amount of moderate income housing inclusion in the development project expected to occur in 2023-2027 years within the large acreage mixed-use zoned area that is adjacent to a large commercial center and employment hubs and in close proximity to Riverdale Road;
- Anticipated City review and consideration of rezone request for new Mixed Use (MU) Zone application on approximately 5-7 acres in close proximity to Riverdale Road and adjacent to a commerce center to allow for potential production of moderate income work-live housing consideration to through rezone review process in 2023-2024 years
- Anticipated City review and consideration of higher density and potential moderate income housing work-live development project in close proximity to Riverdale Road and adjacent commerce center to go through subdivision review process in 2023-2027 years;
- Anticipated future construction and development of the potential moderate income housing work-live dwelling units in walkable proximity to Riverdale Road and adjacent to commercial center expected to begin development during the years 2024-2027 years;
- Additional potential requests for Mixed Use (MU) rezone of property located along Riverdale Road and/or near employment/commerce centers may also be reviewed and considered by the City by or before the year 2027.

House Bill 462 requires that each jurisdiction work to bring these strategies to life over the next five years and report annually on progress made. Riverdale City will annually (or even

more frequently) monitor and review how progress is being made in implementing each of these strategies and, thereafter, report on this information to the State of Utah as directed by House Bill 462. The City will continue to apply these strategies in identifying and creating additional moderate income housing opportunities within the City; further specific measures and benchmarks, as available and identifiable, will be reported accordingly to State of Utah in order to verify progress made and achieved by Riverdale City as a result of these selected moderate income and affordable housing strategies.

RIVERDALE HOUSING GOALS AND OBJECTIVES

The Housing Development Plan with the moderate/affordable income housing element provides a vision statement as a foundation for all affordable housing and those supportive activities, goals, policies and programs. The vision statement includes the following:

1. Continue to revitalize neighborhoods and enhance the vitality of the region by improving the quality of the housing stock through rehabilitation of existing dwellings through Riverdale's RDA program.
2. Sustain affordable housing (rental and owner occupied) for people at very low-, low-, and moderate-income levels that meet the needs of a population which varies in household size and age.
3. Increase the level of rental assistance for very low and low income and special need populations.
4. Promote additional funding sources from the public, non-profit, and private sectors in order to create necessary housing for the region.
5. Ensure an adequate supply of safe, accessible, sanitary, and aesthetically pleasing moderate income housing integrated throughout the City in various locations, and consistent with the needs of all segments of the population.
6. Sustain a mix of lot sizes and housing types in existing developments so that moderate income housing is properly integrated and not concentrated in one development or area.
7. Encourage requirements to keep moderate income housing consistent with other residential development within the City, such as landscaping, quality building materials, and varied architectural styles.
8. Consider the adoption of a rehabilitation code to address improvement of older residential buildings/units to encourage stability and revitalization of older residential areas.
9. Often review and update the Moderate Income Housing Element and Affordable Housing Model to determine the housing needs for all groups, to quantify specific housing needs, and to identify solutions to housing problems as directed by state statute.

10. Regularly review the HB 462 selected moderate income housing growth element strategies and verify that the selected strategies are working to establish new moderate income housing opportunities within the City. If a selected moderate income housing growth strategy is not working, then identify alternative strategy options that may be more beneficial to the City in creating new moderate income housing opportunities within the City.

DRAFT

HOUSING POLICIES

Updated by Community Development – ~~912-4514~~-2022

INTRODUCTION

The attractiveness and desirability of neighborhoods as well as the design, location and the quality of the construction of residential units greatly influences the quality of life for a community's residents. Riverdale encourages residential communities and those living in them to take pride in caring for their homes.

The population of Riverdale City has grown in the past 45 years.

Table G - Population Growth

Riverdale City			Weber County	
Year	Population	Growth	Population	Growth
1980	6031		144,616	
1990	6419	6.4%	158,333	9.4%
2000	7656	19.3%	196,533	24.1%
2010	8189	7.0%	222,849	13.4%
2020	8826	7.8%	255,284	14.6%
2025	9496 est.	7.6% est.	283,415 est.	11.0% est.

1. Housing is constructed to meet the minimum requirements of the adopted codes which include safeguards against natural and man-made environmental hazards.
2. Residential developments within the Hill AFB/APZ areas are regulated or restricted by an easement agreement with property owners within this area.
3. Future residential development will be designed so as to be compatible with existing neighborhoods and to preserve the peaceful character of Riverdale.
4. Commercial, industrial, and high-density housing shall be located in areas offering the least impact on existing residential areas and infrastructure.

Part of Riverdale's General Plan (adopted April 25, 2001 and updated on November 15, 2011, September 2, 2014, and most recently parts of the Plan on November 19, 2019) includes a Housing Development Plan for the city with a Housing Goals and Objectives section as a foundation for all affordable housing or supportive activities, goals, policies and potential programs.

MODERATE INCOME HOUSING ELEMENT

INTRODUCTION

The availability of moderate income housing has become a statewide concern. In 1996, the Utah State Legislature adopted 10-9-307 of the Utah Code dealing with "Plans for

Moderate Income Housing”. This section of the State Code requires that every municipality adopt a plan for moderate income housing within the community. The plan must address the following five issues:

- 1) An estimate of the existing supply of moderate income housing located within the municipality;
- 2) An estimate of the need for moderate income housing in the municipality for the next five years as revised biennially;
- 3) A survey of total residential land use;
- 4) An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- 5) A description of the municipality’s program to encourage an adequate supply of moderate income housing.

The purpose of the Moderate Income Housing Element of the Riverdale City General Plan is to address these five issues and to establish the City’s goals and policies for moderate income housing.

Moderate income housing, as defined by the Utah State Code 10-9a-103 (34), is: “...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income for households of the same size in the county in which the city is located”. The 2020 median income level for Weber County for a household of four is approximately \$90,397 and in Riverdale it is approximately \$65,234 according to US Census Bureau data.¹ The Weber County median income level is recommended by the State to be used by Riverdale in determining whether or not housing is affordable.

Further, in 2022, the Utah State Legislature adopted House Bill 462 which significantly revised the Moderate Income Housing Element of the Utah Code. This revision now requires that designated cities and counties of a large enough population grouping are to include additional reporting content which is specifically:

- A description of each moderate income housing strategy selected by the municipality, from a menu listing of multiple options outlined in House Bill 462; and
- An implementation plan for those selected strategies with specific measures and benchmarks to explain the progress of each of the selected strategies.

1. RIVERDALE AFFORDABLE HOUSING POLICIES

Housing is one of the most basic needs of all people. All residents of Riverdale should have access to adequate housing regardless of income.

- Riverdale should encourage the development of residential areas of various densities and price ranges.

¹ U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey

- The city encourages a diversity of housing types and cost ranges, including those that will permit persons of low and moderate incomes to locate in Riverdale City.

Riverdale has various alternative housing types. These existing units represent owner occupied mobile homes and trailers, as well as rental units including apartments, duplexes and fourplexes. These housing units total 1,307 dwellings, which represents 39 percent of the 3,369 total number of dwellings in the City. Additionally, there are currently (as of August 2022) 991 rental unit dwellings within Riverdale City.

The cost of housing continues to rise due to the increasing cost of building materials, real estate and necessary public infrastructure such as roads, water, sewer and power. According to the U.S. Census Bureau, in 2020 the average sales price for a home was approximately \$249,100 in Weber County. In 2020 the home prices in Riverdale City averaged \$230,100.² Further, according to the Wasatch Front Multiple Region Listing Service (MLS) in 2022 the median sales price for a home in the Riverdale/Ogden area was \$507,500.³ Another interesting feature of Riverdale City is that the City as a whole is located in only one established Census block.

