



ROY CITY
Planning Commission Work-Session
May 23, 2023 – 6:00 p.m.
Community Development Conference

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:

Ryan Cowley, Chair
Torriss Brand
Chris Collins
Jason Felt
Janel Hulbert
Claude Payne
Jason Sphar
Daniel Tanner

Steve Parkinson, City Planner
Matt Wilson, City Attorney

Excused: Commissioner Samantha Bills

Others in attendance: Kevin Homer

Pledge of Allegiance: Commissioner Hulbert

1. CONTINUED DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 13 - MIXED USES - 10-13-3 – BUILDING TYPES - § 9) SECONDARY BUILDINGS – TO ALLOW ACCESSORY STORAGE TYPE BUILDINGS; § 11) AEROSPACE DESIGN THEME REQUIREMENTS

City Planner Steve Parkinson presented this item for discussion. This was a continued conversation about the types of buildings that would be allowed in the Downtown Gateway Zone and clarified it would either be a rezone or an amendment to the ordinance. He noted Planning Commission thought it should be an amendment rather than a rezone.

Mr. Parkinson went through the rough draft of the amendment for discussion.

Chair Cowley commented they could also do either a rezone or an amendment and leave it as it was.

Commissioner Brand asked what kind of business this was.

Mr. Parkinson replied that it was Lawn World, but it would affect any business in the Downtown Gateway.

Chair Cowley explained the building was allowed on the property; it was the materials and location that were under discussion and whatever they did here had broader implications and they had to be careful to accommodate one business.

Commissioner Brand asked if this was the building that used to be an appliance store.

Mr. Parkinson replied it was not and clarified that the location was right across from Roy 66.

Mr. Parkinson asked which zones they would like to see the amendment in.

Commissioner Brand asked what they wanted to do exactly.

Mr. Parkinson replied they wanted to build a 40x60 building designated just for storage that was 100% metal. He stated their ordinance required an 80/20 split on materials, the metal could not be corrugated, and the location needed to be closer to the street. The property was very large and deep, and they needed to look at the measurements so they could make the ordinance meet a majority of the properties and not just one or two.

Mr. Parkinson stated they were okay zone-wise. There was general agreement. Mr. Parkinson then said they were creating a building type called an accessory storage bay building with the intent for storage and multiple bays.

Commissioner Collins commented this was something they would want on the back of the lot, so it was not as visible from the road. City Planner Parkinson agreed they did not want it up front because that would require more glass as well.

Mr. Parkinson showed a pseudo site plan for the proposed new building type and explained the new proposed setbacks. He stated they needed to think about where they wanted the building to be on the lot. He said he wanted to be consistent, but they needed to take into consideration that some properties were smaller than others.

Commissioner Collins commented there was an intended use now but there was a potential future use that could be different that would contradict the intended use.

Mr. Parkinson suggested they specify the specific uses allowed in this type of building.

Mr. Parkinson asked for suggestions about setback distances. He commented they could come back to this, and no decisions had to be made that evening.

Commissioner Collins stated they were looking at it for a specific use.

Mr. Parkinson clarified it had implications for all of the properties in a zone.

Commissioner Collins commented if they did a setback that was too far it did not benefit 66.

Mr. Parkinson offered to draw up a visual to demonstrate which properties would not benefit from a 100-foot setback.

Commissioner Sphar replied he would like that so they could see what it looked like on different properties.

Commissioner Felt stated he did not care how far it was from the front curb, he thought the back and the sides were more important. He commented the height in that zone for this type of building was 25 feet and he wanted to take height into consideration when discussing setbacks.

Mr. Parkinson stated residential could only be 25 feet tall and had to be within twenty feet of the property, so this would hit the max height.

Commissioner Collins commented that something else to consider would be keeping a little bit of the 80/20 standard they had for the front part of the building unless it was a corner lot.

Mr. Parkinson thought it needed to be consistent with whatever the main buildings were.

Commissioner Brand asked what the main building was.

Mr. Parkinson replied it was an old single-family home with vinyl siding.

Commissioner Brand clarified the builder wanted to use metal instead of siding because it was cheaper.

Mr. Parkinson confirmed and commented that this zone allowed for more kinds of building materials, just not the building type.

Commissioner Brand thought if they were going to be consistent with other properties, any outbuildings should be compatible with whatever the main building was.

Commissioner Sphar commented that essentially, they wanted to allow the building, but they did not want it to look poorly planned.

Mr. Parkinson commented that that was essentially the premise of the whole zone.

Commissioner Felt commented that what they had created in the original zone was that they did not want metal buildings in the downtown area.

