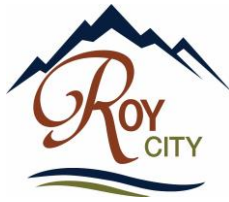


Mayor
• Robert Dandoy

City Manager
• Matt Andrews



Council Members
• Ann Jackson
• Diane Wilson
• Joe Paul
• Randy Scadden
• Sophie Paul

ROY CITY COUNCIL MEETING AGENDA

JULY 5, 2022 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS 5051 S 1900 W ROY, UTAH 84067

This meeting will be streamed live on the Roy City YouTube channel.

A. Welcome & Roll Call

B. Moment of Silence

C. Pledge of Allegiance

D. Consent Items

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any consent item, that item may be removed from the consent agenda and considered separately.

E. Public Comments

If you are unable to attend in person and would like to make a comment during this portion of our meeting on ANY topic you will need to email admin@royutah.org ahead of time for your comments to be shared.

This is an opportunity to address the Council regarding concerns or ideas on any topic. To help allow everyone attending this meeting to voice their concerns or ideas, please consider limiting the time you take. We welcome all input and recognize some topics make take a little more time than others. If you feel your message is complicated and requires more time to explain, then please email admin@royutah.org. Your information will be forwarded to all council members and a response will be provided.

F. Action Items

1. **Aquatic Safety Award** – Presented by Utah Local Governments Trust
2. **Employee of the Month** – Officer Ben Pearson
3. **Supervising Fire Office Designation** – Presented by Chief Golden on behalf of the Utah Commission on Fire Officer Professional Development.
4. **Consideration of Ordinance 22-6**; to amend Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-1 "Maximum Building Height" and CH 31 - Definitions amending the definition of "Building, Height"
5. **Consideration of Ordinance 22-7**; to amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs.
6. **Consideration of Ordinance 22-8**; to amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping.

G. Presentations

1. Roy Police Department 2021 Annual Report – Chief Gwynn



H. Discussion Items

I. City Manager & Council Report

J. Adjournment

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: admin@royutah.org at least 48 hours in advance of the meeting.

Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) "Electronic Meetings" of the Open and Public Meetings Law, Any Councilmember may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 30th of June 2022. A copy was also posted on the Roy City Website and Utah Public Notice Website on the 30th of June 2022.

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020

Brittany Fowers
City Recorder



SYNOPSIS

Application Information

Applicant: Roy City
Request: Ord. No 22-6; to amend Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-I "Maximum Building Height" and CH 31 - Definitions amending the definition of "Building, Height"

Staff

Report By: Steve Parkinson
Staff Recommendation: Approval

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10,
 - Chapter 10 - General Property Development Standards, amending Table 10-I "Maximum Building Height"
 - Chapter 31 – Definitions – amending definition of "Building, Height"

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on April 12, 2022.

Vice Chair Payne opened the floor for public comments.

The following email was read

From: Byron Burnett
Sent: Sunday, April 10, 2022 9:36 PM
To: Admin
Cc: Council
Subject: Building heights

Planning Commission

I am unable to attend the Planning Commission Meeting on April 12th.

I want to express my opposition to measuring building heights any way except to the full pitch or building height. NOT halfway between the eave and the peak of the roof, which could raise a 35 ft building to as much (or more) than 40 ft.

Anything taller than 35 ft behind my home, south of 4000 and west of the tracks, will create a sound tunnel with the tracks between our homes and new development.

I see this as a violation with what residents were promised by the Council in discussion concerning the Station South area.

Thanks Byron Burnett
4375 s 2675 w
801-731-2421

Michael Brodsky, 84 We. 4800 So. Murray said that in a walkout condition the way building height was measured became a problem. The rear slope of a roof was measured in a walkout condition to the eaves which made it a little problematic.

Kevin Homer, 5398 So. 4000 We. Roy thought the changes seemed reasonable and workable and he would recommend approval. His only suggestion was using larger font in the presentation next time.

No further comments were made



The Commission tabled the item during this meeting due to Mr. Brodsky's comment, so they could discuss it during their next meeting.

On April 26th the Commission discussed the item and the comments that they received, made an adjustment to the proposed code.

On May 10th the Commission voted 6-0; to forward to the City Council a recommendation to approve Ord. No 22-6 to amend Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-1 "Maximum Building Height" and CH 31 - Definitions amending the definition of "Building, Height", as written.

ANALYSIS

Background:

From the May 10th meeting staff report

During the April 26th work-session staff explain what transpired during their conversation with Mr. Brodsky the Commissioner Felt also brought up a concern regarding the "3" points and asked if there was a way that staff could make so developers don't try and exploit it. The Commission discussed other ways and came up with the idea of changing the minimum number of point from "3" to "4" and adding that at one point per façade is required.

From the April 26th work-session memo

During the public hearing Mr. Mike Brodsky brought up a concern regarding walkouts of structures having a disadvantage when it comes to measuring heights without looking at the slope.

The Commission closed the Public Hearing and then tabled the item in order to make sure they understand what was presented by Mr. Brodsky and ensure that the amendments took all aspects into account. Commission asked that staff to sit down with Mr. Brodsky and understand what he was expressing.

During the short conversation with Mr. Brodsky he spoke about that most city's use an average of measurements when dealing with buildings on a slope. Staff informed him that the definition did state "average" on heights and once he read the proposed definition he no longer had any concerns.

From the April 12th meeting staff report

During the process of approving the Mixed Use Zoning Code around the FrontRunner Station, there was discussion during a few of the Council meetings of how to measure the height of a building. The Council wasn't able to amend the definition of Building Height because the chapters dealing with it weren't apart of what they were reviewing. Therefore the Council asked to bring it back at a later date.

During the March 22, 2022 Work-Session the Planning Commission reviewed definitions from twenty (20) different various City's & County's along the Wasatch Front that had sections of their city/county built on a slope, as well as one from outside the State. They included:

- | | | | |
|-----------------|------------------|--------------------|--------------|
| • Weber County, | • Davis County, | • Farmington, | • Millcreek, |
| • North Ogden, | • South Weber, | • Centerville, | • Sandy, |
| • Ogden, | • Layton, | • Bountiful, | • Riverton, |
| • South Ogden, | • Kaysville, | • North Salt Lake | • Park City, |
| • Uintah, | • Fruit Heights, | • Salt Lake County | • Bend, OR, |

After discussing the pros and cons of each of the City's listed above and the one that staff introduced during the work-session the Planning Commission discussed what language they would like and directed staff to bring it back to the Commission to vote upon.

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Are consistent with previous discussions with the Planning Commission.

RECOMMENDATION

Staff recommends approval of Ord. No. 22-6 to amend Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-1 "Maximum Building Height" and CH 31 - Definitions amending the definition of "Building, Height", as written.

