



ROY CITY
Planning Commission Regular meeting
November 14, 2023 – 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:

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

Steve Parkinson, City Planner
Patrick Tan, Assistant City Attorney

Excused: Commissioner Samantha Bills

Others in attendance: Glenda Moore, Eric Malmberra, Cambria Hulbert, Austin-Arlo Doyle, and Rebecca Doyle.

Pledge of Allegiance: Commissioner Hulbert

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF THE SEPTEMBER 26, 2023, WORK-SESSION MINUTES

Commissioner Collins moved to approve the September 23, 2023; work-session meeting minutes as written. Commissioner Tanner seconded the motion. Commissioners Tanner, Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

3. APPROVAL OF THE OCTOBER 10, 2023, REGULAR MEETING MINUTES

Commissioner Tanner moved to approve the October 10, 2023; regular meeting minutes as written. Commissioner Collins seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

4. APPROVAL OF THE OCTOBER 24, 2023, WORK-SESSION MINUTES

Commissioner Hulbert moved to approve the October 24, 2023; work-session meeting minutes as written. Commissioner Collins seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

5. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 11 SUBDIVISION REGULATIONS AS PER SB 174 (2023)

Mr. Parkinson explained that generally speaking, a blue highlight in an ordinance indicated entirely new language and red highlight signified that the wording had been changed. He

discussed how he intended to move Chapter 11 into Chapter Two, and after speaking with the City Attorney he had found he would need to highlight the sections entirely differently, since it would be new language for Chapter Two, even if it was the same wording as it had been written in Chapter Two. He explained to the Commissioners how the document would be highlighted in order to clarify where the sections had been moved around.

Mr. Parkinson then gave an overview of the ordinance. He stated Chapter One laid out the purpose of the ordinance. He commented that ordinances before 2007 did not indicate what years they were updated and noted this one had been around since 1955, so any updates to it since that time did not reflect when changes had been made to it. Mr. Parkinson spoke about how he had worked with other departments in the City in order to make this document both technical and legal.

Mr. Parkinson went over some of the changes. He noted the State Code did not require a full plat a lot of the time so some things could be recorded just by a warranty deed, although he explained he wanted to add the requirement that a verification letter be obtained which stated the City had reviewed the property and found it to be in accordance with the Code. He also identified a section in which his title was referred to as "City Planner," although his full title was actually "Planning and Zoning Administrator" so he had updated that for consistency. He then identified several areas in which they had added or removed language. He commented they had incorporated AASTHO requirements for streets and roads in order to create a standard. He lastly noted for Chapter One they had removed the concept plan requirement, as the State had required.

Mr. Parkinson explained Chapter Two would be removed since it dealt with concept plans, which the State had prohibited from being a requirement for an application. He said in lieu of that, they were moving Chapter 11 into Chapter two. Mr. Parkinson also explained Chapter Two removed the Council and Mayor from this process, and they added the Community Development Director as the land use authority over the Code. He added the DRC was still in play as well, so the reviews of Fire, Public Safety, Engineering, and Police would still be considered although the Community Development Director would be the one to make final decisions. He explained they had replaced anywhere the Chapter discussed the Council or Planning Commission with the Community Development Director. He clarified public hearings had also been removed since the Planning Commission was no longer the land use authority.

Mr. Parkinson commented that Chapter Three and Four had also replaced any section which referred to the Council or Planning Commission with Community Development Director from. He also discussed how title reports and tax clearance reports could be pulled from Weber County, so they had removed the requirement that those documents be provided. However, they had added a requirement for a geotechnical report since it aided in the construction of the building. He noted the Building Code already required a geotechnical report, so they had added it to the subdivision ordinance as well. Mr. Parkinson noted they had not made significant changes to Chapters Three and Four other than updating language.

Mr. Parkinson stated Chapter Five had been about public noticing, which was no longer required. In its place, Chapter Five would cover building permits. Chapter Six had been about building permits, and in its place would be the contents of Chapter Seven. Mr. Parkinson explained essentially all they had done was move the chapters around, and other than updates to the Community Development Director/Council replacement, there were no significant changes to the

actual language. He added Chapter 12 had been previously reserved for a cluster subdivision section, which did not exist and so he proposed that be eliminated.

The Commissioners thanked Mr. Parkinson for his thoroughness and expressed they did not have any questions.

Commissioner Tanner moved to open the public hearing. Commissioner Spahr seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Spahr and Tanner voted “aye.” The motion carried.

Chairman Cowley opened the floor for public comments. No comments were made, and Chairman Cowley asked for a motion to close the Public Hearing.

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

Commissioner Spahr moved to recommend to the City Council that they approve the proposed amendments to Title 11 Subdivision Regulations as per SB 174 (2023). Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Spahr and Tanner voted “aye,” The motion carried.