Mr. Parkinson stated this property was unique as far as the distance they could allow.

Commissioner Sphar thought this was a compromise because they wanted to build a storage unit which was previously not allowed so then they would need to compromise with this new building design.

Commissioner Hulbert thought this was a good point to bring up because businesses that were growing came to them and asked for storage-type buildings or containers so this would be something that would be ongoing.

Commissioner Sphar commented if new businesses came in then these buildings would already be in compliance with the downtown area so they wouldn't have to do anything to them.

Commissioner Felt thought one of the complications was that he had already purchased the building.

Mr. Parkinson stated he was not concerned with what he had already purchased.

Commissioner Collins commented he was involved with the process of the original zoning but what he was understanding with this particular zone was that the vision was small walk-in commercial.

Mr. Parkinson elaborated they were not necessarily concerned about the use of the building but more concerned with how it interacted with the road.

Mr. Parkinson stated if they wanted to make it compatible and allow for corrugated metal on the back building, they would have to allow for it on the front building. He commented that the dilemma was that they were trying to modify an existing code to something they never intended for this zone to allow and even the storage unit they had looked at before had to comply with the current material requirements.

Mr. Parkinson stated he had tried to convince the builder to tear down the office that was currently present and rebuild as this new building type to avoid the ordinance requirements, but he was not ready for that.

Commissioner Collins asked how far the current building was from the curb.

Mr. Parkinson replied that it was 30 feet or more.

Commissioner Collins asked if he sold it and someone wanted to demolish the house and rebuild, what was the setback on rebuilding.

Mr. Parkinson replied he did not bring his ordinance, but he thought that it was 0-15 feet.

Commissioner Felt clarified they wanted walk-up commercial in that zone.

Mr. Parkinson stated the only required 15-foot setback was at 56 and 19 which he did not mind because they could have larger sidewalks.

Mr. Parkinson asked if they wanted him to bring an aerial back to illustrate the different distances and what they would do to the different properties. Commissioner Hulbert thought that would be helpful. City Planner Parkinson asked if they wanted him to do every 50 feet just to show them from the back of curb and one from back of building. There was general agreement.

Mr. Parkinson stated they would put this on hold until he could put together the aerials. He asked if they were okay with side setbacks of ten feet. There was discussion about the difference between commercial and residential setbacks. City Planner Parkinson commented that for him, it was about the different zones for what they would allow.

Mr. Parkinson asked if they were okay with a max height of 25 feet. There was general agreement. He asked about ground storage transparency and if they were okay with 15%. He thought if it was fronting the street, it was more important. There was general agreement. He stated he still wanted consistency with the main building.

Mr. Parkinson stated he would bring back the aerials so they could get more consistency on all of the properties rather than just the one. He continued and said the material was an aerospace

design theme and they would not be changing that, what they were changing was the materials and colors for an accessory storage bay building in that it could be 100% of any of the materials listed and asked if metal was metal whether it was corrugated or flat. There was agreement that these metals were not the same.

Mr. Parkinson asked if they agreed the main building and the accessory building needed to be consistent. There was general agreement. Commissioner Felt commented that if they did not require that now, the buildings would not match if new buildings were built.

2. CONTINUED DISCUSSION ON 13-4-3 B – TYPES OF SIGNS ALLOWED ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 10 – GENERAL PROPERTY DEVELOPMENT STANDARDS, 10-10-32 - PARKING IN RESIDENTIAL ZONES; AMENDING CH 19 – OFF-STREET PARKING AND LOADING, 10-19-6 - LOCATION OF REQUIRED OFF-STREET PARKING

Mr. Parkinson presented this item and recalled they had held a discussion on this item before. He explained it was in regard to allowing for off-street parking on the front yard during winter months. He commented they did not want to pursue this, but they had been pressured from on high to bring it back for more of a discussion and language clarification.

City Attorney Wilson commented there just needed to be a recommendation to City Council either yay or nay.

Mr. Parkinson stated they were looking for a recommendation so they were going through the process and the language they were looking at was that it was an exception and there was language in the code that required sidewalks be plowed in a certain amount of time after a storm and he thought they could stay consistent with that. He stated they would look at the language and they would have to have a public hearing on this which was where the recommendations would come from.

Commissioner Felt commented if they started parking cars on lawns during the winter they would turn into mud pits and destroy the landscaping and he did not see a need for it.

Mr. Wilson commented they could say this would be the proposed language and they were recommending that this not be adopted.