EXHIBITS

- A. Materials Reviewed during the March 22, 2022 Planning Commission Work-Session
- B. Existing Language compared to Proposed Language
- C. Ord No. 22-6

EXHIBIT "A" – VARIOUS CITY/COUNTY DEFINITIONS OF BUILDING HEIGHT

Roy City

1953

Building, Height of. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof

1973

Building, Height of. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof

2004

Building, Height of. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof

2005

Building, Height of. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof

Weber County

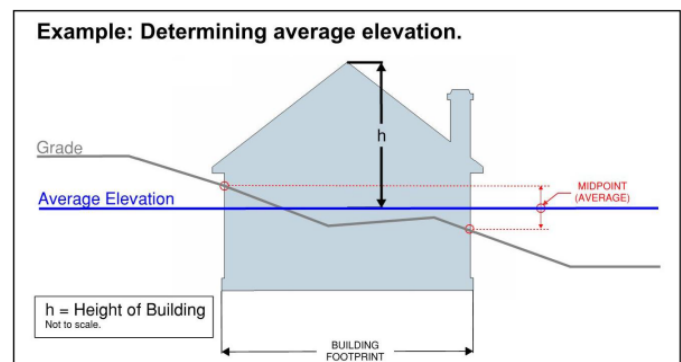
101-2-3

Building, height of. The phrase "height of building," or any of its variations, normally means the vertical distance between the highest point of the building or structure and the average elevation of the land at the exterior footprint of the building or structure using the finished grade. See section 108-7-5 for supplemental height provisions.

Sec 108-7-5 Building Or Structure Height Requirements

A. *Measuring height.* For the purpose of determining "height of building," as defined in section 101-1-7, the following shall apply:

- I. *Average elevation.* Average elevation shall be determined by averaging the highest elevation and the lowest elevation at the exterior footprint of the building or structure, including any support posts that require a footing. An alternative means of calculating average elevation may be approved by the planning director for an individual building if it follows industry best practices and is proposed by a licensed surveyor, engineer, or architect.



2. *Fill affecting building height.* Except as provided in this subsection, when grading a site to obtain the finished grade, as defined in section 101-1-7, no fill may exceed five vertical feet at any point from the site's natural grade, as also defined in section 101-1-7.

- a. Additional fill is allowed if required by county, state, or federal law, or to meet the standards of the National Flood Insurance Program. In this case the fill shall be no higher than the minimum of the other regulation or standard; or

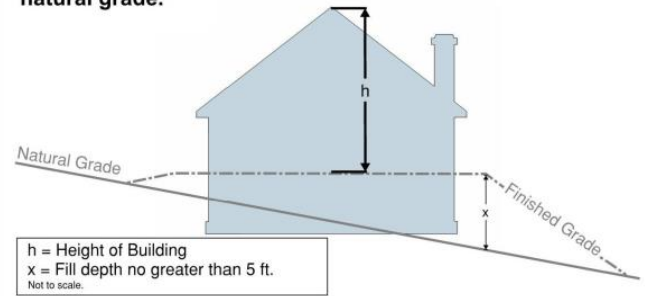
- b. In the Western Weber County Planning Area, if the building or structure is within 75 feet of a public or private street upon which its lot or parcel has frontage, fill is allowed that will provide an average elevation of finished grade that is equal to the elevation of the street. In this case, the street's elevation shall be determined to be at the midpoint of the lot's front lot line. If on a corner lot the elevation of both streets at the midpoint of each lot line shall be averaged.

3. *Driveway slope.* The slope of a driveway shall not exceed 15 percent. The planning director may modify the applicability of this if it can be demonstrated that there is no other reasonable configuration of a driveway to avoid slopes over 15 percent.

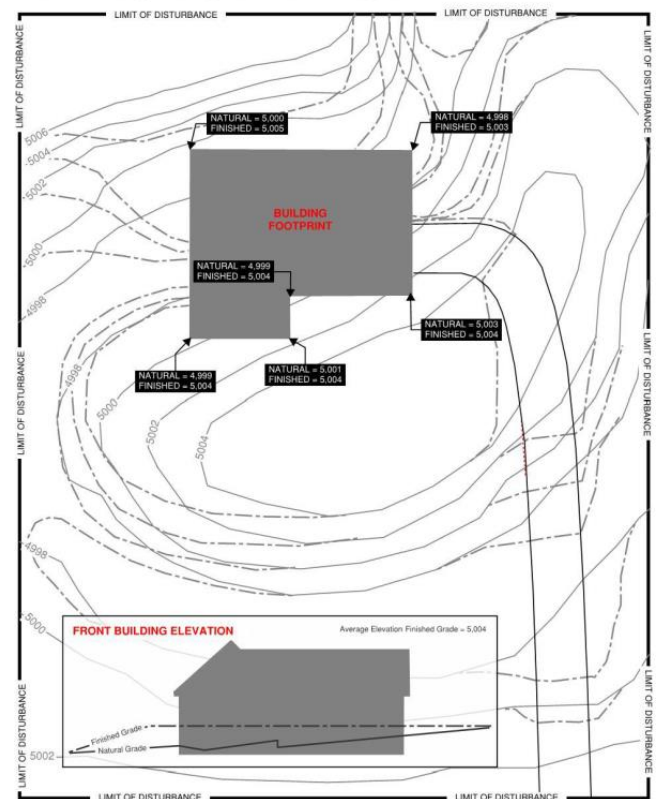
4. *Site plan submittal requirements.* A site plan shall contain both existing and proposed topographic contours at two foot intervals for the entire limits of disturbance, unless more is required by another section of this Land Use Code or by the planning director or county engineer for the purpose of determining compliance with other laws or standards. Grading that is proposed across lot or parcel lines shall require the consent of all affected owners. Building elevation drawings shall display natural grade and finished grade, and shall present the finished grade's elevation at each corner of the building. This requirement may be waived by the planning director or county engineer for sites that are relatively flat, or if evidence is presented that clearly show the proposed structures will not exceed the maximum height of the zone.

- B. *Roof structure height exception.* Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, cupolas, solar panels, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limit of the zone in which they are located, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and at no time shall the height be greater than 15 feet higher than the maximum height of the zone. All exceptions to height shall be subject to applicable design review requirements and all mechanical equipment shall be screened by materials consistent with those used on the exterior of the main building.

Example: Finished grade with maximum five feet fill from natural grade.



Example: Site plan showing existing and proposed topographic contours and building elevation drawing showing natural and finished grade.

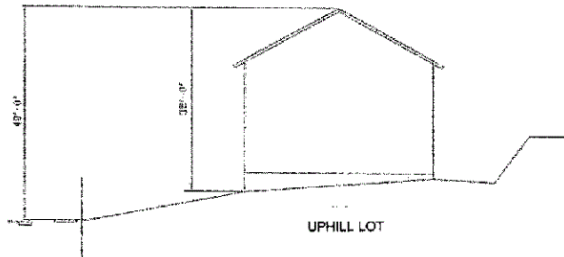


- C. *Air traffic height conflicts.* If in proximity to an airport, no building or structure or other appurtenance is permitted above the maximum height allowed by the Federal Aviation Administration, or other applicable airport or airspace regulation.
- D. *Minimum height of a dwelling.* Unless on a lot or parcel five acres or greater, no dwelling shall be erected to a height less than one story above natural grade.
- (Ord. of 1956, § 23-5; Ord. No. 2009-14; Ord. No. 2018-5, Exh. A, 5-1-2018)

