



**ROY CITY**  
**Planning Commission Regular meeting**  
**July 12, 2022 – 6:00 p.m.**  
City Council Chambers/Courtroom  
5051 South 1900 West

The meeting was a regularly scheduled work-session designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Claude Payne, Vice-Chair  
Samantha Bills  
Torriss Brand  
Chris Collins  
Jason Felt  
Jason Sphar  
Daniel Tanner

Steve Parkinson, City Planner  
Brody Flint, Assistant City Attorney

Excused: Commissioner Ryan Cowley

Others in attendance: Kevin Homer, Kayla Flores, Janel Hulbert, and Jaden Rasmussen.

Pledge of Allegiance: Commissioner Felt

1. DECLARATIONS OF CONFLICT

There were none.

2. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 17 - TABLE OF USES - TABLE 17-2 - TABLE OF ALLOWED USES - NON-RESIDENTIAL ZONING DISTRICTS - “TATTOO & BODY ART”, – TO REMOVE THE NUMBER ALLOWED PER CENSUS DATA.”

Applicant Kayla Flores of 5635 South 3500 West came forward and requested the first two pieces of the ordinance remain intact. She then asked for an amendment of the clause that limited the number of tattoo and body piercing businesses to one for every 10,000 residents, and change it to state that no two tattoo and body piercing businesses could be within a third of a mile of each other.

Mrs. Flores then went on to talk about her business. She then presented the Commission with a petition of 1500 signatures that requested the expansion of her business’s services. She argued the importance of her business expansion would economically benefit Roy City. She stated her business met all other existing Code requirements.

Mrs. Flores stressed the positive impact her business has on neighboring businesses as well. She emphasized the huge market demand for tattoo and body piercing businesses both nationally and within Roy City. She presented the Commission with several statistics corroborating her claims. She acknowledged the historically taboo nature of tattoos and body piercings, and she felt that belief system was gradually going out of date.

Vice-Chair Claude Payne opened the floor for questions from the Commissioners. There were none.

Steve Parkinson, City Planner, presented further. He reiterated the piece of the Code the applicant hoped to remove involved the use of census data versus mileage. He acknowledged the goal of the General Plan was to economically advance Roy City, and he discussed tattoo and body piercing businesses were growing and becoming economically attractive to cities around the country. He noted Roy City currently has a population of nearly 39,000 people, and already had three tattoo and body piercing businesses, which meant Roy City technically was at capacity for these businesses. However, he pointed out the new census would likely push the Roy City population over 40,000, which would allow the applicant's business to meet the zoning requirement.

Mr. Parkinson recommended the approval of the amendment to the zoning Code. He opened the floor for questions.

Mrs. Flores explained she included photos of the tattoo chairs in her submission to the Planning Commission on the health department's recommendation. She discussed the process of trying to open her business, and recalled at an early stage of planning she had been referred to Mr. Parkinson for more information. She said they had yet not received records from the census bureau, and she did not want to wait for the records to come in before she was able to open her business.

Commissioner Daniel Tanner then asked for specifics about the ordinances which prohibited tattoo and body piercing businesses to be in proximity of churches, schools, and community buildings.

Mr. Parkinson replied these ordinances were designed to prevent the oversaturation of these businesses.

Commissioner Daniel Tanner praised the application for their presentation.

**Commissioner Bills moved to open the public hearing. Commissioner Sphar seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted "aye." The motion carried**

Vice-Chairman Payne opened the floor for public comments.

Kevin Homer came forward and stated his address as 5398 South 4000 West. He stated he did not have a tattoo or any piercings and was not necessarily in favor of them, but he felt the government should not interfere with the free market. He was not necessarily in favor of these choices being made by the local populations, and stressed he would not be in favor of regulations on any other kind of business. He insisted the market should decide.

Janel Hulbert came forward and stated her address as 4178 Westlake Drive. She said she looked at the petition presented and she felt the City should support small businesses. She said the regulations and precautions in the ordinance made her feel comfortable in allowing the business to operate.

No additional comments were made.

**Commissioner Tanner moved to close the public hearing. Commissioner Brand seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.**

**Commissioner Sphar moved to forward a recommend to the City Council that they approve the proposed amendments to Title 10 Zoning Regulations, amending CH 17 - Table of Uses - Table 17-2 - Table of Allowed Uses - Non-Residential Zoning Districts - “Tattoo & Body Art”, – to remove the number allowed per Census data, as written. Commissioner Felt seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye,” The motion carried.**

3. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 13 – MIXED USE - 10-13-3 - BUILDING TYPES - TABLE 3.1 (1); § 3) STORE FRONTS, § 4) GENERAL STOOP BUILDINGS AND § 8) ROW BUILDINGS – TO ALLOW RESIDENTIAL ON THE MAIN LEVEL OF BUILDINGS AND ROW BUILDINGS, WITHIN THE DOWNTOWN GATEWAY ZONE ALONG SECONDARY STREETS.

Applicant Jaden Rasmussen came forward and presented his address as 15464 Midnight View, Bluffdale. He said his company came from Georgia, and they wanted to hire more young people in the area and invest in other long term careers for Roy City residents. Applicant Jason Rasmussen said they hoped to amend the ordinance to allow more buildings downtown. He explained they planned to build on a side street adjacent to residential areas. He then offered some physical copies of site plans to the Commission, and noted part of their plan included outdoor covers and local expansion. He opened the floor for questions from the Commissioners.

Commissioner Torris Brand asked if the development would later be a private business room and Applicant Jaden Rasmussen said it would be.

Steve Parkinson, City Planner, said the first part of the ordinance did allow these businesses near residential areas, although only through gateway zones. He recalled the Council had previously banned certain businesses from being in the downtown zone, though this would not affect this business.

Mr. Parkinson addressed the dimensions and exterior plans of the business, and said the applicant’s business met all the requirements, with one caveat related to access from certain streets. He said the Commission’s biggest decision would be whether to allow the business on certain streets over others. He commented streets with hedges lining the front of homes and businesses alongside 2000 West as a potential issue. He cited 5200 South, 6000 South, and 1900 West as other potential streets that the Commission would need to make a decision on.

Mr. Parkinson walked the Commission through photos of these streets to provide greater context, and noted the proximity between several homes and businesses in the downtown area. He felt a greater issue could be allowing commercial businesses on the bottom floor of multi-level buildings and permitting residential homes on the top floors. He noted many of these streets had a single family unit nature, so he explained City Staff recommended they change the zone to specify which streets were allowed to have mixed zone usages.

Commissioner Torris Brand suggested they make limitations in cases where changing the entire zone would significantly alter the overall appearance of the street.

Vice-Chairman Claude Payne agreed with this, and added the addition of townhomes could benefit the downtown area.

**Commissioner Tanner moved to open the public hearing. Commissioner Collins seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried**

Vice-Chairman Payne opened the floor for public comments. No comments were made.

**Commissioner Collins moved to close the public hearing. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.**

Commissioner Brand asked if they should restrict the changes or allow them. Commissioner Tanner thought they needed to first specify where they were making restrictions. He suggested they limit the language in reference to access points on homes.

Commissioner Samantha Bills asked if they only want these regulations to apply in those very specific areas. She said they would need to write a definition of what these regulations would look like.

Commissioner Tanner thought they would need to differentiate between entrance points and access points.

Commissioner Jason Felt pointed out in that case, they would need to define access.

Commissioner Bills cautioned if they did not define their terms correctly that could possibly lead to certain businesses being torn down to build townhouses at a later date.

Commissioner Jason Sphar suggested they table this discussion for later.

**Commissioner Sphar moved to table the proposed amendments to Title 10 Zoning Regulations, amending CH 13 - Mixed Uses - 10-13-2 - Uses - Table 2.1 (1); 10-13-3 - Building Types - Table 3.1 (1) and § 8) Row Buildings – to allow Row Building within the Downtown Gateway zone along secondary streets, in order to discuss the language and get it right. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye,” The motion carried.**

#### 4. COMMISSIONERS MINUTE

No comments made.

#### 5. STAFF UPDATE

Mr. Parkinson stated he did not have any updates, and noted townhome construction on the north side of town was going well. Commissioner Bills asked if they had a work session this month, and it was replied that they did have a work session coming up.

6. ADJOURN

**Commissioner Felt moved to adjourn at 7:00 p.m. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.**

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Claude Payne  
Vice-Chair

dc: 07-12-22