Commissioner Hulbert thought this was a problem for some people in the areas that were built earlier in Roy because they did not have big driveways and as time goes on more and more families had more cars so they needed to think about that when discussing this. She got worried when they said they could park cars on lawns because it turned into ugliness but there were a lot of homes that did not have accommodating driveways.

Mr. Parkinson commented that even with the older homes, they met the requirements for parking, but the problem with today's society is that families had multiple vehicles per person. He stated they had discussed in committee that people with this problem could either move or find a place to store the extra vehicles but not everyone can afford these alternatives but as a planner this was not his problem.

Commissioner Felt commented that going back in time a bit, they allowed parking behind a house and there were other alternatives than parking in lawns and had even expanded opportunities where people could put RVs and boats but he was struggling with allowing for parking in lawns.

Mr. Wilson commented that this was also increasing the policing that would be required and worried it would put a higher demand on the City than they had the resources for.

Commissioner Collins commented there were options but changing an ordinance did not have to be one.

Mr. Parkinson stated they had been directed to carry on with this discussion and there would be a public hearing. He understood the comments, but he had to bring some language for a public hearing in order for them to vote.

Mr. Wilson commented it did not even need to be for allowing parking on lawn but could allow for exceptions for the people with the smaller driveways during the winter months.

Commissioner Felt asked if whoever wanted this could give them a presentation to provide information for why they wanted this and why this was an issue they should look at.

Commissioner Sphar commented the way this was written read that he could park in his neighbors' front yard and thought this created more policing.

Mr. Parkinson commented he wanted to clarify how many vehicles and what kind of vehicles they would hypothetically allow for.

Commissioner Felt suggested they allow parking wherever they wanted during a snowstorm.

Commissioner Hulbert commented that this went back to their training where they learned why they had planning and zoning in the first place because they lived in a community where they needed to respect their neighbors.

Mr. Parkinson commented that if they wanted to live in a community where they did not police this stuff, drive through Sunset.

Commissioner Hulbert stated she hoped the citizens realized they were trying to make Roy better, and if they wanted Roy to continue to thrive then they needed to make it a nice place to be.

Mr. Kevin Homer stated he had a truck he parked on the curb most of the time and with the existing ordinance he had to haul it into the driveway during snowstorms and as far as the ordinance being discussed, he would never park any vehicle on his front yard because he did not want to ruin his grass or his sprinkler heads. He commented that when they get to the Public Hearing, they would find a lot of people already parked in their front yards and wanted to continue to do so. He thought it was a good proposal but if they decided to not allow for parking in the yard they would get a lot of feedback.

Commissioner Collins asked how many people were out there parking in their yards.

Mr. Homer replied he had heard from a lot of people during this discussion that they did this.

Commissioner Collins thought it was such a small percentage that did this it did not make sense.

City Planner Parkinson stated it was a very specific timeframe under discussion.

Mr. Wilson commented on the problem with policing was having the time to respond to all of the complaints.

Mr. Parkinson clarified that the street was the police's responsibility, and the yard was Code Enforcement.

Mr. Parkinson stated they would use the language to allow for one vehicle and specify truck or car and he wanted to try to narrow it down as much as they wanted or keep it as broad as they wanted.

Commissioner Hulbert asked about people who had put rocks in their yard for xeriscaping. Mr.

Parkinson replied that did not allow parking just because it was an approved landscaping material.

City Attorney Wilson commented they could add that kind of language to specify.

Commissioner Felt asked if there were setbacks that would prevent a car from being parked on the side of a house.

Mr. Parkinson replied on the side of the house if it was next to the driveway it wdriveway,ed and it was allowed in the backyard. Commissioner Collins stated the problem he had run into was cars being stored in these places and these cars needed to be moved to allow for parking the cars that ran and were being used.

Mr. Parkinson stated he would do some research and bring it back to them.

Commissioner Brand asked if the powers that be wanted to allow for parking in the front yard.

Mr. Wilson replied it had come from the Council so he did not know how they would all vote, he just knew that they had received direction that they needed to at least push this forward.

Commissioner Felt suggested they use language that if there was no other alternative to make the necessary improvements to provide winter parking then they could use the lawn.

Mr. Wilson commented they just needed to come up with language to send to Council.

Mr. Parkinson stated they needed to come up with language that they could live with if it passed.

Commissioner Felt went back to the Public Hearing they had had at the last meeting where they were discussing specific properties and asked how they could avoid where they get into that and where they could address overall principles in a zone rather than specific properties.

Mr. Parkinson commented the previous item they had discussed that evening had been brought to them by a specific property owner and they were looking at how they could address that request overall and they were not trying to highlight one property that was just where it had come from. I've tried to keep it as neutral as possible.

Commissioner Collins asked Mr. Wilson if someone could still have a voice in this even if they were going to benefit from an ordinance change.

Mr. Wilson replied they could, and added even the applicant would have a voice in this matter.

3. COMMISSIONERS MINUTE

Commissioner Sphar asked if there would be a way for him to sit in on discussions as a member of the public in which he had recused himself because of a conflict of interest.

Mr. Wilson replied he could do that.

Commissioner Brand asked if it was sufficient enough to declare a conflict and then just not vote on it.

Mr. Wilson replied it depended on the conflict.

Commissioner Tanner suggested they allow longer than two minutes for comments because he wanted to hear the man from the previous meeting finish his thought.

Chair Cowley replied he was happy to have the conversation, but said in his experience, comments that went on longer than two minutes tended to devolve.

Commissioner Brand discussed the public perception of the Planning Commission was that they just did everything Mr. Parkinson said, and that they did not listen to what the public has to say. He stated from personal experience on the bench that most of the time people just wanted to be heard and thought it was the same for the public and how they perceived the Planning Commission.

Chair Cowley stated limiting the time to two minutes required people to focus and state their thoughts.

Chair Cowley stated when they closed the Public Hearing, they could absolutely not accept any more comments.

4. STAFF UPDATE

Mr. Parkinson provided a three-page memo of all of the bills that had to do with planning and zoning and discussed some of the highlighted ones that would affect them as a body. He commented on HB-206, which dealt with airport land use amendments, and he noted this would impact Hillfield. He stated if they were within 5,000 feet of an airport runway then they had to come up with an airport runway overlay zone to accommodate the takeoff and landing. He mentioned he still needed to figure out the FAA requirements for that.

Mr. Parkinson commented on HB-265, which were landscape amendments which pertained to Hillfield and other military installations and stated if they were within 5,000 feet they needed to be notified if any zones were changed or if anything was changing within that perimeter in the future and if there was going to be a change, they had to submit an application and wait 90 days to hear back.

Mr. Parkinson commented on HB-364 which made a number of changes to how they reported moderate income housing. He stated he would have to make an annual report due on August first, and added there would be changes to how and what got reported and there were more financial incentives to comply because the State was threatening loss of funding.

Mr. Parkinson commented on HB-406, and explained it changed the annexation code. He clarified it did not affect them a lot but thought there were still some things they needed to look at.

Mr. Parkinson commented on SB-27 which required all cities to submit their newly adopted General Plan or amended General Plans within 45 days. He stated they were already compliant with that.

Mr. Parkinson commented on SB-43 which changed public noticing requirements. He stated the biggest one pertained to ordinance changes which now required a defined affected area, otherwise he would have to mail it to every resident. Chair Cowley stated he had been a part of this bill and if there were any clarifications needed, he could reach out and find out the answers they needed.

Mr. Parkinson commented on SB-76 which required a water conservation element in the General Plan which needed to be done by December of 2025 and they needed to consult with the State Division of Water Resources, Weber Basin Water, and Roy Conservancy Water with that.

Mr. Parkinson commented on SB-174 which related to moderate income housing and cautioned that they needed to make sure they were complaint with this otherwise it would hurt them. He stated it also modified some of the internal accessory dwelling units, but he could not recall the specifics and he was not really worried about this.

Mr. Parkinson stated what he was really concerned about was that this completely changed the subdivision process and essentially took out Public Hearings entirely which would take Planning Commission and City Council out of the process entirely and left it up to Staff. He commented this sped up the process for subdivision and only applied to residential and almost everything would be required at the preliminary step.

Commissioner Hulbert asked if they were doing this to speed up the overall process.

Mr. Parkinson replied that for some cities it was already a quick process that was done at the Staff level.

Commissioner Hulbert commented they had been worried about a housing shortage.

Mr. Parkinson replied that it was geared towards that.

Mr. Wilson clarified the Public Notice Website posting was still required but newspaper postings were optional.

Mr. Parkinson stated the Stationary Plan would be going before the Council on June sixth.

Commissioner Brand commented that one of the missionaries he knew who had worked on 5600 had reported to him that there were people who were looking forward to selling their houses and they were just waiting for UDOT. He thought this might explain why they had a bunch of early adopters.

5. ADJOURN

Commissioner Collins moved to adjourn at 7:39 p.m. Commissioner Payne seconded the motion. Commissioners Brand, Collins, Cowley, Felt, Hulbert, Payne, Sphar, and Tanner voted “aye.” The motion carried.

Ryan Cowley
Chair

dc: 05-23-23