North Ogden

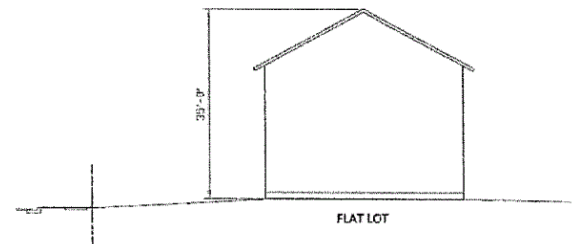
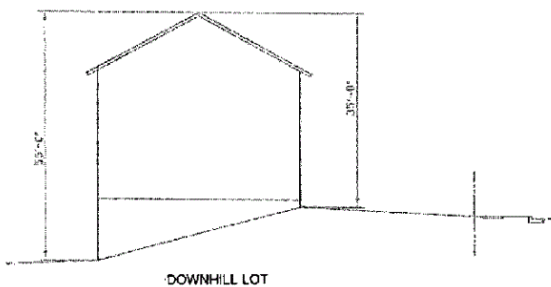
11-2-1

BUILDING, HEIGHT OF: The vertical distance measured from the natural grade level to the highest point of the structure directly above the natural grade when such structure is not located in a platted subdivision. If the structure is located in a platted subdivision, the building height shall be the vertical distance measured from the finished grade as shown on the subdivision grading plans or finished grade as shown on the individual lot's grading plans (whichever is lower), to the highest point of the structure directly above the finished grade. In the event that terrain problems prevent an accurate determination of height, the zoning administrator shall rule as to height. An appeal from that decision shall be to the administrative law judge.



The height of a building on a flat lot is measured from the highest finished grade at the building foundation to the highest point of the roof, which can be no higher than thirty five feet (35'). The definition of a "flat lot" is no more than three feet (3') of difference from the lowest point of the top back of curb to the highest point of the top back of curb on the building lot.

The height of a building on an uphill lot is measured from the lowest finished grade of the building foundation to the highest point of the roof, which can be no higher than thirty five feet (35'). Also, the height of the building from the top back of curb at the center of the lot to the highest point of the roof can be no higher than forty feet (40').



The height of a building on a downhill lot is measured from the highest finished grade at the building foundation to the highest point of the roof, which can be no higher than thirty five feet (35'). Also, the height of the building from the lowest grade of the foundation to the highest point of the roof can be no higher than fifty five feet (55').

Ogden

15-2-3

BUILDING, HEIGHT OF: The vertical distance from the grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof.

South Ogden

10-2-1

BUILDING, HEIGHT OF: The vertical distance from the finished grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof.

Uintah

9-2-1

BUILDING, HEIGHT OF: The vertical distance measured from the natural grade level to the highest point of the structure directly above the natural grade when such structure is not located in a platted subdivision. If the structure is located in a platted subdivision, the building height shall be the vertical distance measured from the finished grade as shown on the subdivision grading plans or finished grade as shown on the individual lot's grading plans (whichever is lower) to the highest point of the structure directly above the finished grade. In the event that terrain problems prevent an accurate determination of height, the zoning administrator shall rule as to height. An appeal from that decision shall be to the appeal authority.

Davis County

15.01.210

"Building Height" means the vertical distance from the average finished grade surface at the foundation, to the highest point of the building roof.

Bountiful

14-3-103

BUILDING, HEIGHT OF: The vertical distance from the grade plane to the highest point of the roof. (See Figures 3-1 and 3-2 at the end of this Chapter)

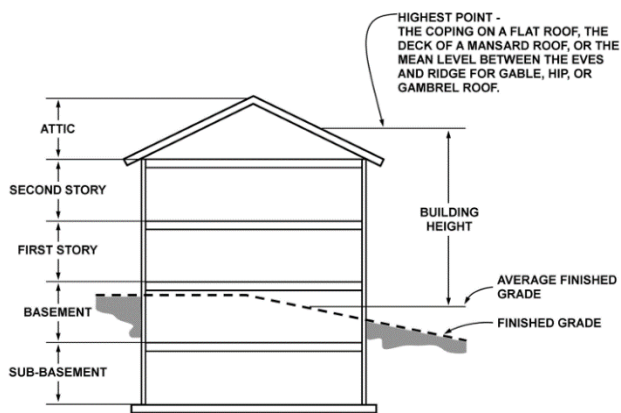


FIGURE 3-1

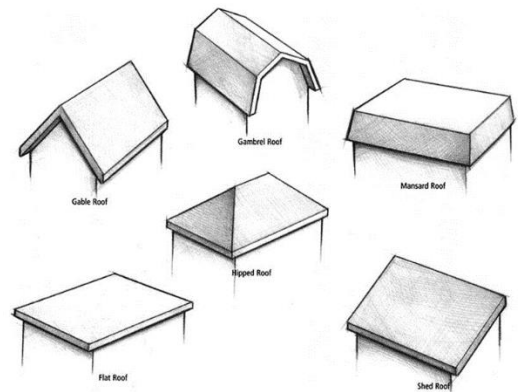


FIGURE 3-2
ROOF TYPES

Centerville

12.12.040

Building or Structure Height: The height of a building or structure shall be as defined in the Construction Codes adopted by the City. If the Construction Codes do not apply, height means the vertical distance from

the average finished grade to the highest point of a building or structure, except as otherwise provided in CZC 12.55.120.

12.55.120 Height Exceptions And Limitations

1. Exceptions to Height Limitations. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, parapet walls, skylights, towers, steeples, flagpoles, chimneys, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space for human occupancy.
2. Maximum Height of Accessory Building. No building which is accessory to a single-family or a multiple-family dwelling with four or fewer dwelling units shall be erected to a height greater than 20 feet without a conditional use permit.
3. Minimum Height of Main Building. No dwelling shall be erected to a height less than one story above grade except earth-sheltered dwellings authorized by the provisions of this Title.

Farmington

11-2-020

BUILDING OR STRUCTURE HEIGHT:

- A. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or mansard roof, or to the midpoint of the highest gable of a pitched, hipped or shed roof, or to a point two-thirds ($\frac{2}{3}$) the height of a quonset, parabolic or round roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:
 1. The elevation of the highest adjoining sidewalk or ground surface within a five foot (5') (1524mm) horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten feet (10') (3048mm) above lowest grade.
 2. An elevation ten feet (10') (3048mm) higher than the lowest grade when the sidewalk or ground surface described in subsection A1 of this definition is more than ten feet (10') (3048 mm) above lowest grade.
- B. Exterior walls exceeding twenty two feet (22') in height (exclusive of roofs) shall be interrupted by stepping or terracing the building or structure. Each step shall project horizontally at least eight feet (8') and cover no less than two-thirds ($\frac{2}{3}$) the length of the wall exceeding twenty two feet (22') in height.

Fruit Heights

10-2-3

Building Height - The vertical distance measured from the average finished grade to the highest point of any roof or coping

Kaysville

17-2-2

Building Height - The vertical distance from grade plane to the average height of the highest roof structure.