2. ESTIMATE OF EXISTING SUPPLY

In order to assist municipalities in estimating the existing supply of affordable housing units within each city, the State has provided analysis tools for estimating affordable housing units available in Riverdale City. Riverdale City used this data to estimate their existing supply, which involved an evaluation of the current census data, as well as, residential building permits issued between 2018 (the date of the last moderate income housing analysis) and June of 2022, including the number of single family and multifamily permits issued and their valuation.³ An analysis of residential building permits issued between 2018-June 2022 showed that the City issued the following number of residential permits for new housing:

2018-June 2022 Residential Permits

Single Family 99
 Condominium 0
 Twin Home 0
 Duplex 0
 Internal Accessory Dwelling Units (IADUs) 0
 Mobile Homes 56
 Apartment Units 42
 Total: 197⁴

Using the State's criteria for median income housing and affordability, an analysis of the valuation of each permit was done. That analysis showed that of the 197 residential permits issued between 2018 and June 2022, approximately 28 percent would be

² U.S. Census Bureau. Table B25097: Mortgage status by median value (dollars). American Community Survey

³ Salt Lake Tribune, 2022, "Weber County", <https://www.sltrib.com/homeprices/>

⁴ Riverdale City Planning and Zoning Department, 2022

considered affordable housing and up to 50 percent could potentially be considered affordable housing. Most of the noted mobile home units are due to the location of new mobile homes onto available lots within currently existing mobile home residential areas.

According to the Utah State Five-Year Housing Projection, Riverdale has a smaller number of rental units for households making 80 to 50 percent (approximately 230 units) and a small shortage of available rental units (approximate deficit of 45 plus units) for households making 30 percent of Metropolitan Statistical Area Median Income (MSAMI).⁵

3. ESTIMATE OF THE NEED FOR MODERATE INCOME HOUSING IN THE MUNICIPALITY FOR THE NEXT FIVE YEARS

The majority of the need for moderate income housing within Riverdale is to serve the city's own growth as well as provide housing for migrants/commuters working in Weber County and the neighboring cities of the Metropolitan Statistical Area (MSA). Riverdale's goal is to provide adequate housing for existing and incoming residents and more particularly their children as they grow up and move out of their parents' homes.

According to the 2020 U.S. American Community Survey data, Riverdale's population increased from 8,189 in 2010 to 8,826 in 2020 with an increase of 637 residents. If the city's current growth trend continues, the Utah State Five-Year Housing Projection estimates that new residents should be able to find moderate income housing options for the foreseeable future. It is estimated that population growth in Riverdale between the present time and 2040 will likely create moderate-income housing demand for individuals and families earning 80 percent, 50 percent, and 30 percent of the MSAMI.

Currently, Riverdale has affordable housing availability for moderate income families making 80 percent of the MSAMI with 39 percent of the city's housing potentially available to provide moderate income housing to create an adequate supply of units. Additional moderate income housing units may be required during the next five years as previously undeveloped areas of the city are developed and/or redeveloped. The net need for moderate income housing in the 80 to 50 percent categories is currently slightly less than available housing units. There has been a significant decrease in net housing need for families in the 30 percent category although there still exists a deficit of housing units needed in this demographic category.

Riverdale has various alternative housing types. These existing units represent owner occupied mobile homes and trailers, as well as rental units including apartments, duplexes and fourplexes. There have been several studies presented to Riverdale City during previous years, by multifamily dwelling developers, indicating there is a market for apartment, condominium, and townhome type multifamily dwellings in the Weber County area. Currently in the city, single family dwelling rentals, mobile homes, apartment units, duplexes and fourplexes total 1,307 dwellings and represent 39 percent of the 3,369 total dwellings in the City as of 2020. In 2020, based on a breakdown of housing types and U.S. Census data, the statistics reflect that Riverdale City has a 6.2 percent rental vacancy rate and this would indicate that the City currently has a somewhat limited number of current

⁵ Department of Workforce Services, State of Utah. Five Year Housing Projection Calculator, 2021

multifamily dwelling units available.⁶

Table I - Housing Types

Year	Owner Occupied Homes	Rental Homes	Occupied Units Paying Rent	Homeowner Vacancy	Rental Vacancy
2010	2286	748	741	1.7%	5.8% ⁷
2014	2153	899	844	1.8%	12.9% ⁸
2016	2430	799	721	3.1%	15.7% ⁹
2020	2463	883	828	0.7%	6.2% ¹⁰

The cost of housing in Utah continues to rise due to the increasing cost of building materials, real estate, and necessary public infrastructure such as roads, water, sewer and power. According to the Utah Census, in 2020 the average sales price for a home was approximately \$249,100 in Weber County. In 2020 the home prices in Riverdale City averaged \$230,100 and in 2022 were at \$507,500. The need for affordable housing throughout Weber County continues to grow but Riverdale City is nearly built out and has a limited amount of land still available for development. Larger single-family subdivisions should be developed in neighboring cities because Riverdale does not have much land available for this type of development. There are areas of the city that could be redeveloped into housing, but this requires the removal of existing homes on lots that could potentially accommodate multiple dwellings. There are also a very limited number of building lots in the city that may qualify as infill lots without removing existing dwellings.

Table J - Housing Costs

Year	Riverdale City House Payment	Rent	Weber County House Payment	Rent
1980	\$395	\$237	\$344	\$224
1990	\$661	\$326	\$650	\$286
2010	\$914	\$756	\$1,284	\$628 ¹¹
2016	\$968	\$765	\$1,046	\$795 ¹²
2020	\$1,309	\$965	\$1,437	\$958 ¹³

According to the 2020 American Community Survey numbers, Riverdale's average owner-occupied home ownership was 73.1 percent, and the renter-occupied housing units was at 24.6 percent with a small percentage of vacant housing units at 2.3 percent. Riverdale City's housing objectives include providing adequate moderate income housing for individuals who

⁶ U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

^{7&8} U.S. Census Bureau. Selected Housing Characteristics American Community Survey 5-Year Estimates

^{9&10} U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

¹¹ www.city-data.com Riverdale Utah Houses and Residents 2009 and the Utah Affordable Housing Model
<http://www.huduser.org/datasets/50per.html> 2001-2012

^{12&13} U.S. Census Bureau. Table B25088: Median selected monthly owner costs (dollars) by mortgage status. and Table B25064: Median gross rent (dollars). American Community Survey.

wish to work and live in the city so that families renting or seeking less expensive housing have an alternative to locating in outlying areas and commuting if employed in Riverdale City. This goal will help the city prevent: increased traffic congestion, the need for more roads, greater energy consumption and an increase in air pollution, all while encouraging businesses to locate closer to their employee base. Development of the West Bench RDA Project Area has the potential to create an estimated 500 plus new retail/service type jobs based on the 60 acres of land available for new development. The number and types of jobs created could necessitate additional affordable housing in Riverdale, some of which could conveniently be constructed within the boundaries of Riverdale City. Projected needed affordable housing units to support the West Bench Project Area are based on the 2019 census information which indicates approximately 6.5 percent of those who live in Riverdale work in Riverdale.¹⁴

Riverdale City leadership would like to see this percentage increase so that more residents have closer access to job opportunities within their local community. Using these figures, Riverdale estimates this project area could create a need for the potential addition of 100 moderate income housing units, which our present and projected vacancy rates would absorb. Over the next five years, the city is confident this vacancy rate and absorption is accurate and does not create a great need for the development of large amounts of additional moderate income affordable housing units.

Table K - Housing Income

	Riverdale City	Weber County
Year	Household Income	Household Income
1980	\$18,323	\$17,287
1990	\$31,075	\$30,125
2010	\$52,125	\$54,086
2016	\$53,665	\$59,660
2020	\$54,723	\$71,275 ¹⁵

The percentage of households renting in Riverdale had decreased from 32.5 percent in 1990 to 23.2 percent in 2010. However, in 2020, the percentage of households renting in Riverdale has increased slightly to 24.6 percent as compared to 23.1 percent for Weber County.

Riverdale City has more than the state required rental housing for our population with the inclusion of mobile and modular home rental spaces. With the rapid rise of the elderly segment of the City's population, affordable elderly housing is a growing need that Riverdale City proactively addressed by building a Senior Center with 20 housing units using RDA funds in 2005. Riverdale City is also supportive of the new growth in owner occupied, slab-on-grade, patio type single-family dwellings that have recently been built in Riverdale as these types of dwellings are easy to market and popular with Riverdale's growing senior population. Further, we anticipate more of this style of development in the future within Riverdale City.

