



Administrative Offices  
4600 So. Weber River Drive  
Riverdale, Utah 84405

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December 12, 2012

# Notice of Public Hearing

Riverdale City Planning Commission

**Tuesday, January 8, 2013**  
Which begins at 6:30 p.m.

Riverdale Civic Center  
4600 Weber River Drive  
Riverdale, Utah

Riverdale City will hold a public hearing to receive and consider public comment on a proposed amendment to Riverdale City Code 10-19-9, TEMPORARY STRUCTURES FOR SEASONAL SALES. The new proposed language is attached to this notice and can also be viewed on the city's website at [www.riverdalecity.com](http://www.riverdalecity.com). All residents are invited and encouraged to attend.

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

## 10-19-9: TEMPORARY STRUCTURES FOR SEASONAL SALES:

The city council may waive certain of the requirements of the codes adopted in this code to permit the erection and use of temporary structures for the sale of seasonal merchandise under the following conditions:

- A. Application: The person making application for the waiver of such requirements shall file with the planning commission, an application, in writing, in such form and containing such information as shall be determined by the planning commission consistent with this chapter. Said application shall include an informal site plan drawn to scale showing the size of the proposed structure and its location in relation to the other structures and improvements on the site plan of the location on file with the city. No such temporary seasonal structure shall be permitted to be located upon any parcel of property for which there is not an existing approved site plan on file with the city.
- B. Consideration By Planning Commission: At a regular or special meeting of the planning commission, in the planning commission's discretion, and after reasonable written notice to all affected parties, including all tenants of all buildings located upon the existing site plan, the commission shall consider whether to recommend the approval or denial of the application for waiver.
- C. Factors For Consideration: In considering whether to recommend approval or denial of the requested waiver, the commission shall consider the following factors:
  1. The degree of deviation from the codes adopted in this code.
  2. The effect the proposed structure will have on the safety of persons and property.
  3. The benefit of the sale of the proposed merchandise to city residents and customers of city business licensees.
  4. The aesthetic appearance of the proposed structure.
  5. The effect on pedestrian and vehicle traffic in the area, including traffic within the existing site plan.
  6. The size of the proposed structure. It is the intent of this section that waivers be granted only to small structures not exceeding two hundred (200) square feet in size. [Also see ordinance 3-1-7.](#)
  7. The degree of self-containment of the structure as contrasted to the need for outside utility connections.
  8. The availability of restroom facilities for persons using the structure.
  9. The past experience and character of the applicant.
  10. Compatibility of the proposed structure and use with the existing site plan on file with the city.
  11. The permanency of the proposed operations. It is the intent of this section that the structure be used for the sale of seasonal merchandise. Under no conditions shall the structure be permitted to remain longer than fifteen (15) weeks. It is not the intent of this section that the waiver be granted for a weekend or other short duration of time.

12. No more than one portable structure for seasonal sale shall be allowed per site or shall it be closer than one thousand (1,000) linear feet; for each street side; to the next nearest portable structure.
13. ~~No more than one business that sells a single commodity shall be allowed for each requested seasonal sales portable structure conditional use permit.~~ A business applying for a seasonal sales conditional use permit may only sell a single commodity of like nature.

D. Definitions:

Seasonal items are limited to products that are available only during certain seasons of the year or products that are associated with recognized State or Government holidays or products that are regulated for sale by the State of Utah.

The following are considered to be seasonal products:

- State regulated fireworks.
- Christmas tree lot.
- Shaved ice/Snow cone.

Because of the availability of local and imported fruits, vegetables and flowers that are available year-round these are not considered to be seasonal products. The sale of fruits and vegetables in the A-1/A-2 zones is regulated by ordinance 10-8-2.

~~E.D.~~ Advice Of Officials: The planning commission may seek the advice of the city engineer and building inspector either in writing or at the meeting where the application is considered.

~~F.E.~~ Recommendation To City Council: After due consideration of the application, the planning commission shall make its recommendation to the city council in writing. The city council shall consider the application at its next regularly scheduled meeting. The city council, in considering the application, shall consider the facts listed in subsection C of this section and shall either approve or deny the application. (Ord. 767, 9-7-2010)