Layton

19.02.020

“Building Height”: The vertical distance from the average finished grade surface at the building wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip, or gambrel roofs. (See Diagram [A-1](#))

BUILDING HEIGHT

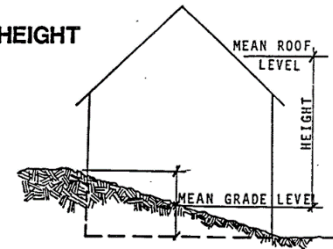


Diagram A-1

North Salt Lake

10-1-46

BUILDING, HEIGHT OF: The vertical distance from the highest point of elevation of the finished grade surface at the foundation to the highest point of the building roof or coping

South Weber

10-1-10

Building, Height of –

1. The vertical distance above the lowest original ground surface at a point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the ridge or highest point of a pitched or hipped roof.
2. Buildings may be stepped to accommodate the slope of the terrain; provided, that each step shall be at least twelve feet (12') in horizontal dimension. The height of each stepped building segment shall be measured as provided in subsection (A) of this definition.
3. For the purpose of this definition "original ground surface" means the elevation of the ground surface in its natural state before manmade alterations, including, but not limited to, grading, excavation, or filling, excluding improvements required by land use ordinances. When the elevation of the original ground surface is not readily apparent because of previous manmade alterations, the elevation of the original grade shall be determined by the Planning Commission using the best information available.

Salt Lake County

19.04.095

1. "Height of building" means the vertical distance above the lowest original ground surface or "existing grade," at any point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of pitched or hipped roofs, or gambrel roofs.
2. Buildings may be stepped to accommodate the slope of the terrain provided that each step shall be at least twelve feet in horizontal dimension. The height of each stepped building segment shall be measured as required in subsection A.
3. Original ground surface, or "existing grade," shall be the elevation of the ground surface in its natural state before any human-caused alterations including but not limited to grading, excavation or filling, excluding improvements required by zoning or subdivision ordinances. When the elevation of the original ground surface is not readily apparent because of previous human-caused alterations, the elevation of the original grade shall be determined by the development services division using the best information available.

Cottonwood Heights

Maximum Height Of Structures

<u>19.08.080</u>	<u>19.17.090</u>	<u>19.23.070</u>	<u>19.29.070</u>	<u>19.34.070</u>
<u>19.11.090</u>	<u>19.18.090</u>	<u>19.25.070</u>	<u>19.31.070</u>	<u>19.35.080</u>
<u>19.14.090</u>	<u>19.20.090</u>	<u>19.26.070</u>		

- For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.
- All other properties shall maintain a maximum structure height of 35 feet.
- For accessory buildings, heights will be determined on a case by case basis, subject to the foregoing maximums.
- No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.
- Accessory structures which meet the minimum side, rear and front setbacks for main buildings in the RR-1-43 zone may have an increase in maximum height to equal the maximum height of main buildings in the ____ zone.

Millcreek

19.04.095

1. "Height of building" means the vertical distance above the lowest original ground surface or "existing grade," at any point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of pitched or hipped roofs, or gambrel roofs.
2. Buildings may be stepped to accommodate the slope of the terrain provided that each step shall be at least twelve feet in horizontal dimension. The height of each stepped building segment shall be measured as required in subsection A.
3. Original ground surface, or "existing grade," shall be the elevation of the ground surface in its natural state before any human-caused alterations including but not limited to grading, excavation or filling, excluding improvements required by zoning or subdivision ordinances. When the elevation of the original ground surface is not readily apparent because of previous human-caused alterations, the elevation of the original grade shall be determined by the development services division using the best information available.

Riverton

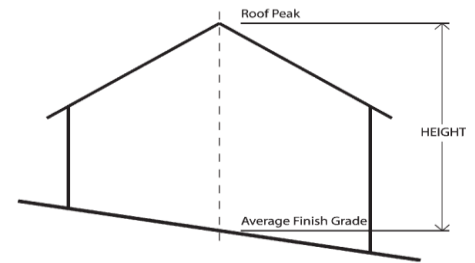
18.05.30

"Building height" means the vertical distance from the average finished grade surface to the highest point of the building roof or coping.

Sandy

21-37-3

Building height means the vertical distance from the average finished grade surface of the building to the highest point of the coping of a flat roof, to the top of a mansard roof, or the top of the ridge for a gable, hip, or gambrel roofs.



Park City

15-15-2

HEIGHT BUILDING. The vertical distance under any roof or roof element to Existing Grade. See LMC Chapter 15-2, Zoning Districts, for various exceptions within the different Zoning Districts.

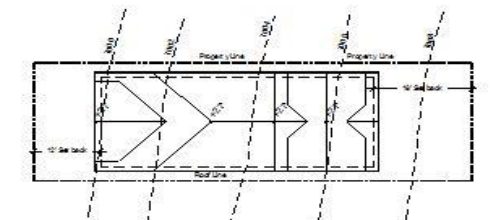
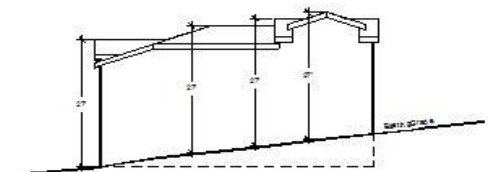
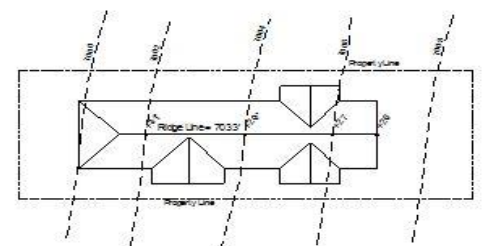
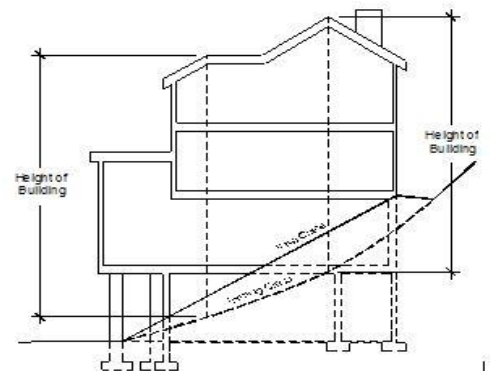
Building Height

15-2.1-5	15-2.5-5	15-2.9-4	15-2.13-4	15-2.23-4
15-2.2-5	15-2.6-5	15-2.10-4	15-2.14-4	15-2.23-5
15-2.3-5	15-2.7-4	15-2.11-4	15-2.16-4	15-2.26-4
15-2.4-5	15-2.8-4	15-2.12-5	15-2.18-4	

The maximum zone Building height is (ranging from Twenty-Eight (28) feet to Forty-Five (45) feet from Existing Grade.

MAXIMUM BUILDING HEIGHT EXCEPTIONS. The following exceptions apply:

- Gable, hip, Barrel, or similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.
- Antennas, chimneys, flues, vents, or similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements
- Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.
- Anemometers and Anemometer Towers used to measure wind energy potential may extend above the maximum Zone Height subject to a visual analysis and Conditional Use approval by the Planning Commission
- Wind turbines may extend above the maximum Zone Height subject to a visual analysis and Conditional Use approval by the Planning Commission of a Small Wind Energy System. Height is measured from Natural Grade to the tip of the rotor blade at its highest point or top of tower, whichever is greater. Church spires, bell towers, and like architectural features may extend up to



fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exceptions require approval by the Planning and Building Departments.

- Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').
- Ski lift and tramway towers may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission
- **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - The proposed option is the only feasible option for the elevator on the Site.
 - The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
- **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.1-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Chapter 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

Bend, OR

10.1.2

Building height means the average maximum vertical height of an enclosed building or structure measured at a minimum of three equidistant points as shown on the following figure along each building elevation from finished grade to the highest point on the building or structure.