¹⁴ "Inflow/Outflow Analysis" at <http://onthemap.ces.census.gov/>

¹⁵ U.S. Census Bureau Table B25119: Median household income past 12 months. American Community Survey

Table L - Percent Renting

Year	Riverdale City Percent Renting	Weber County Percent Renting
1980	21.8%	29.6%
1990	32.5%	27.0%
2010	23.2%	25.0%
2016	23.1%	25.5%
2020	24.6%	23.1% ¹⁶

There were 766 persons living below the poverty level in Riverdale City in 2020, which represents 8.7 percent of the population with 29.5 percent children under 18 years old.¹⁷ The average Riverdale per capita income in 2020 was \$26,471, just under Weber County at \$29,186.¹⁸ As people begin their careers in entry-level positions with modest incomes they typically reside in apartments or starter homes. These types of housing in Riverdale City attract youth and bring vitality to the community. Therefore, one of Riverdale's goals is to promote an adequate supply of housing to meet the needs of all economic segments of the community. To encourage more affordable housing opportunities, Riverdale must continue to support the following programs:

- Private or public sector U.S. Department of Housing and Urban Development (HUD) housing development grants and Section 8 program rental subsidy certification for families, the elderly, and handicapped households. All of Riverdale's large meter residential complexes and Senior Housing Facility and all new residential construction are Americans with Disabilities Act (ADA) compliant.
- The Land Use Master Plan map provides for development densities that allow a variety of housing types, including townhouses, condominiums, manufactured homes, and detached single-family homes. This range in housing types and densities is designated in order to help meet the need for affordable housing. The Riverdale core neighborhoods are an ideal location for infill development (where available) compatible with existing homes. They would be close to developed infrastructure and existing goods and services.
- In addition to these residential zones, the City also allows clustered residential developments under Planned Residential Unit Development and Cluster Subdivisions ordinances. The PRUD provisions function as overlay zones and allow design flexibility in the development of lands within the City. These clustering ordinances encourage the realization of many potential public benefits, one of them being to encourage the construction of affordable housing units under conditions and requirements that will insure development of residential environments of sustained desirability and stability.

¹⁶ U.S. Census Bureau. Table B25001: Total Housing units. and Table B25032: Tenure by units in structure. American Community Survey

¹⁷ U.S. Census Bureau. Table B17020: Poverty status in the past 12 months by age. American Community Survey

¹⁸ U.S. Census Bureau. Quick Facts: Per capita income in past 12 months (in 2020 dollars), 2016-2020, Riverdale City, Utah

- Riverdale City currently has several PRUD developments currently with 185 single story on-grade patio homes. These developments typically have small lots and with this type of dwelling are geared more toward the senior population.
- Riverdale City encourages the availability of affordable housing alternatives for the disabled, elderly, single mothers, persons with AIDS, victims of domestic abuse, and the homeless. Riverdale City has never adopted ordinances that would prevent the development of moderate income housing for the above mentioned groups. Considered a regional retail hub, Riverdale is a small suburb with a population of approximately 8,800 residents adjacent to Ogden City and therefore subsidizes alternative housing in larger cities in Weber County because 80 percent of Riverdale's population sales tax is redistributed to neighboring cities with larger populations. This redistribution of tax dollars helps to fund affordable housing for the disabled, elderly, single mothers, persons with AIDS, victims of domestic abuse and the homeless. Large facilities designed to house the homeless and those with AIDS are located approximately two miles from Riverdale in Ogden at The Ogden Rescue Mission and one mile from Riverdale at St. Anne's Shelter/Lantern House. Housing for victims of domestic abuse is available three and a half miles from Riverdale at the Ogden YCC and the WSU Women's Center provides housing resource assistance for single mothers with a dedicated resource center three miles east of Riverdale. Developmental and physically disable housing is available at Graham Court and OWCAP Disabilities Housing in Ogden both just two short miles from Riverdale and at Tri-County Independent Living which is three miles and Trinity Mission Wide Horizons located five miles from Riverdale.

4. SURVEY OF RESIDENTIAL ZONING¹⁹

The City has fifteen zones that allow for residential uses. They are: Agricultural A-1 (40,000 sq. ft.) and A-2 (2 acres); Residential Estate RE-15 (15,000 sq. ft.) and RE-20 (20,000 sq. ft.); Single Family Residential R-1-10 (10,000 sq. ft.), R-1-8 (8,000 sq. ft.), R-1-6 (6,000 sq. ft.), and R-1-4.5 (4,500 sq. ft.); Residential Single-Family R-2 (8,000 sq. ft.) and Single Family and Rental Unit R-2 (10,000 sq. ft.); Multiple Family R-3 (moderate density), R-4 (moderate/high density) and R-5 (high density); Mobile Home Park RMH-1; Low Impact Transition Overlay LIT (specialized housing/apartments/assisted care); Mixed Use MU (housing/apartments in a commercial setting). Riverdale City also has an ordinance regulating Planned Residential Unit Developments PRUD with areas of the city that are designated for such type of development specified in the General Plan, and this Plan supports cluster development options and multiple family residential overlay (MFROZ) desires.

The Residential Zones of Riverdale City are formulated to provide a range of housing choices to meet the needs of Riverdale City residents, to offer a balance of housing types and densities, and to preserve and maintain the City's residential areas as safe and

¹⁹ Riverdale City Code, https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-4324 and https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-4858

convenient places to live. These zones are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings, multifamily dwellings, condominiums, and townhouses. Also allowed are parks, open space and conservation areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City and residents of each of the City's neighborhoods.

The larger land zones including the A-1 and A-2 zones are primarily for agricultural use; however residential uses are also allowed in these zones. The A-1 and A-2 zones may be designed to preserve lands suited for farming and ranching operations and may be in areas that are intended to protect land suited for farming and ranching operations and may be in areas that are intended to protect the land from adverse development; this protective measure is in place on properties along South Weber Drive as part of the Air Installation Compatible Use Zone AICUZ implemented by Hill Air Force Base and the State of Utah. Additionally, these zones are intended to allow viable agricultural uses to remain on lands potentially suited for the eventual development for other uses, pending proper timing and the provision of the required services including all public utilities, streets, parks, schools, and other facilities so that an orderly development pattern is encouraged.

The purpose of the Low-Density Residential Zones (RE-15, RE-20, R-1-10, R-1-8, R-1-6 and R-2) is to provide for single family residential areas and single-family dwelling units on larger individual lots.

The purpose of the Medium Density Residential Zone (R-2 with rental unit and R-3) is to identify and encourage the development of a variety of medium density housing types and styles, including single-family dwellings, two-family dwellings, and four-family dwellings. The purpose of the High-Density Residential Zone (R-4 and R-5) is to provide an environment and opportunities for higher density residential uses, including single-family detached and attached residential units and apartments. The City also has passed a Multiple Family Residential Overlay Zone (MFROZ) ordinance to facilitate the development of condominiums and townhouses. The purpose of the Mixed Use (MU) Zone is to foster and provide an area of mixed, compatible residential, commercial and office uses in certain areas of the City. The purpose of the Low Impact Transition Overlay Zone (LIT) is to allow the presentation of uses that will not adversely impact adjacent properties; specialized apartments such as senior housing may be considered in this zone.

In addition to these residential zones, the City also allows clustered residential developments under Planned Residential Unit Development (PRUD) and Cluster Subdivisions ordinances. The PRUD provisions function as overlay zones and allow design flexibility in the development of lands within the City. These clustering ordinances encourage the realization of several potential public benefits, one of them being to encourage the construction of affordable housing units within the City under conditions and requirements that will insure development of residential environments of sustained desirability and stability.

Zoning for multifamily housing: Multifamily housing in Riverdale City is considered housing that is comprised of attached units such as apartments, condominiums, and

townhouses. Riverdale City currently has six, R-5 zoned, High Density residential complex developments (RCC 10-9F), five of which are rental apartment developments and two are owner-occupied condominium developments. Additionally, there is a senior apartment complex located in a Low Impact Transition Zone that is considered high density.