6. TO CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL REVIEW APPROVAL FOR GOLDENWEST CREDIT UNION LOCATED AT APPROXIMATELY 5627 SOUTH 2050 WEST

Eric Malmberg stated he was speaking on behalf of Goldenwest Credit Union and gave his address as 2010 North Redwood Road, Salt Lake City. He explained UTA was conducting a road widening project which encroached into the credit union’s parking lot, so they wanted to expand to the south with a new drive through canopy towards 5650 South. He explained Goldenwest Credit Union had already obtained the home located on the corner of 5650 South 2050 West.

Mr. Parkinson explained this was a request for a site plan for Goldenwest Credit Union and situated the Planning Commission to its location. He noted what businesses abutted the property and noted there were single family homes to the south and southwest of the parcel. He said everything on the south side was zoned R-3, although that could possibly change. He shared an image of the existing site and indicated the areas that UTA would take. Mr. Parkinson explained how the UTA project removed most of the credit union’s parking stalls, although they still met the Code since they currently had more parking than was required. He reported Engineering had expressed concerns about the proposed access point and had suggested alternatives. He noted that the plan also architecturally matched the existing building, and although the zone they were in actually required different materials, Staff had felt it was more important to have the add-on match the existing building. Mr. Parkinson added the setback requirements for the zone were zero to 15 feet, unless it was a residential home, in which case the setback requirement was 20 feet. He noted due to that requirement, the drive through would have to move slightly. He stated Staff recommended approval with the conditions of the DRC.

Commissioner Hulbert asked if 2050 was a city road and Mr. Parkinson replied it was, so he did not anticipate there would be an issue in getting access to it. Mr. Parkinson also discussed UDOT's plan was not going to change, since they had a requirement for a ten-foot trail on the side of the road. Mr. Parkinson lastly noted the single-family home and the credit union were zoned differently although with these changes they would share a lot. He explained the City would be able to work around this, and thought it was important to keep a business within Roy rather than force them to move elsewhere due to zoning issues. Mr. Parkinson summarized there were no insurmountable issues and thought they could accommodate this request.

Commissioner Sphar moved to approve the Site Plan for Goldenwest CU with the conditions as stated in the staff report and DRC comments. Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted "aye." The motion carried.

Commissioner Sphar moved to approve the Architectural review for Goldenwest CU with the conditions as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted "aye." The motion carried.

7. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR LIMITLESS POTENTIAL LOCATED AT APPROXIMATELY 4881 SOUTH 1900 WEST

Rebecca Doyle introduced herself as the owner and director of Limitless Potential and gave her address as 1959 North 350 West, Sunset. She gave a background on ABA services and explained how her business worked with individuals on the autism spectrum. She stated she was a licensed behavior therapist and had spent the last four years working as a clinical director at another company. Ms. Doyle explained the mission of her business and discussed the diagnosing process she went through with her clients. She said services ranged from four to forty hours a week, and programs were highly customized. Ms. Doyle explained the clinic was helpful as it allowed those on the autism spectrum to practice social interactions. She added they also needed an out-patient license in order to be in compliance. Ms. Doyle said eventually, they would like to incorporate community outreach. She discussed the prevalence of autism and opined ABA was one of the most helpful therapeutic methods to assist those on the spectrum. She explained there were long waiting lists for ABA therapy and emphasized the need for therapy services to be more widely available.

Ms. Doyle gave some updates on the building and indicated what their plans for space were. She reported they had spoken with UDOT and indicated UDOT's requirements were included in the packet the Commissioners had received. She explained the landscaping would be updated in the front and stated they would add parking stalls as well as a dumpster on the northwest corner. Co-applicant Austin-Arlo Doyle commented they had been unaware of the enclosed dumpster requirement when they had first made the site plan, so they would add an enclosure and privacy fencing.

Mr. Parkinson commended the applicants for the thoroughness of their presentation. He explained there would be no changes to the exterior of the building and explained the property's location. He reported the DRC had identified some deficiencies with the original site plan and noted the site plan proposed that evening did address some of those issues. Mr. Parkinson

acknowledged not all departments had yet provided their comments, although clarified the proposed changes were relatively minor and so Staff recommended approval.

Commissioner Tanner moved to approve the Site Plan for Limitless Potential with the conditions stated in the staff report. Commissioner Collins seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

8. COMMISSIONERS MINUTE

Chairman Cowley had no report.

9. STAFF UPDATE

Mr. Parkinson stated their flood damage prevention title, Title 12, had been updated by the City. He explained although their flood plan had not changed, the City abutted an area whose plan had changed, which triggered Roy to have to change their Code. He added the Council would likely look at this in December or January. Otherwise, Mr. Parkinson noted there were several projects throughout Roy City which were close to completion.

Mr. Parkinson reported the Woodbury development had essentially put development on hold while the City worked through the CRA agreements with the County. He explained Woodbury wanted to wait and see if they could get funding through the CRA as costs of construction continued to increase.

Mr. Parkinson lastly reminded the Planning Commission there was an upcoming training session and encouraged the Commissioners to attend it if they were able to do so.

10. ADJOURN

Commissioner Tanner moved to adjourn at 6:48 p.m. Commissioner Brand seconded the motion. Commissioners Brand, Collins, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

Ryan Cowley
Chair