The “highest point” means peak of roof for a building with a sloping roof or the top of the roof coping for a flat roof. Architectural elements that do not add floor area to an enclosed building or structure, such as parapet walls, chimneys, flag poles, bell towers, steeples, and vents, and roof equipment (including minimum screening necessary to conceal mechanical roof equipment including elevator shafts and staircases for rooftop access), and unenclosed decks and porches are not considered part of the height of a building or structure. For property located in the Water Overlay Zone (WOZ), see BDC 2.7.650(E)(4).

Building Heights. Maximum structure height shall be limited to 30 feet at the minimum setback line. The Bend Urban Area Planning Commission may allow increases in building heights up to the allowed height in the underlying zone the farther the building sets back from the river. The Bend Urban Area Planning

Commission may limit building height the closer to the river a building is allowed. The building height shall be measured from the lowest natural grade facing the river to the highest measurable point on or projecting from the roof of the structure.

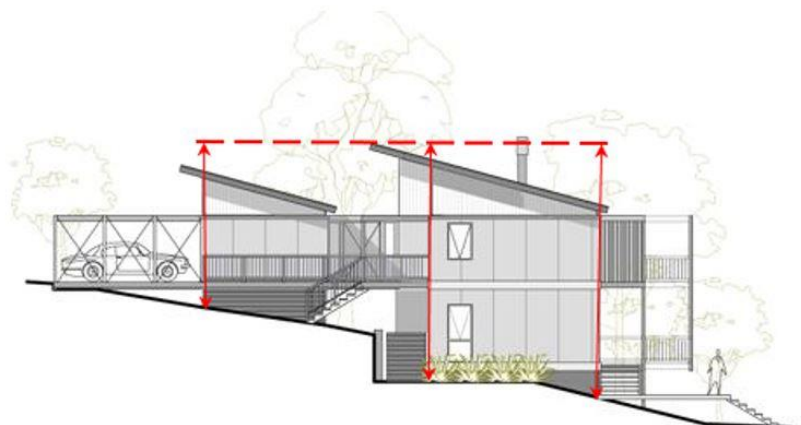


EXHIBIT “B” – EXISTING LANGUAGE COMPARED TO PROPOSED LANGUAGE

How the Existing Language reads

10-10-24 Table of Lot and Setback Requirements for Primary Buildings:

Table 10-1

Maximum Building Height	Thirty-five (35) feet as measured by the Building Codes, as adopted.
-------------------------	--

10-31-1 Purpose and Conflicts:

Building, Height: The vertical distance from the grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof.

How the Proposed Language would read

10-10-24 Table of Lot and Setback Requirements for Primary Buildings:

Table 10-1

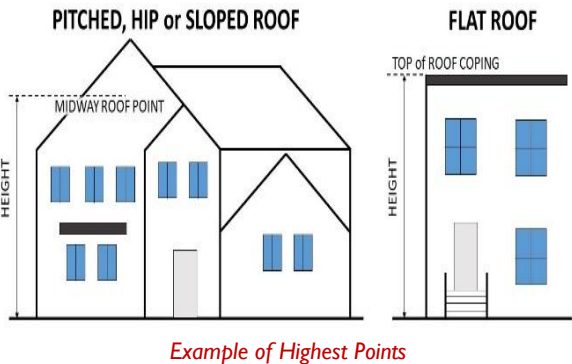
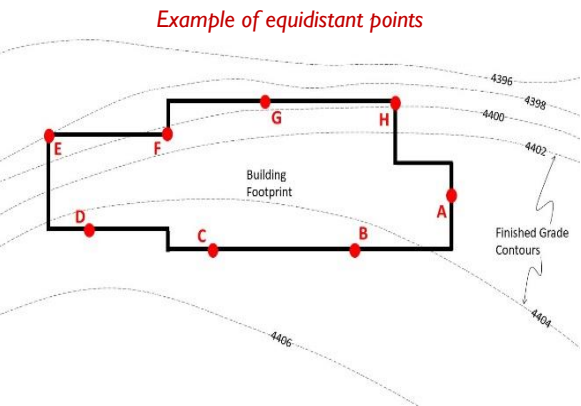
Maximum Building Height	Thirty-five (35) feet
-------------------------	-----------------------

10-31-1 Purpose and Conflicts:

Building, Height: means the average maximum vertical height of an enclosed building or structure measured at a minimum of four (4) and a maximum of eight (8) equidistant points (see illustration) along each building façade (a minimum of one (1) point per façade) from finished grade to the highest point on the building or structure.

The “highest point” is the top of the roof coping for a flat or the deck line of a mansard roof. For pitched, hipped, or sloping roof it is a point midway between the lowest part of the eaves or cornice and ridge of the peak of a roof.

Architectural elements that do not add floor area to an enclosed building or structure, such as parapet walls, chimneys, flag poles, bell towers, steeples, and vents, and roof equipment (including the minimum screening necessary to conceal mechanical roof equipment including elevator shafts and staircases for rooftop access), and unenclosed decks and porches are not considered part of the height of a building or structure.



ORDINANCE No. 22-6

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS, CH 10 - GENERAL PROPERTY DEVELOPMENT STANDARDS, AMENDING TABLE 10-1 "MAXIMUM BUILDING HEIGHT" AND CH 31 - DEFINITIONS AMENDING THE DEFINITION OF “BUILDING, HEIGHT”

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-1 "Maximum Building Height" and CH 31 - Definitions amending the definition of “Building, Height”

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended amendments to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 10 Zoning Regulations, CH 10 - General Property Development Standards, amending Table 10-1 "Maximum Building Height" and CH 31 - Definitions amending the definition of “Building, Height”, as attached:

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

AMEND

10-10-24 Table of Lot and Setback Requirements for Primary Buildings:

Table 10-1

Maximum Building Height	Thirty-five (35) feet as measured by the Building Codes, as adopted.
-------------------------	---

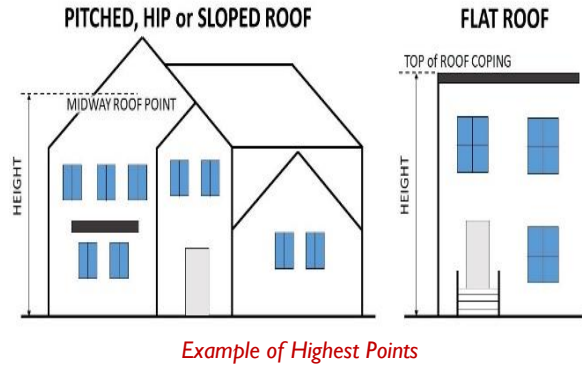
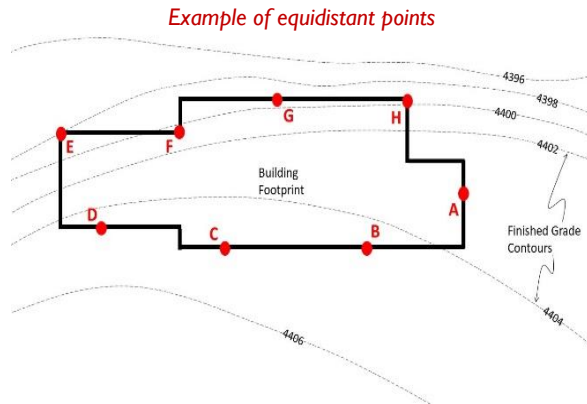
AMEND

10-31-1 Purpose and Conflicts:

Building, Height: Means the average maximum vertical height of an enclosed building or structure measured at a minimum of four (4) and a maximum of eight (8) equidistant points (see illustration) along each building façade (a minimum of one (1) point per façade) from finished grade to the highest point on the building or structure.