There are three areas of the city that are zoned R-4, which is a medium/high density zone (RCC10-9E). One area is occupied by apartments, another area has a number of mobile home single-family dwellings currently existing on the property, and the last area has one existing business with additional undeveloped vacant property making up the area. A planned townhome apartment project is also planned for this property within the R-4 zone.

The R-3 zoned areas (RCC 10-9C) are considered a medium density. There are currently four areas of the city that are zoned R-3, three of these areas contain fourplex dwelling units and one of these areas would accommodate a fourplex structure.

The R-2 (RCC 10-9C) areas of the city allows and has mixed existing attached Two-Family dwellings, which consist of side-by-side duplex type dwellings or over/under apartment type dwellings, mixed in with a large number of single-family dwellings. A large amount of Riverdale City's low density residential unit areas are zoned R-2.

Additionally, there are two, four-unit townhouses existing in a Mixed Use (MU) Zone and a large parcel of Mixed Use (MU) Zoned property that is planned for future development into variable housing uses (e.g. apartments, townhomes, and single-family dwellings).

Provision of density bonuses: Riverdale City has adopted ordinances, RCC 10-13H: Multiple Family Residential Overlay Zone (MFROZ), RCC 10-22: Planned Residential Unit Development (PRUD) and RCC 10-23: Cluster Subdivisions. These zones allow the implementation for increasing densities through clustering, lot area reduction, reduction of yard setbacks and by the flexibility of entering into a Development Agreement between the city and developer.

Allowance of inclusionary zoning: Riverdale City has implemented the concept of inclusionary zoning; it is something that naturally exists within our city. Approximately 30 percent of the city's residential areas are rental properties. This includes single family dwellings, apartments, and manufactured (mobile) homes all of which are affordable to lower-income households. In addition, in multiple residential zones Riverdale City allows for the potential to convert a portion of existing dwelling units to accommodate Internal Accessory Dwelling Units (ADU's) use therein.

Special infill and adaptive reuse ordinance: Riverdale City ordinance, RCC 10-12: INFILL LOTS allows for residential development on lots that would not otherwise qualify for development under existing ordinances. The provision for a residential development agreement allows the city the flexibility when dealing with infill properties that can safely be developed.

Flexible development standards and design allowances: Riverdale City has adopted a MULTIPLE FAMILY RESIDENTIAL OVERLAY ZONE that allows individually owned

townhomes or condominiums to be developed with flexible guidelines and future control regulations by means of a Development Agreement with the city. Also, as part of the RCC 10-22: PLANNED RESIDENTIAL UNIT DEVELOPMENT ordinance the city has the ability to negotiate and modify development aspects to allow flexibility and initiative in site and building design and location.

Other: Riverdale City's MIXED USE ZONE allows the development of residential uses, whether rental apartments or owner occupied to exist within commercially developed areas. We currently have a 70-acre parcel of land that is zoned Mixed Use and as stated above we have a townhome development in an existing Mixed Use zoned area.

EVALUATION OF ZONING'S AFFECT ON HOUSING OPPORTUNITIES

The Riverdale City Planning Commission and City Council holds one of the most important keys to providing housing opportunities for persons of moderate income with the power to determine zoning designations throughout Riverdale. According to U.S. Census Data, Riverdale City's numbers of rentals including apartments, mobile homes, and other dwelling units that are at a rental rate for our population is at approximately 24.6 percent. It appears from the data received that Riverdale's zoning has established housing for moderate income families. According to HUD, families making 50 percent of the median income will typically be renters and may be affected by zoning, but may also be impacted by market conditions beyond the control of the city.²⁰ HUD also asserts that families making 30 percent of the median income often need federal or state government housing assistance and are beyond the scope of zoning influence.

5. RIVERDALE'S PROGRAM TO ENCOURAGE MODERATE INCOME HOUSING

The Moderate Income Housing Element was originally adopted as part of the Riverdale City General Plan in April of 2001. From 1995 to 2020 the City has seen the population go from 7207 to just over 8800. Estimates of the City and WFRC have determined that the population forecast of Riverdale in the year 2042 will be up to between 13,000 and 17,000 residents.

Riverdale City has implemented a Redevelopment Agency (RDA) Loan Program that provides no-interest or low-interest loans of up to \$30,000 to homeowners that qualify. Riverdale will continue to support the supply of affordable housing in both rental and owner occupied for people at low- and moderate-income levels that meet the needs of a population which varies in household size and age. The City anticipates that current zone and land use regulations will continue to provide a more than adequate supply of moderate income housing in the future. At this time the City is seeing potential for a substantial increase in moderate income housing units as there are new proposals for apartments, townhomes, and/or condominium units being planned to be reviewed and considered by the Planning Commission and City Council. Currently, the City appears to be over the State moderate income housing recommendation based on our population and median income levels. If a previously undeveloped area of the city were to be developed in the future and at that time it was determined there is a greater need for moderate income housing, city officials could update the General Plan and pursue the adoption of

²⁰ <http://portal.hud.gov/hudportal/HUD>

appropriate ordinances to encourage additional moderate income housing growth and development.

Allowances for impact fee waivers and “fast tracking” of the approval process: Most developers and contractors are pleasantly surprised to discover that Riverdale City has no impact fees and our permit and development fees are some of the lowest in the State. As far as “fast tracking” the approval process, our Planning Commission and Council each meet twice a month and are noted for moving that process along quickly. Riverdale City also allows for “fast tracking” in the building process which allows contractors to submit and proceed with the construction of design segments of a plan while continuing preparation of the entire building plan.

MODERATE INCOME HOUSING STRATEGIES AND IMPLEMENTATION PLANNING

As noted earlier in this moderate income housing plan element, in 2022 the Utah State Legislature passed and approved House Bill 462 with the requirement that designated cities and counties of a large enough population grouping are to include additional reporting content. Based on Riverdale City being located within the Weber County population grouping, House Bill 462 requires that Riverdale City participate in this moderate income affordable housing strategy analysis and implementation planning activity.

In following the guidance and requirements of House Bill 462, Riverdale City is expected to select a minimum of at least three strategies from a large menu of options proffered by House Bill 462. Riverdale City is currently utilizing eight of these proffered menu options, which is well beyond the minimum requirement established by House Bill 462. Riverdale City’s selected strategies are discussed briefly in more detail hereafter with a bit of additional information regarding current and future implementation plans associated with the selected strategies.

Moderate Income Housing Strategy #1: Rezone for densities necessary to facilitate the production of moderate income housing.

Over the last few years, Riverdale City has approved multiple rezone requests that allow for the development of smaller lot single-family homes and also multi-family homes development. Further in conversations with developers, Riverdale City leadership has been strongly encouraging the consideration of developing a percentage of home units within these rezoned project areas as moderate income affordable housing units to provide more affordable housing options to financially impacted groups within the City.

As it relates to the implementation policies and planning for rezoning to accommodate moderate income affordable housing growth, Riverdale City has most recently approved rezoning to the smallest sized zones that accommodate small lot single family homes (R-1-4.5 and R-1-6) and also rezoning to multi-family (R-4 and R-5) zoned areas to accommodate new multi-family housing opportunities within Riverdale. These efforts to rezone have been implemented as a first step to work with developers on establishing more moderate income affordable housing units in the near and long term future of Riverdale City. Development associated with rezoning of these areas will be tracked to better

identify how many new housing units are established in these rezoned areas and further to identify and attempt to quantify how many are set aside as moderate income affordable housing units to assist financially impacted demographic groups within the City.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in years 2020 and 2022 to accommodate new higher density and moderate income development opportunities in the rezoned areas;
- Anticipated City review of higher density and moderate income housing to go through subdivision review process in 2022-2023 years within the above noted rezone areas;
- Anticipated development of new higher density and moderate income housing expected to occur in 2023-2025 years within the above noted rezoned areas;
- Additional rezone requests of property that may accommodate and support opportunities for more moderate income housing may also be reviewed and considered by the City by or before the year 2027.

Moderate Income Housing Strategy #2: Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing.