The ~~vertical distance from the grade elevation to the~~ “highest point” **is the top** of the **roof** coping of a flat or ~~to the deck line of a mansard roof.~~ **For a pitched, hipped, or sloping roof it is** a point midway between the lowest part of the eaves or cornice and ridge of **the peak** ~~a pitch or hip~~ of a roof.

Architectural elements that do not add floor area to an enclosed building or structure, such as parapet walls, chimneys, flag poles, bell towers, steeples, and vents, and roof equipment (including the minimum screening necessary to conceal mechanical roof equipment including elevator shafts and staircases for rooftop access), and unenclosed decks and porches are not considered part of the height of a building or structure.



This Ordinance has been approved by the following vote of the Roy City Council:

Councilmember Jackson	_____
Councilmember J. Paul	_____
Councilmember S. Paul	_____
Councilmember Scadden	_____
Councilmember Wilson	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2022.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder



SYNOPSIS

Application Information

Applicant: Roy City
Request: Ord. No 22-7; To amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs.

Staff

Report By: Steve Parkinson
Staff Recommendation: Approval

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 13,
 - Chapter 4 - Signs that Require a Permit

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on May 10, 2022.

Chair Cowley opened the floor for public comments.

No comments were made

The Commission voted 6-0; to forward to the City Council a recommendation to approve Ord. No 22-7 to amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs, as written.

ANALYSIS

Background:

When we as a City began looking at the Mixed Use zoning code for Downtown and the FrontRunner Station there was a chapter on signage, which was later removed when the Council approved it. But within that chapter there were new sign types.

With the shift to allow buildings to be closer to the street and with possible multiple uses within the same building, should we look at our current sign code and the allowed types of signs and possibly increase what can or is allowed?

During the two (2) work-sessions (March 22, 2022 & April 26, 2022) the Commission had been discussing what signs types that were a part of the "Mixed Use" code and which of those could be allowed within those zones. Along with the proposed language regarding height, width, location, numbers and appropriate zones. Exhibit "A" has the proposed language as discussed.

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Are consistent with previous discussions with the Planning Commission.

RECOMMENDATION

Staff recommends approval of Ord No 22-7 to amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs, as written.



EXHIBITS

A. Proposed Ord No. 22-7

ORDINANCE NO. 22-7

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended amendments to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs as attached:

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

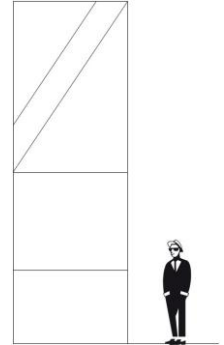
13-4-3: SIGNS THAT REQUIRE A PERMIT:

- 1) Types of signs allowed:
2. Monument Signs:
 - b. **Horizontal** Monument Signs as a Permitted Use in Non-Residential Zoning Districts (~~Regional Commercial~~, **all Downtown zones [East, Gateway, & West]** Community Commercial, Business Park, Manufacturing, Light Manufacturing, ~~&~~ Recreation **& Station Central**) and the R-4 Zoning District – The following regulations shall apply:
 - 1) Street Frontage Less Than One Hundred (100) Feet:
 - i. Height. Maximum height allowed shall be six (6) feet.
 - ii. Width. Maximum width allowed shall be eight (8) feet.
 - 2) Street Frontage Greater than One Hundred (100) Feet:
 - i. Height. Maximum height allowed for Monument Signs shall be eight (8) feet.
 - ii. Width. Maximum width (length) allowed shall be twelve (12) feet.
 - c. **Horizontal** Monument Signs as a Permitted Use for Residential Subdivisions and Public or Quasi-Public Uses in Residential Zoning Districts, and are not intended to govern or allow the use of such signs for non-conforming commercial uses in residential zoning districts – the following regulations and standards shall apply:

- 1) Height. Maximum height allowed shall be four (4) feet.
- 2) Width. Maximum width (length) allowed shall be six (6) feet.
- 3) Planning Commission Review. The Planning Commission approves Monument Signs for subdivision entrances and public or quasi-public uses in residential zoning districts with heights up to eight (8) feet and widths up to twelve (12) feet using the site plan review process upon finding that such an increase is appropriate relative to property size, sign location, and the design and purpose of the sign. (Ord. 1020, 11-17-2009; Ord. 1037, 12-7-2010)

d. Vertical Monument Signs as a Permitted Use in Non-Residential Zoning Districts (all Downtown zones [East, Gateway, & West], Community Commercial, Business Park, Manufacturing, Light Manufacturing, Recreation & Station Central) – The following regulations shall apply:

- 1) **Street Frontage Less Than One Hundred (100) Feet:**
 - i. Height. Maximum height allowed shall be 50% of the allowed height of a pole sign in the corresponding zone.
 - ii. Width. Maximum width allowed shall be three (3) feet.
- 2) **Street Frontage Greater than One Hundred (100) Feet:**
 - i. Height. Maximum height allowed for 75% of the allowed height of a pole sign in the corresponding zone.
 - ii. Width. Maximum width allowed shall be four (4) feet.



3. Pole Signs

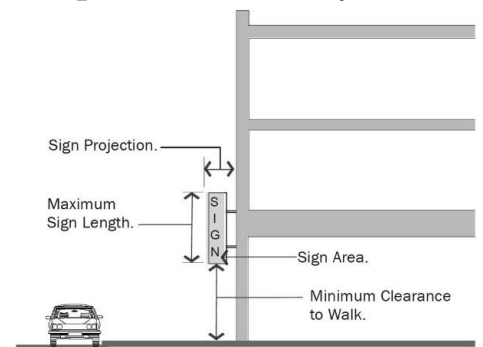
- c. ~~Regional-Commercial~~ **Downtown zones [East, Gateway, & West]** and Manufacturing Zoning Districts. The following regulations and standards shall apply to all Pole Signs ~~in the Regional Commercial and Manufacturing zoning districts:~~

- 2) Freeway Oriented Signs. Pole Signs in the ~~Regional-Commercial~~ **Downtown zones [East & Gateway]** zoning district on properties east of 1900 West Street, and located within three hundred (300) feet of the Interstate 15 right-of-way, as measured at the closest property lines, may be considered a Freeway Oriented Sign with the following considerations:

4. Projecting Signs: A Projecting Sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face. The sign may be vertically or horizontally oriented.

- a. **General Requirements – The following regulations and standards shall apply to all Projecting Signs.**

- 1) Permitted in all Downtown zones [East, Gateway, & West] & Station Central)
- 2) Height. A minimum of an eight (8) foot clearance from ground to bottom edge of sign.
- 3) Location on Building. Permitted on all facades; Sign and structural supports shall not extend above the eave or parapet.
- 4) Quantity. One (1) per tenant per street frontage; One (1) per tenant per side or rear facade on a parking lot
- 5) Placement on Building. Sign cannot project closer than one (1) from property line

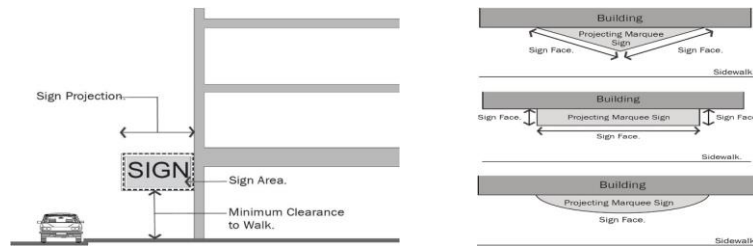


5. Projecting Marquee Sign: A Projecting Marquee Sign is a projecting sign designed to have two to three sign faces.

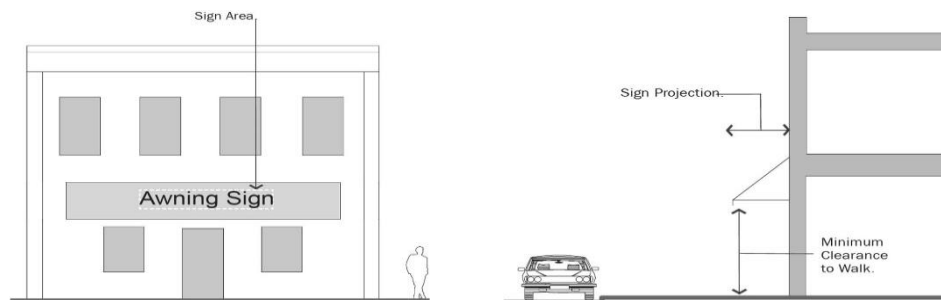
- a. **General Requirements – The following regulations and standards shall apply to all Projecting Marquee Signs**

- 1) Permitted in all Downtown zones [East, Gateway, & West] & Station Central)
- 2) Electronic Message Center (EMC) can be a part of the sign.
- 3) Height. A minimum of an eight (8) foot clearance from ground to bottom edge of sign.
- 4) Location on Building. Front & corner side facades only

- 5) **Quantity. One (1) per lot.**
- 6) **Placement on Building. Maximum projection from building is six (6) feet; cannot project closer than one (1) from property line.**



6. **Awning Sign: A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy**
 - a. **General Requirements – The following regulations and standards shall apply to all Awning Signs**
 - 1) **Permitted in all Downtown zones [East, Gateway, & West] & Station Central)**
 - 2) **Sign Area. Up to 50% of the awning may be used for Signage**
 - 3) **Height. A minimum of an eight (8) foot clearance from ground to bottom edge of sign.**
 - 4) **Location on Building. Front & corner side facades only**
 - 5) **Quantity. One (1) per tenant per street frontage**
 - 6) **Placement on Building. Maximum projection from building is six (6) feet; cannot project closer than one (1) from property line.**
 - 7) **Materials. Cloth, canvas, metal, or wood; All supports shall be made of metal or wood**
 - 8) **Internal Illumination. Not permitted.**



- 4.7. **Electronic Message Center (EMC) Signs, include signs or portions of signs with changeable electronic copy or otherwise electronically animated display. The regulations and standards in this Section shall apply to all such signs, including public service, time and temperature signs. Simple digital copy which is included as a portion of a larger sign used for the sole purpose of indicating prices for various types and grades of gasoline shall not be considered an Electronic Message Center Sign.**
 - a. **General Requirements – The following regulations and standards shall apply to all Electronic Message Center Signs:**
 - 3) **EMC signs can only be a part of either a monument, ~~or~~ pole sign or a Projecting Marquee Sign and are not allowed as part of ~~or as a wall sign~~ any other sign type.**
 - b. **Electronic Message Center Signs – In ~~Regional Commercial~~, all Downtown zones [East, Gateway, & West] Community Commercial, Business Park, Station Central and Manufacturing zoning districts, Electronic Message Center Signs shall be allowed as a permitted use with the following restriction:**
- 5.8. **Canopy (Gas Station) signs:**
- 6.9. **Home occupation signs.**

Ordinance has been approved by the following vote of the Roy City Council:

Councilmember Jackson	_____
Councilmember J. Paul	_____
Councilmember S. Paul	_____
Councilmember Scadden	_____
Councilmember Wilson	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2022.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder



SYNOPSIS

Application Information

Applicant: Roy City

Request: Ord. No. 22-8; To amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping.

Staff

Report By: Steve Parkinson

Staff Recommendation: Approval

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 10 - General Property Development Standards
 - 10-10-20 - Required Front Yard Landscaping in Residential Zones;
 - Chapter 13 – Mixed Use
 - 10-13-5 - Landscaping;
 - Chapter 14 - Permitted Uses
 - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); &
 - 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s);
 - Chapter 15 – Conditional Uses
 - 10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s);
 - 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use;
 - Chapter 31 - Definitions –
 - Irrigation System Design
 - Landscaping.

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on June 14, 2022.

Chair Cowley opened the floor for public comments.

Glenda Moore 2088 West 3825 South, asked if this applied to Rear Yards?

The Commission voted 7-0; to forward to the City Council a recommendation to approve Ord. No 22-8 to amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to



Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping, as written.

ANALYSIS

Background:

During the March 15th City Council meeting Jon Parry from Weber Basin Water presented the Flip-your-Strip program. From that the Council directed staff to look at it and have the Planning Commission look at amending our Ordinance(s). Also with the ever increasing drought/issue/concern of water conservation and with residences wanting to qualify for the “Flip-your-Strip” and other incentive programs as well as being good stewards ourselves. Staff would like to have a discussion on the code requirements that Weber Basin Water Conservancy District presented us to adopt for a more “Water-wise” Landscaping ordinance.

During the April 26, 2022 Work-session the Commission had a discussion on what potential amendments are going to be needed to accomplish Weber Basin’s goals and the City’s needs and desires.

Things Weber Basin’s amendments would require:

- Prohibit lawn in park-strips less than eight (8) feet wide.
- Limit lawn in all new yards and/or yards that re-landscape with a max percentage:
 - Single-Family 35%
 - Commercial 15%
- Prohibit lawn in buffer areas.
- Require drip irrigation in areas less than eight (8) feet wide.
- Require smart irrigation controllers
- Prevent HOA’s from prohibiting xeriscape landscaping

The Commission reviewed the Weber Basin Water Efficient Landscape Ordinance as well as a summary of other Cities for Water Efficient Landscaping Standards.

During the May 24, 2022 work-session the Commission discussed potential language changes to sections of the Zoning Code in order to comply with the requirements set by Weber Basin Water Conservancy District in order for the citizens of Roy to take part in the “Flip your Strip” program.

The sections of the code that were reviewed were:

- | | |
|------------|-----------|
| • 10-10-20 | • 10-15-7 |
| • 10-13-5 | • 10-15-8 |
| • 10-14-10 | • 10-31-1 |
| • 10-14-11 | |

Staff also sent a copy of the proposed language changes to Jon Parry of Weber Basin Water to get his input on the proposed changes. His comments have been incorporated into the proposed changed as found in Exhibit “A”.

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Are consistent with previous discussions with the Planning Commission.

RECOMMENDATION

Staff recommends approval of Ord. No. 22-8 to amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction

of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping, as written.