As noted earlier in this moderate income housing analysis, the Redevelopment Agency of Riverdale City has invested RDA funding into a Riverdale Senior Center that provides approximately 20 senior apartments with moderate income rental rates. This investment in real estate, infrastructure, and facility development was deemed to be a benefit to the community and those financially impacted seniors seeking low-impact housing at moderate income rental rates. More recently, the Redevelopment Agency of Riverdale has funded remodeling and additional improvements to benefit the senior residents as well as to provide other services to the senior community of Riverdale and Weber County. Further, Riverdale City has approved multiple Planned Residential Unit Developments (PRUDs) that often are developed as patio home style developments and tend to be more attractive to senior lifestyles with limited income opportunities.

Additionally, the Redevelopment Agency of Riverdale City (under direction of City leadership) has subsidized the installation of public infrastructure improvements and utilities upgrades within RDA areas that are intended to not only benefit commercial development but also residential development in the near future. City leadership anticipates and is requiring the development of some form of low to moderate income housing to be a component of multi-family housing unit development within one of these particular RDA areas and is further seeking more opportunities to assist in the rehabilitation of utilities and other activities to benefit existing multi-family housing development areas with the encouragement to have these developments consider more moderate income and affordable housing unit availability.

As it relates to the implementation planning and policies, Riverdale City will continue to track the establishment of new housing units within these RDA areas

and further encourage/require the development of moderate income and affordable housing units within these RDA areas. Further, Riverdale City and the RDA will continue to work with existing multi-family rental unit facilities to seek opportunities to establish more moderate income housing units in potential exchange for investment in adjacent rehabilitation or expansion of City utilities and facilities.

Benchmarks for this strategy are linked to the following timeline:

- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City's senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;

- Anticipated discussion, City review, and development of property for moderate income housing units within the 550 West RDA area is expected to occur by or before the year 2027;

- Anticipated Redevelopment Agency infrastructure investment to benefit newly developed moderate income housing units and multi-family development within the 550 West RDA area expected to occur by or before the year 2027.

Moderate Income Housing Strategy #3: Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

Riverdale City is benefitted by multiple major transit investment corridors, commercial centers, and employment centers that are scattered in multiple locations throughout the City. As a result, Riverdale City leadership is well aware of the fact that variations in housing options should be explored and made available to the local community and even more that there needs to be an improvement of more moderate income and affordable housing options in closer proximity to these locations. That being the case, in the more recent years and even currently this year, Riverdale City has approved rezoning from high density commercial zoning and moderate residential density zoning to multi-family (R-4 and R-5) density zoning areas that are adjacent or near to major transit investment corridors, commercial centers, and employment centers. Examples of such rezoning include rezoning of parcels at the corner of 4400 South and 700 West, rezoning of parcels along Riverdale Road and 700 West, and rezoning of parcels along 300 West and Pacific Avenue that will now accommodate new multi-family housing units. Further, future development areas that have previously been rezoned to and planned to accommodate multi-family housing units and moderate income housing units therein include: properties across the Weber River to the east of 900 West and River Park Drive (Mixed Use Zoning), along River Park Drive (to consider a future potential Mixed Use Zoning), and along 550 West within the 550 RDA area (to consider a future multi-family density rezoning).

The hope of and strong encouragement by City leadership is for these developments to accommodate a percentage of moderate income affordable housing options to those with limited income opportunities. Riverdale City

leadership is aware that more multi-family residential development adjacent and approximate to commercial and employment centers and boost and benefit the economic opportunities of those areas and benefit the residents of the community as a whole.

The implementation planning and policies will include, like other selected strategies, the tracking of new housing unit development and further efforts to work to identify and quantify new moderate income and affordable housing units developed within the future planned multi-family housing development areas. Additionally, as previously noted, Riverdale City will also consider and support rezoning requests that bolster new multi-family and affordable housing opportunities more specifically along major transit investment corridors, commercial centers, and local employment centers.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in prior years for a mixed-use zoned area adjacent to a large commercial center. More recently during the years 2020 and 2022 rezoning of properties has been approved to accommodate new higher density and moderate income development opportunities in other areas of the City that are adjacent to Riverdale Road and other employment/commerce centers of the City;
- Anticipated City review and consideration of higher density and moderate income housing development project adjacent to Riverdale Road to go through subdivision review process in 2022-2023 years;
- Anticipated City review and consideration of higher density and potential moderate income housing development project adjacent to employment and commerce center to go through subdivision review process in 2022-2023 years;
- Anticipated City review and consideration of a large acreage (70 acres) mixed-use style higher density and moderate income housing development project adjacent to large commercial center to go through subdivision review process in phases during the 2022-2027 years. This development is anticipated to have nearly 900 new residential units of varying sizes and use needs (small density up to high density residential units development);
- Anticipated development of multiple new higher density and moderate income housing expected to occur in 2023-2027 years within these rezoned areas that are adjacent to Riverdale Road, large commercial centers, and employment hubs;
- Additional rezone requests of property located along Riverdale Road and/or near employment/commerce centers may also be reviewed and considered by the City by or before the year 2027.

Moderate Income Housing Strategy #4: Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund.

Riverdale City has directed and authorized the Redevelopment Agency of Riverdale City to support and fund various housing rehabilitation and maintenance activities of existing housing units in older neighborhoods identified throughout the City. This RDA program is called the “RDA Residential Loan Program” and was

established to maintain and improve existing residential areas of the City through a property Purchase Assistance Program—to benefit new home buyers of older homes in the City that may need a bit of repair or improvement; and a Housing Rehabilitation Loan Program to provide no-interest or low-interest loans to homeowners who meet certain income guidelines and are qualifying at or below 80% HAMFI standards in order to qualify for the funding assistance.

The RDA of Riverdale provides this service to the residents of the community in order to maintain moderate income and affordable housing opportunities within the community to young, lower income, and/or elderly residents looking to purchase a home in Riverdale or currently living within the City. The City supports this program because it provides the additional benefit of maintaining property occupancy and stability in the neighborhoods that currently have a higher amount of moderate income housing units.

As it relates to the implementation planning and policies for this strategy, Riverdale City is able to monitor annual progress towards this goal through the review and evaluation of efforts of the Redevelopment Agency staff in administering these programs to applicants. Further, these programs require educational components to be provided to existing and future residents and Riverdale City makes effort to frequently provide information to the residents and the public about the availability of these programs. This information regarding the housing program subsidies is provided to Riverdale homeowners and other individuals who may be seeking to live in Riverdale City and qualify as needing moderate income and affordable housing assistance.

Benchmarks for this strategy are linked to the following timeline:

- This RDA Residential Loan Program has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to assist homeowners and future home buyers to rehabilitate moderate income housing units—this program is anticipated to continue functioning to the year 2027 and thereafter as a benefit to the Riverdale community;
- Anticipated review and reporting of qualifying loans issued to existing homeowners and future home buyers to occur at the end of years 2022 to 2027 to verify how the program is functioning in assisting with rehabilitation of moderate income housing units throughout the City.

Moderate Income Housing Strategy #5: Reduce, waive, or eliminate impact fees related to moderate income housing.

As noted earlier in this document, Riverdale City does not impose impact fees on any residential development projects (as well as commercial development projects). Having no impacts fees is a consistent administrative tradition that City leadership has been proud of over the many years and continues to support. This is viewed as a great benefit of developing residential projects in Riverdale City. That being said, it should be noted that there is a pass along Central Weber Sewer District fee that the City collects on behalf of the Sewer District during the building permit process.

This strategy of no impact fees provides cost savings to project developers who are desiring to build or redevelop more residential units within Riverdale City and encourages money to be set aside to fund the addition of moderate income and affordable housing units as part of residential development projects. Further, this benefit may allow for the development of a higher quality multi-family housing development project that is more attractive to a larger targeted demographic who is seeking housing within the Riverdale community. Having no impact fees has been and will continue to be a key component to the success of development within Riverdale City, as the City has no interest in assessing impact fees in the near and distant future.

The implementation planning and tracking for this strategy is accomplished by identifying how many new housing units, specifically multi-family housing units, are being newly developed or redeveloped in the City based on a understanding that no impact fees contributed to this new housing growth and/or redevelopment. Further, the City can then identify and work to quantify how many of these new residential housing units are being set aside by the project developers and owners as moderate income and affordable housing units.

Benchmarks for this strategy are linked to the following timeline:

- This waiving of impact fees has been established for many prior years to now and is anticipated to continue functioning as such well beyond the year 2027 to the benefit of the overall Riverdale community;

- Anticipated review and reporting of new moderate income housing units that have benefited from no impact fee assessment in the City and have been developed throughout the year, to be summarized at the end of each year starting with the year 2023 and moving forward thereafter to the year 2027 and beyond.

Moderate Income Housing Strategy #6: Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

As previously noted in “Moderate Income Housing Strategy #4”, Riverdale City has directed and authorized the Redevelopment Agency of Riverdale City to support and fund housing rehabilitation and maintenance activities of existing housing units in older neighborhoods throughout the City. This RDA program is identified and known as the “RDA Residential Loan Program” and is discussed in more detail in the “Moderate Income Housing Strategy #4” review commentary above. This program has two specific program options and expectations to qualify for program compensation assistance. The two program options are entitled the Purchase Assistance Program and the Housing Rehabilitation Loan Program, with an explanation of each program in more detail under “Housing Strategy #4” and also on the City RDA website.²¹ These funds are provided to this RDA loan program through specified housing funding set asides that are dedicated to housing development and retention of moderate income housing within the

²¹ RDA Residential Loan Program, <https://www.riverdalecity.com/rda-housing-loan-program.html>

entirety of City limits.

Additionally, as noted previously in “Moderate Income Housing Strategy #2” the Redevelopment Agency of Riverdale City has other newer RDA areas that have been established and are required to develop infrastructure, utilities, and identify other ways to dedicate RDA funding to benefit the development of new moderate income affordable housing stock within these specific RDA areas. The set aside funding for these RDA areas should support and strengthen development interest in adding new multi-family and moderate income housing facilities within the RDA areas that is anticipated to thereafter contribute to the success of the surrounding commercial development within these RDA areas.

As previously outlined in “Moderate Income Housing Strategy #2” and “Moderate Income Housing Strategy #4”, the implementation planning and policies Riverdale City should utilize for this strategy are to monitor annual progress towards the goal of developing new moderate income affordable housing by making sure that RDA funding is dedicated to infrastructure and utility development that benefit the development of new moderate income housing units within the City and through the review and evaluation of efforts of the RDA staff in administering the RDA housing programs to applicants. Redevelopment Agency staff will continue to verify that these activities are occurring as previously established and will work to quantify and qualify the amount of newly generated moderate income housing units, as well as, the retention of existing and improved moderate income housing units that benefit from the RDA Residential Loan Program options.

Benchmarks for this strategy are linked to the following timeline:

- This RDA Residential Loan Program has been established for many prior years now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to assist homeowners and future home buyers to rehabilitate moderate income housing units—this program is anticipated to continue functioning to the year 2027 and thereafter as a benefit to the Riverdale community;

- Anticipated review and reporting of qualifying loans issued to existing homeowners and future home buyers to occur at the end of years 2022 to 2027 to verify how the program is functioning in assisting with rehabilitation of moderate income housing units throughout the City.

- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City’s senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;

- Anticipated discussion, City review, and development of property for moderate income housing units within the 550 West RDA area is expected to occur by or before the year 2027;

- Anticipated Redevelopment Agency infrastructure investment to benefit newly developed moderate income housing units and multi-family development within the 550 West RDA area expected to occur by or before the year 2027.

²¹ RDA Residential Loan Program, <https://www.riverdalecity.com/rda-housing-loan-program.html>

Moderate Income Housing Strategy #7: Develop a moderate income housing project for residents who are disabled or 55 years old or older.

Earlier in this document “Moderate Income Housing Strategy #2” briefly explained that the Redevelopment Agency of Riverdale City has invested RDA funding into a Riverdale Senior Center that provides 20 senior (55 years old or older) apartments to residents at moderate income rental rates. This facility is composed of 12 single-bedroom units and 8 two-bedroom units that are always occupied with senior aged renters. This senior apartment facility additionally provides access to activities, weekday lunches, occasional clinics and other RDA and City funded activities and administration to the benefit of the apartment residents, as well as, the overall senior community within Riverdale City and Weber County. Riverdale City takes pride in this facility and the housing and services provided to the elderly demographic within the local community.

This RDA investment in real estate, infrastructure, and facility development was deemed to be a benefit to the community and those financially impacted seniors seeking low-impact housing at moderate income rental rates. More recently, the Redevelopment Agency of Riverdale has funded remodeling and additional improvements to benefit the senior residents as well as to provide other services to the senior community of Riverdale and Weber County.

Additionally, as noted multiple times in this document, Riverdale City has approved multiple Planned Residential Unit Developments (PRUDs) that often are developed as patio home style developments and tend to be more attractive to senior lifestyles with limited income opportunities. At the current time, Riverdale City has 8 PRUD approved and developed residential areas throughout the community and one that has been approved but not developed presently. A large number of these PRUD residential housing units are currently occupied by senior aged (55 years old and older) residents living in Riverdale.

As it relates to the implementation planning and policies for this strategy, Riverdale City will continue to maintain and utilize the Riverdale Senior Center and internal apartments in order to provide continued housing, activities, and support services to the elderly demographic of the community who are often on fixed incomes and limited new income opportunities. Further the City will continue to track the establishment of new PRUD housing units throughout the City and will continue to work with new housing developers to seek inroads for new moderate income housing growth within these PRUD areas.

Benchmarks for this strategy are linked to the following timeline:

- The Riverdale Senior Center has been established for many prior years to now and continues to function with financial assistance from the Redevelopment Agency of Riverdale to benefit moderate income rental rate housing needs for the City’s senior demographic—this is anticipated to continue into the year 2027 and the years thereafter;
- Improvements continue to be made with the Riverdale Senior Center. The Redevelopment Agency will continue to monitor expenses utilized to maintain

senior apartment units that are at moderate income rates and track annually the progress made in maintaining these units at moderate income rental rates, as previously tracked, and will continue said reporting into years 2022 to 2025.

- Anticipated review and reporting of any potential new moderate income housing units that may have been established by future Planned Residential Unit Development (PRUD) that are developed to financially assist the needs of senior aged (55 years old and older) homeowners in these projects, to be summarized with the year 2023 and moving forward thereafter to the year 2027 and beyond.

Moderate Income Housing Strategy #8: Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones.

As noted throughout this document, Riverdale City zoning code currently has an established Mixed Use (MU) zoning standards and criteria ordinance. The Mixed Use (MU) zoning has been applied in two distinct areas at the current time to allow for a variety of mixed uses (single family and multi-family residential, commercial, office, etc.) to be developed together in a specified geographical district within the City. Additionally, the City is open to considering the application of the Mixed Use (MU) Zone into other districts of the City that may benefit from this zoning application as it may enhance and connect to existing similar uses and districts in an area of the City (e.g. surrounding commercial and/or job centers). The Mixed Use (MU) Zone uses and standards are outlined in more detail in the Riverdale City Code.²²

At current time, there is a 70-acre area of land that is zoned Mixed Use (MU) and the City anticipates in the near future development of a high-level multi-family, townhomes, and single-family mixed use residential development that may bring in up to ~~89~~900 new residential housing units to Riverdale City. This development alone will have huge implications on the housing stock within the City and will surely impact and we expect to provide new moderate income affordable housing unit availability to the Riverdale community. There have also been discussions with another property owner of developing a newer concept of work-live units on property near one of City's established commercial districts that would require rezoning to the Mixed Use (MU) Zone to accommodate these new residential-commercial combination units within the City. The City leadership seems to be supportive of this idea due to its proximity to an existing commercial district and relative location within the City.

The implementation planning and policies to support this strategy include: a willingness by the City leadership to consider amendments to the Mixed Use (MU) Zone to better attract more moderate income housing units development within the MU Zone, as well as, attract high-quality development with these potential amendments; City leadership willingness to consider development agreement strategies that allow for variations of the Mixed Use (MU) zoning codes so that unique visions within a Mixed Use (MU) Zone framework can be considered within

²² Riverdale City Code, https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale_ut/0-0-0-5729

a specified district of the City; and monitoring development of future projects within the Mixed Use (MU) Zones to better understand development trends, quantify new housing growth within these areas, qualify the benefits and impacts to integrated commercial and job opportunities in these MU Zoned areas, and more specifically work to achieve significant new moderate income affordable dwelling development within these MU Zoned districts.

Benchmarks for this strategy are linked to the following timeline:

- Rezoning of properties to higher density zoning has been completed in prior years for a mixed-use zoned area adjacent to a large commercial center. More recently during the years 2020 and 2022 rezoning of properties has been approved to accommodate new higher density and moderate income development opportunities in other areas of the City that are adjacent to Riverdale Road and other employment/commerce centers of the City;
- Anticipated City review and consideration of a large acreage (70 acres) mixed-use style mixed density and moderate income housing development project adjacent to large commercial center to go through subdivision review process in phases during the 2022-2027 years. This development is anticipated to have nearly 900 new residential units of varying sizes and use needs (small density up to high density residential units development) that will function in a walkable micro-community within the City;
- Development Agreement between the City and developer of the large acreage (70 acres) mixed-use style housing development has recently been amended in the year 2022 and is anticipated to be further amended in the year 2023 with the expectation the developer will provide moderate income housing unit inclusion in the development project;
- Anticipated construction and development of multiple new single family residential units, moderate density residential units, and new higher density units with an amount of moderate income housing inclusion in the development project expected to occur in 2023-2027 years within the large acreage mixed-use zoned area that is adjacent to a large commercial center and employment hubs and in close proximity to Riverdale Road;
- Anticipated City review and consideration of rezone request for new Mixed Use (MU) Zone application on approximately 5-7 acres in close proximity to Riverdale Road and adjacent to a commerce center to allow for potential production of moderate income work-live housing consideration to through rezone review process in 2023-2024 years
- Anticipated City review and consideration of higher density and potential moderate income housing work-live development project in close proximity to Riverdale Road and adjacent commerce center to go through subdivision review process in 2023-2027 years;
- Anticipated future construction and development of the potential moderate income housing work-live dwelling units in walkable proximity to Riverdale Road and adjacent to commercial center expected to begin development during the years 2024-2027 years;
- Additional potential requests for Mixed Use (MU) rezone of property located along Riverdale Road and/or near employment/commerce centers may also be reviewed and considered by the City by or before the year 2027.

House Bill 462 requires that each jurisdiction work to bring these strategies to life over the next five years and report annually on progress made. Riverdale City will annually (or even more frequently) monitor and review how progress is being made in implementing each of these strategies and, thereafter, report on this information to the State of Utah as directed by House Bill 462. The City will continue to apply these strategies in identifying and creating additional moderate income housing opportunities within the City; further specific measures and benchmarks, as available and identifiable, will be reported accordingly to State of Utah in order to verify progress made and achieved by Riverdale City as a result of these selected moderate income and affordable housing strategies.

²²~~Riverdale City Code, <https://codelibrary.amlegal.com/codes/riverdaleut/latest/riverdale-ut/0-0-0-5729>~~

RIVERDALE HOUSING GOALS AND OBJECTIVES

The Housing Development Plan with the moderate/affordable income housing element provides a vision statement as a foundation for all affordable housing and those supportive activities, goals, policies and programs. The vision statement includes the following:

1. Continue to revitalize neighborhoods and enhance the vitality of the region by improving the quality of the housing stock through rehabilitation of existing dwellings through Riverdale's RDA program.
2. Sustain affordable housing (rental and owner occupied) for people at very low-, low-, and moderate-income levels that meet the needs of a population which varies in household size and age.
3. Increase the level of rental assistance for very low and low income and special need populations.
4. Promote additional funding sources from the public, non-profit, and private sectors in order to create necessary housing for the region.
5. Ensure an adequate supply of safe, accessible, sanitary, and aesthetically pleasing moderate income housing integrated throughout the City in various locations, and consistent with the needs of all segments of the population.
6. Sustain a mix of lot sizes and housing types in existing developments so that moderate income housing is properly integrated and not concentrated in one development or area.
7. Encourage requirements to keep moderate income housing consistent with other residential development within the City, such as landscaping, quality building materials, and varied architectural styles.
8. Consider the adoption of a rehabilitation code to address improvement of older residential buildings/units to encourage stability and revitalization of older residential areas.
9. Often review and update the Moderate Income Housing Element and

Affordable Housing Model to determine the housing needs for all groups, to quantify specific housing needs, and to identify solutions to housing problems as directed by state statute.

10. Regularly review the HB 462 selected moderate income housing growth element strategies and verify that the selected strategies are working to establish new moderate income housing opportunities within the City. If a selected moderate income housing growth strategy is not working, then identify alternative strategy options that may be more beneficial to the City in creating new moderate income housing opportunities within the City.

Mike Eggett

From: Alyssa Gamble <angamble@utah.gov>
Sent: Wednesday, December 21, 2022 2:12 PM
To: Mike Eggett
Cc: Steve Brooks; Braden Mitchell
Subject: Re: Riverdale FINAL DRAFT UPDATE RE: Moderate Income Housing Implementation Plan Examples

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mike,

Thank you for sending this to me. I have reviewed the draft and the changes address the deficiencies identified in the notice of noncompliance. All of the strategies match the code language and are supported by specific implementation measures and timelines.

Please let me know if you have any questions or if I may assist Riverdale City as this update moves forward.

Happy Holidays!

Best,

ALYSSA GAMBLE, AICP

MODERATE INCOME HOUSING PROGRAM MANAGER

P: 385-249-4808

E: angamble@utah.gov



On Wed, Dec 21, 2022 at 12:06 PM Alyssa Gamble <angamble@utah.gov> wrote:

Absolutely Mike. I will get you feedback by the end of the day. Thank you!

Best,

ALYSSA GAMBLE, AICP

MODERATE INCOME HOUSING PROGRAM MANAGER

P: 385-249-4808

E: angamble@utah.gov



On Wed, Dec 21, 2022 at 12:03 PM Mike Eggett <MEggett@riverdalecity.com> wrote:

Alyssa:

Will you briefly review the attached Riverdale City moderate income housing update document one more time? It is the final draft update, following our conversation last week about ways to correct strategy point #1.

It will be good to receive this feedback from you so that I know that I can move this draft forward through the process with Planning Commission and Council having your approval of the draft.

Please advise with any corrections, comments, and/or other concerns you may have with the document and this effort.

Sincerely and many thanks again for your direction,

Michael Eggett, MPA

Community Dev Director/RDA Deputy Exec Director

4600 So. Weber River Drive

Riverdale, Utah 84405

Office: 801-394-5541, ext. 1215

Cell: 801-941-7005

Email: meggett@riverdalecity.com

Website: <http://riverdalecity.com>



From: Alyssa Gamble <angamble@utah.gov>

Sent: Tuesday, December 13, 2022 3:17 PM

To: Mike Eggett <MEggett@riverdalecity.com>

Cc: Steve Brooks <SBrooks@riverdalecity.com>; Braden Mitchell <BMitchell@riverdalecity.com>

Subject: Re: Moderate Income Housing Implementation Plan Examples

Thank you so much Mike! I have reviewed the submitted draft. All of the strategies match the state language in 10-9a-403(2)(b). Strategies 2, 3, 4, 5, 6, 7, and 8 currently meet the requirements for implementation plan benchmarks and timelines.

I do have some questions about the benchmarks for strategy 1.

- is the first point supposed to have subpoints? with the way it is worded, it looks like the city was going to list the areas rezoned?

- On the second and third points, are these the projects which prompted the rezone?

Let me know if you have any other questions. If it is easier, I am happy to hop on a call with you to discuss.

Thank you for your work on this!

Best,

ALYSSA GAMBLE, AICP

MODERATE INCOME HOUSING PROGRAM MANAGER

P: 385-249-4808

E: angamble@utah.gov



On Fri, Dec 9, 2022 at 2:16 PM Mike Eggett <MEggett@riverdalecity.com> wrote:

Good Afternoon Alyssa:

I have attached my updated draft efforts to improve the moderate income housing plan language to be in compliance with HB 462. Will you please review my revisions to the document and let me know if this updated document would qualify us to be in compliance with HB 462 requirements and standards? The updated language starts on about page 12 of the document and then runs until the end.

Once I have confirmation that this will work, I will then start the legislative process to get review and approvals for the update from the Planning Commission and eventually City Council. Right now my timeline would hopefully have this update considered for approval by their second Council meeting in January.

Please feel free to let me know your thoughts, comments, and questions in association with this update.

Sincerely,

Michael Eggett, MPA

Community Dev Director/RDA Deputy Exec Director

4600 So. Weber River Drive

Riverdale, Utah 84405

Office: 801-394-5541, ext. 1215

Cell: 801-941-7005

Email: meggett@riverdalecity.com

Website: <http://riverdalecity.com>



From: Alyssa Gamble <angamble@utah.gov>
Sent: Monday, November 21, 2022 10:06 AM
To: Mike Eggett <MEggett@riverdalecity.com>
Subject: Moderate Income Housing Implementation Plan Examples

Hi Mike,

Thank you for your call Friday. As promised I have included some examples of implementation plans which met requirements. Each is different and includes different levels of detail. Please let me know if you have any questions or comments at any time.

Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.
Implementation: Map and determine area(s) of development to rezone on Main Street near the transit areas which would require all future housing developments to have proper densities to achieve Moderate Income Housing. This would

require updating City ordinance and educating Council, residents and developers. The City will inform the public on the website of the new changes once the ordinances are codified. A year after implementation Planning Commission will evaluate the progress and decide if any changes need to be made to how the strategy is being implemented and tracked. Anticipated timeframe June 30th, 2023.

Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate-income housing.

- Adopt a plan to rehabilitate municipal property at 1234 City Avenue to preserve moderate-income housing.
- PROJECTED COMPLETION: July 2023.

CREATE OR ALLOW FOR, AND REDUCE REGULATIONS RELATED TO, INTERNAL OR DETACHED ACCESSORY DWELLING UNITS (ADU) IN RESIDENTIAL ZONES.

Action Plan: The Community and Economic Development Department by December 31st, 2023 will review regulations to facilitate the construction of additional detached accessory dwelling units, including a review of the following items:

- Determine whether the city should allow a second ADU to be located on residential properties. - Conduct a review of the setback requirements for detached ADUs and propose changes.
- Consider allowing a second level for appropriately located accessory structures when the second story would be used as an ADU.

STRATEGY 2 TRANSIT INVESTMENT CORRIDORS		G. AMEND LAND USE REGULATIONS TO ALLOW FOR HIGHER DENSITY OR NEW MODERATE INCOME RESIDENTIAL DEVELOPMENT IN COMMERCIAL OR MIXED-USE ZONES NEAR MAJOR TRANSIT INVESTMENT CORRIDORS				
DESCRIPTION		YEAR 1 BENCHMARK	YEAR 2 BENCHMARK	YEAR 3 BENCHMARK	YEAR 4 BENCHMARK	YEAR 5 BENCHMARK
GOAL	IMPROVE ACCESS TO RESOURCES AND SENSE OF PLACE					
Actions	GP B.6	Development of District Area Plans. Adoption and application of Mixed-Use Zone Code Coordination with regional partners on route and stops locations of 3300 South / 3500 South Corridor Core Route (15 min service) Projects identified in WFRC Regional Plan.				
	GP D.1					
	GP D.20					
GOAL	COORDINATE WITH REGIONAL AGENCIES					
Category	Walk					
Actions	GP D.18	Review by planning staff of plan results. Prioritization of selected projects by Planning Commission and Township Council				
	GP D.19	Funding sources identified compiled and shared between Salt Lake County Engineering, MSD Planning Staff, and Magna Metro Township Planning Commission & community Council				

As you can see, each of these examples lists activities which will move forward the selected strategy/menu item and include a timeline for completion. I am happy to talk these through in further detail if that would be helpful to you.

Best,

ALYSSA GAMBLE, AICP

MODERATE INCOME HOUSING PROGRAM MANAGER

P: 385-249-4808

E: angamble@utah.gov





**RIVERDALE CITY
PLANNING COMMISSION
PUBLIC HEARING NOTICE**

Riverdale City gives notice that on Tuesday, January 10, 2023, at 6:30 p.m., at the Riverdale City Civic Center, 4600 South Weber River Drive, Riverdale, Utah, the Planning Commission will hold a public hearing to receive and consider public comments regarding the following:

Proposed amended updates to the Moderate Income Housing Plan element of the Riverdale City General Plan and corrections to meet new requirements of the Moderate Income Housing Plan.

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

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Riverdale City limits on this 30th day of December, 2022 at the following locations: 1) Riverdale City Hall Noticing Board 2) Riverdale City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

This notice is scheduled to be published in the Standard Examiner on Saturday, December 31, 2022.

Michelle Marigoni
Riverdale City Recorder



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Standard-Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(801) 625-4302**.

Notice ID: yI1Z8OhpAsvyWYfYvxkq | **Proof Updated: Dec. 30, 2022 at 02:32pm MST**
Notice Name: Public Hearing 1/10/2023 GP Update2 | Publisher ID: UC0090

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

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Michelle Marigoni
mmarigoni@riverdalecity.com
(801) 394-5541

FILING FOR

Standard-Examiner

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12/31/2022: Custom Notice 115.72

Subtotal	\$115.72
Tax (0%)	\$0.00
Processing Fee	\$11.57
Total	\$127.29

NOTICE

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Minutes of the **Work Session** of the Riverdale City **Planning Commission** held Tuesday January 10, 2023, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr, 4360 S Parker Dr., Riverdale City, Weber County, Utah.

Present:

Commissioners:	Kathy Eskelsen, Chairman Amy Ann Spiers, Commissioner Blair Jones, Commissioner Wanda Ney, Commissioner Kent Anderson, Commissioner Rikard Hermann, Commissioner
City Employees:	Mike Eggett, Community Development Michelle Marigoni, City Recorder
Excused:	

A. Welcome & Roll Call

The Planning Commission Work Session began at 6:06 p.m. Chairman Eskelsen welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present.

B. Public Comment

C. Presentations and Reports

1. Recognition of former commissioner Robert Wingfield

Commissioner Eskelsen turned the time over to Mr. Eggett, who reported the following:

- Buckle and Generator Superstore should be the next businesses to open, followed by J Dawgs.
- Chick-Fil-A and HomeGoods are having trouble getting construction supplies, creating delays in opening.
- Cheddar's is moving along well.

D. Consent Items

1. **Consideration of Meeting Minutes from December 27, 2022 Work Session, and December 27, 2022 Regular Meeting**

Commissioner Eskelsen asked if there were any changes to the minutes. There were no changes.

2. **Consideration to approve 2023 meeting schedule.**

E. Action Items

1. **Consideration of Conditional Use Permit request for proposed Internal Accessory Dwelling Unit (IADU) use located in the Agricultural (A-1) Zone at approximately 1459 West Ritter Drive, Riverdale, Utah 84405 as requested by Matt White.**

Mr. Eggett noted Mr. White is the homeowner and will continue to occupy the home. He is remodeling and improving his home and adding required items for IADU use. The general plan in the area shows residential low-density.

2. **a. Public hearing to receive and consider comments regarding proposed amended updates and corrections to the Moderate Income Housing Plan element of the Riverdale City General Plan to meet new requirements of the Moderate Income Housing Plan element in compliance with direction from House Bill 462.**

b. Consideration to forward a recommendation to the City Council regarding proposed amended updates and corrections to the Moderate Income Housing Plan element of the Riverdale City General Plan to meet new requirements of the Moderate Income Housing Plan element in compliance with direction from House Bill 462.

Mr. Eggett went over the packet items, noting all required notices were made.

F. Comments

Mr. Eggett noted the mayor has selected a new Planning Commissioner to fill Mr. Wingfield's vacancy and suggested Wanda Ney and Kent Anderson stay for another term.

G. Adjournment

As there was no further business to discuss, the Planning Commission Work Session adjourned at 6:24 p.m.

Date Approved: _____

DRAFT