EXHIBITS

- A. Proposed Ord. No. 22-8

ORDINANCE No. 22-8

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS, CH 10 - GENERAL PROPERTY DEVELOPMENT STANDARDS - 10-10-20 - REQUIRED FRONT YARD LANDSCAPING IN RESIDENTIAL ZONES; CH 13 – MIXED USE - 10-13-5 - LANDSCAPING; CH 14 - PERMITTED USES - 10-14-10 - APPLICATION REQUIREMENTS TO ESTABLISH A PERMITTED USE PROPOSING NEW CONSTRUCTION OF A BUILDING(S); & 10-14-11 - ADDITIONAL SITE AND BUILDING DESIGN STANDARDS FOR NEW CONSTRUCTION OR STRUCTURAL MODIFICATIONS TO AN EXISTING BUILDING(S); CH 15 – CONDITIONAL USES -10-15-7 - APPLICATION REQUIREMENTS TO ESTABLISH A CONDITIONAL USE FOR NEW CONSTRUCTION OF A BUILDING(S); & 10-15-8 - ADDITIONAL SITE STANDARDS AND DESIGN REQUIREMENTS TO ESTABLISH A CONDITIONAL USE; CH 31 - DEFINITIONS – IRRIGATION SYSTEM DESIGN & LANDSCAPING

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 Zoning Regulations, CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping.

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended amendments to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 10 Zoning Regulations, CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping as attached:

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

10-10-20 Required Front Yard Landscaping in Residential Zones:

1. Landscaping, ~~such as but not limited to, grass, rocks, trees, shrubs, and ground cover~~ **as defined** is required to be installed in all yard areas of all residential lots within eighteen (18) months from issuance of a Certificate of Occupancy. For existing residential lots which have either not installed landscaping or residential lots where the landscaping no longer exists, landscaping according to these regulations shall be installed within eighteen (18) months from the enactment of this provision. **The following shall apply:**
 - a. **Turf grass not to exceed 35% of the total irrigable space of the front and side yards.**
 - b. **No turf grass in park-strips or any areas less than eight (8) feet in width.**
 - c. **An Irrigation System Design should be used for all areas to conserve water.**
2. Landscaping of residential lots shall be maintained in a healthy condition. Yard areas shall not lack appropriate turf, plant or ground cover material so as to cause excessive dust or allow the accumulation of debris. (Ord. 1036, 12-7-2013)

10-13-5 Landscaping:

- 1) General Requirements.
 - b) Applicability. Landscaping, trees, and buffers shall be installed as detailed in this section.
 - ii) **Landscape plans shall comply with the following:**
 - (1) **Turf grass not to exceed 15% of the total landscaped area (designated recreational areas excluded).**
 - (2) **No turf grass in parking lot landscape islands, park-strips, buffer areas or any area less than eight (8) feet wide.**
 - (3) **An Irrigation System Design should be used for all areas to conserve water.**
 - iii) Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions.
 - (1) Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared between two adjoining lots.
 - (2) Points of Access. Buffering is not required at driveways or other points of access to a lot.
 - iv) Temporary Uses. These provisions do not apply to temporary uses, unless determined otherwise by the Zoning Administrator.

10-14-10 Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s):

All applications to establish a Permitted Use proposing new construction of a building(s) shall include and provide the following information:

- 3) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:
 - b) A Landscape Plan(s). Landscape plan(s) shall be included with the Permitted Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant. **The following shall apply:**
 - i) **Turf grass not to exceed 15% of the total landscaped area (designated recreational areas excluded).**
 - ii) **No turf grass in parking lot landscape islands, park-strips, buffer areas or any area less than eight (8) feet wide.**
 - iii) **An Irrigation System Design should be used for all areas to conserve water.**

10-14-11 Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s):

To achieve the purposes of this Ordinance, Site and Building Design Standards or Design Guidelines are categorized as follows:

B. Site Design Standards:

All Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned, pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails, and parking areas.

- 9) **Site Landscaping and Screening Treatments.** Landscape improvements should mitigate building and parking lot impact, add aesthetic interest, and character. Landscaping is an integral element of site development. Landscaping should complement the architecture of the building and provide visual interest and variety, provide screening elements, add to year round site beautification, highlight building design features, and conserve water. The minimum landscaping requirement is based on the Zoning District in which the site is located, as provided in Table 10-2. Landscape designers shall recognize the following landscape design principles with the Landscape Plan(s) materials:
 - h) **Landscape Maintenance.** All landscape plans shall include necessary irrigation plans and shall demonstrate that long-term landscape maintenance **and water conservation** has been considered in the landscape design.

10-15-7 Application Requirements to Establish a Conditional Use for New Construction of a Building(s):

All applications to establish a Conditional Use shall include a Site Plan and provide the following information:

- 3) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:
 - b) A Landscape Plan(s). Landscape plan(s) shall be included with the Conditional Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant. **The following shall apply:**
 - (i) **Turf grass not to exceed 15% of the total landscaped area (designated recreational areas excluded).**
 - (ii) **No turf grass in parking lot landscape islands, park-strips, buffer areas or any area less than eight (8) feet wide.**
 - (iii) **An Irrigation System Design should be used for all areas to conserve water.**

10-15-8 Additional Site Standards and Design Requirements to Establish A Conditional Use:

To achieve the purposes of this Ordinance, Site and Building Design Standards or Design Guidelines are categorized as follows:

B. Site Design Standards:

All Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned, pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails, and parking areas.

- 9) **Site Landscaping and Screening Treatments.** Landscape improvements should mitigate building and parking lot impact, add aesthetic interest, and character. Landscaping is an integral element of site development. Landscaping should complement the architecture of the building and provide visual interest and variety, provide screening elements, add to year round site beautification, highlight building design features, and conserve water. The minimum landscaping requirement is based on the Zoning District in which the site is located, as provided in Table 10-2. Landscape designers shall recognize the following landscape design principles with the Landscape Plan(s) materials:

- h) **Landscape Maintenance.** All landscape plans shall include necessary irrigation plans and shall demonstrate that long-term landscape maintenance **and water conservation** has been considered in the landscape design.

10-31-1 Purpose and Conflicts:

Irrigation System Design:

- 1. A drip irrigation (with filter and pressure regulator) used in areas where turf grass is not used.**
- 2. Each irrigation valve shall irrigate landscaping with similar plant materials and watering needs. Turf grass and planting beds shall be irrigated on separate valves. Drip emitters, pop up spray heads, and rotators shall be placed on separate irrigation valves.**
- 3. Water Sense labeled smart irrigation controllers shall be used for landscaped areas.**

Landscaping: Materials and treatments that include naturally growing elements such as **turf** grass, trees, shrubs, **vines, ground covers, artificial turf (with no concrete underneath), drought tolerant plants** and flowers. Landscaping may also include the use of rocks, **stone, bark chips, and structural features, including but not limited to,** fountains, **outdoor art work,** benches, and contouring of the earth. **Landscaping does not include concrete, asphalt or other similar products.**

This Ordinance has been approved by the following vote of the Roy City Council:

Councilmember Jackson	_____
Councilmember J. Paul	_____
Councilmember S. Paul	_____
Councilmember Scadden	_____
Councilmember Wilson	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2022.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder