

Chair

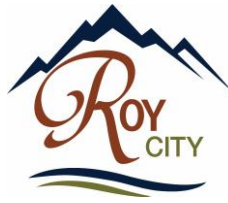
- Ryan Cowley

Vice-Chair

- Jason Felt

City Planner

- Steve Parkinson

**Commission Members**

- Samantha Bills
- Torris Brand
- Christopher Collins
- Janel Hulbert
- Jason Sphar
- Daniel Tanner

PLANNING COMMISSION - AGENDA

August 8, 2023

6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

This meeting will be streamed live on the Roy City YouTube channel.
(<https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA>)

Agenda Items

1. Declaration of Conflicts
2. Approval of the June 13, 2023, regular meeting minutes
3. Approval of the June 27, 2023, work-session minutes
4. Approval of the July 11, 2023, regular meeting minutes

Legislative Items

5. **Public Hearing** - To consider amending the Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) for properties located at approximately 5823 So., 5839 So., 5859 So., & 5867 So. & 5891 So. 3500 We.

Administrative Items

6. A request for Site Plan and Architectural approval for Jackson C-store located at approximately 4805 South 1900 West
7. A request for Conditional Use for Outdoor Sales with Site Plan approval of a Food Truck area for Sacco's Farm located at approximately 6050 South 1900 West
8. Commissioners Minute
9. Staff Update
10. Adjourn

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) 774-1040 or by email: ced@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 Commissioner 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 does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 3rd day of August 2023. A copy was also provided to the Standard Examiner, posted on the Roy City Website, Public Notice Website and at the Roy City Municipal Building on the same date.

Visit the Roy City Web Site @ www.royutah.org

Roy City Planning Commission Agenda Information – (801) 774-1027

Steve Parkinson, City Planner





ROY CITY
Planning Commission Regular meeting
June 13, 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	Steve Parkinson, City Planner
Samantha Bills	Matt Wilson, City Attorney
Torris Brand	
Janel Hulbert	
Claude Payne	
Jason Sphar	
Daniel Tanner	

Excused: Commissioners Chris Collins and Jason Felt

Others in attendance: Kevin Homer, Glenda Moore, Pete Brent, Nora Brent, Aaron Davis, and Robert Fuller

Pledge of Allegiance: Commissioner Payne

1. DECLARATIONS OF CONFLICT

There were none.

Special presentation

Mayor Dandoy thanked the Planning Commission for the opportunity to acknowledge Commissioner Payne. Mayor Dandoy recalled when he began as a City Councilmember, there had been many issues with pointing blame for problems at City staff members, even when it was not their fault. He recalled at one point, they changed City Managers five times in five years, and it even became difficult to hire for the position at all because they had garnered such a poor reputation of holding City Managers accountable for things beyond their control. Mayor Dandoy explained the issue at the time was not the staff, but rather their antiquated, outdated Code. He said they had not had a General Plan and their Code was in great need of updating and modernization. He discussed the Code inhibited them from fulfilling many of their plans.

Mayor Dandoy commended Commissioner for calling the problems with their Code to the City's attention, and for his work in updating the Code and General Plan in a way that enticed developers to come to Roy City. Mayor Dandoy opined Roy City was a better place because of Commissioner Payne's contributions, and he expressed the rule that after nine years a commissioner had to step down was outdated. Mayor Dandoy bestowed a Mayor's coin upon Commissioner Payne.

Mr. Parkinson also spoke highly of Commissioner Payne's experience, and thanked him for his work on the Planning Commission and also presented a plaque thanking him for his years of service.

2. APPROVAL OF THE APRIL 11, 2023 REGULAR MINUTES

Commissioner Bills moved to approve the April 11, 2023; regular meeting minutes as written. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.

3. APPROVAL OF THE MAY 9, 2023 REGULAR MINUTES

Commissioner Brand moved to approve the May 9, 2023; regular meeting minutes as written. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.

4. PUBLIC HEARING – TO CONSIDER AMENDING THE ZONING MAP FROM RE-20 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) FOR PROPERTIES LOCATED AT APPROXIMATELY 5839 SO., 5859 SO., & 5867 SO. 3500 WE.

Chairman Cowley turned this item over to Mr. Wilson, who recommended they table it. He explained there had been an error in the noticing, and so his opinion would be to move this to the next meeting’s agenda. He elaborated he had posted a notice which mistakenly indicated the meeting would be online, rather than in person.

Commissioner Tanner moved to table this item until July 11, 2023, meeting. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.

5. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS: AMENDING CH 19 – OFF-STREET PARKING AND LOADING – SECTION 6 – LOCATION OF REQUIRED OFF-STREET PARKING, ADDING AN EXCEPTION FOR WINTER PARKING WITHIN FRONT YARD SETBACK

Mr. Parkinson explained they were there to examine the sample ordinance as written. He said they should continue to use the language the Planning Commission had come up with to allow for front-yard parking during an active winter storm. He noted some of the caveats the Planning Commission had wished to include was that all other locations had first been utilized, and also that the vehicles would have to be removed within twelve hours after the end of the snowstorm.

Chairman Cowley clarified this essentially provided an exception for parking during storms, since people could not park on the street during snowstorms.

Commissioner Hulbert asked about the policing of this, and Mr. Parkinson said the Enforcement Officer would have to drive by and catch violations. He acknowledged this was difficult, but there were not realistically other options. He noted it was difficult with one person.

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

Chairman Cowley opened the floor for public comments. He reminded the members of the public they had three minutes to speak.

Kevin Homer of 5398 S. 4000 W. Roy wondered if the definition should be expanded to include utility vehicles, rather than only trucks and cars. He also felt if the point of this was to get cars off of the road, the ordinance should not be limited to only two cars on the lawn. He pointed out if a homeowner had a large enough yard and more than two vehicles, they should be allowed to park all of them on their lawn.

Glenda Moore stated her address as 2088 W. 3825 S. Roy. She opposed the whole change, and worried it opened Pandora's box, and people would begin to just park on the front lawn all the time. She argued lawns would be destroyed and worried no one would fix the grooves made by vehicles after the storm. She did not think it was fair to expect police or enforcement officers to drive around and look for violations.

No additional comments were made.

Commissioner Hulbert moved to close the public hearing. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted "aye." The motion carried.

Commissioner Tanner opined they needed to be responsible citizens and said the intent of allowing parking on the front lawn was for convenience. He said when it came to getting personal property off City streets when called for during storms, that was the responsibility of the homeowner. He thought they were looking at this from the perspective of a small number of homeowners who had multiple vehicles and reiterated his point about the need to be responsible. He felt if someone wanted to buy five cars, they needed to have space on their property to store all of those vehicles. He voiced he was not in favor of this, since he felt finding storage was the responsibility of the citizen. He commented people could have all the cars they wanted, but it was their job rather than the City's to find parking for them.

Commissioner Brand agreed with Commissioner Tanner's comments. He felt people could use their backyard for storage of extra vehicles.

Mr. Parkinson agreed this ordinance seemed excessive and thought it did not seem necessary to allow parking on the front lawn when they had already made so many other allowances for parking. He did not think there were any amendments which could make this palatable for him.

Commissioner Hulbert thought it was good they had considered and explored this issue thoroughly but said after thinking about it and driving around the City she did not think it was needed. She said from what she had seen, there was not a large enough number of people who would benefit from this ordinance.

Commissioner Tanner moved to recommend to the City Council that they deny the proposed amendments to Title 10 Zoning Regulations: amending CH 19 – Off-Street Parking and Loading – Section 6 – Location of Required Off-street Parking, adding an exception for winter parking within Front Yard Setback. Commissioner Brand seconded

the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye,” The motion carried.

6. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR PANDORA’S BOX LOCATED AT APPROXIMATELY 1821 WEST 4000 SOUTH

Applicant Aaron Davis presented a slideshow which included photographs of the site located at 1821 West 4000 South. He indicated Pandora’s Box occupied 8500 square feet of the property, and said they needed a dumpster. He showed the area in which they wanted to build an enclosure for the dumpster. He explained they intended to build a six-foot, three-sided cinderblock wall, and pointed out there were no other good places to put this. He explained a large parking lot extended out from where the dumpster would be located, and commented there were not many other spaces for parking. In response to a question, he elaborated the dumpster did not need to be particularly large and would probably be about twelve feet deep and eight feet tall.

Mr. Parkinson reiterated this was a request for a site plan approval and oriented the Commission as to the location in the City. He said the structure would only be large enough to encompass whatever dumpster they wanted to put in there. He said Staff’s recommendation was to approve it, since it was out of the way and not really visible from the street.

Commissioner Sphar moved to approve the Site Plan for Pandora’s box with the conditions as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.

7. TO CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL FOR TIGARD PHASE 3 LOCATED AT APPROXIMATELY 3025 WEST 4600 SOUTH

Applicant Robert Fuller thanked the Planning Commission for the opportunity to be there that evening. He stated he had a hayfield located near 3100 West 4600 South which was zoned R-1-8, and said he had a plat created to break the property into parcels, since he had been unable to sell the property to the City in the past. Mr. Fuller elaborated there had been a time in which the City had expressed interest in using the property as a cemetery, although those plans had fallen through. He added he had then tried to sell it as a park, which had not worked either.

Mr. Parkinson presented next and explained they had already had phase one and phase two in the area. He noted the property had an odd configuration, which was compounded by how the lots themselves were laid out. He said there were two power lines and a large water line which ran through the property, so the applicant was not able to get more than what was shown.

Mr. Parkinson noted the applicant was in compliance with the parameters of the R-1-8 zone. He said there were some issues the Staff had found, but regardless, he and Staff still recommended approval since it was just the subdivision of land to the R-1-8 standard and the lots were not going to be any smaller than they were supposed to be.

The Commissioners discussed it was always great to see plans for more single-family homes. They thought it was good to see homes balance out the other types of developments in the area.

Commissioner Sphar moved to approve the Preliminary Subdivision for Tigard phase 3 with the conditions as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.

8. COMMISSIONERS MINUTE

Chairman Cowley expressed appreciation for Commissioner Payne.

Commissioner Tanner spoke about the UDOT Open House, which had been held the previous week. He reported their plan to widen 56 was to do the south side first, and then switch over to the north side. He said that way, there would still be some access up 5600. He also thought UDOT had been more interested in the freeway exchange than in widening 56. He also reported UDOT intended to widen 1800 North and put in an overpass over the railroad tracks in Clinton. Commissioner Tanner reported UDOT thought all these projects would be completed by 2026, although he did not agree that was feasible.

Commissioner Bills added she had attended the UDOT meeting as well, and she noted UDOT had plans to put in additional trails alongside the road, which was in keeping with their General Plan. The Commissioners discussed they were glad they had advocated to have extra trails included in the General Plan, since they felt if it had not been in the Plan then UDOT would not have thought to include the trails as part of their plans.

9. STAFF UPDATE

Mr. Parkinson announced the Station Area plan had been approved by the City Council in the previous week and was now being sent to UTA and Wasatch Front Regional Council for their approval as well. He explained it needed the approval of both UTA and Wasatch Front Regional Council but said the City had been working with representatives of both entities throughout the development of the plan so he did not imagine it would be rejected by either of them.

10. ADJOURN

Commissioner Payne moved to adjourn at 7:45 p.m. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Collins, Hulbert, Payne, Sphar and Tanner voted “aye”. The motion carried.

Ryan Cowley
Chair



ROY CITY
Planning Commission Work-Session
June 27, 2023 – 6:00 p.m.
Community Development Conference Room
5051 South 1900 West

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

4
5 The following members were in attendance:

6
7 Ryan Cowley, Chair Steve Parkinson, City Planner
8 Samantha Bills
9 Torris Brand
10 Jason Felt
11 Janel Hulbert
12 Claude Payne
13 Jason Sphar
14 Daniel Tanner

15
16 Excused: Commissioner Chris Collins and Matt Wilson, City Attorney

17
18 Others in attendance: Paul Wilson

19
20 Pledge of Allegiance: Commissioner Bills

21
22 1. APPROVAL OF THE MAY 23, 2023 WORK-SESSION MINUTES

23
24 Chairman Ryan Cowley stated that on line 34 of the May 23rd minutes, the word 'neither' needed
25 to be changed to 'either.'

26
27 **Commissioner Tanner moved to approve the May 23, 2023, work-session meeting minutes**
28 **with the correction mentioned. Commissioner Hulbert seconded the motion.**
29 **Commissioners Bills, Brand, Cowley, Felt, Hulbert, Payne, Sphar and Tanner voted "aye."**
30 **The motion carried.**

31
32 2. CONTINUED DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS,
33 AMENDING CH 13 - MIXED USES - 10-13-2 – USES - § 2) DEFINITION OF USES – TO
34 ALLOW STORAGE STRUCTURES AS AN ACCESSORY USE.

35
36 Mr. Parkinson presented this item for discussion, and noted it was a continued conversation from
37 the previous meeting, where they had regarded storage structures as their own building types.
38 However, since then, Mr. Parkinson and Mr. Wilson had decided it would be better to categorize
39 storage structures as accessory use, since it was an existing category in the Code. To that end,
40 he explained he and Mr. Wilson had changed the language somewhat in the Code and said they
41 would functionally be considered similar to a parking structure. He specified as well the change
42 in language as to what defined a storage structure.

43
44 Mr. Parkinson outlined some of the specifications of storage structure as an accessory use, which
45 included that setback needed to be a certain distance from the main structure and minimum side
46 and rear setbacks had to be at least ten feet. He added storage structures could be no more than
47 25 feet tall and had to be similar colors and textures to the primary building as well.
48

Mr. Parkinson discussed details of the facade and went more in depth about what kind of materials could be used on the structures, and noted minimum transparency was 15%.

Mr. Parkinson explained storage structures would only be allowed in the Gateway zone, and indicated on a map where that region was located. He specified they would not be allowed on 1900, and in general storage structures would only be permitted on secondary roads. He went over a map of the City and discussed some exceptions and areas in which storage structures would not be allowed. He showed some commercial properties from an aerial view and indicated where their storage structures would be permitted to be placed, and expressed the intent was for storage structures to be in the back of the building whenever possible.

Mr. Parkinson highlighted the south area of Roy City and noted that commercial properties which faced 200 would not be allowed to have storage structures, since the setback from the road to the businesses was not deep enough.

Mr. Parkinson summarized the intent of his presentation that day was to give the Commissioners something to consider, and clarified they did not need to make any final decisions that evening. He asked the Commissioners what they thought, and he shared his own opinion that back-of-curb was the most reasonable thing but acknowledged that was not always possible. He also thought permitting structures to be 75 feet from the back of the structure rather than from the curb made more sense.

Commissioner Spahr thought they needed to be careful to not cater to a small number of properties. He felt back-of-curb was hard for him to agree with, since their intent was to put things towards the road, and he thought it made more sense to base it off the building rather than the curb.

Commissioner Payne agreed they could do back of structure rather than the curb, but they would need to find the happy medium as to what the minimum distance was. He noted it was difficult since all parcels were laid out in different ways, and in some cases 50 feet might be too much.

Mr. Parkinson pointed out they needed to consider that some old buildings might get torn down in the future as well, which would impact what the setbacks were for the surrounding buildings.

Commissioner Hulbert clarified they did not have to consider parking, since there were still parking guidelines in the Code that any commercial property would be subject to.

Mr. Parkinson confirmed that was correct, and clarified a business would have to have space for both their minimum mandatory parking spaces as well as room for a storage structure in order to build one.

Mr. Parkinson reiterated some buildings might get demolished or rebuilt in a way that would impact the setback distance of storage structures. He said the setback from main buildings did not have to be 50; they could go with 25 feet or whatever else they thought was appropriate.

Commissioner Hulbert wondered which option gave businesses more of an opportunity to be creative with the storage structures.

Chairman Cowley clarified the intent of the structures was storage of the business's own goods.

There was a brief discussion in which it was clarified what kinds of businesses and properties were allowed to build a storage structure, as long as they had the room for one.

Commissioner Hulbert summarized it primarily was stores and service businesses which would be permitted to have structures.

Mr. Parkinson stated it was less important what the use of the building was; the main thing was the way the storage structure interacted with the overall aesthetic of the property and the street.

Commissioner Payne thought 50 feet was the most reasonable thing to do.

Commissioner Hulbert thought they should try to accommodate the growth of businesses as best as possible.

Commissioner Spahr expressed he was okay with going down to 25 feet, as long as it was from the back of the property.

Mr. Parkinson noted in most cases, buildings built new would accommodate space for storage structures, and so whatever standard the Commission set would primarily impact businesses who had to retrofit a storage structure on their property.

Chairman Cowley pointed out new buildings could also just be built in a way which had more storage space inside the main building.

Chairman Cowley wondered if it was worth it to sacrifice potential future commercial space for the sake of adding these storage structures. Commissioner Payne thought they should vote on it.

Commissioner Tanner pointed out they were creating policies which attracted certain kinds of businesses and said in the areas in which old buildings were demolished he would rather build new commercial areas instead of building storage spaces for existing businesses.

Mr. Parkinson pointed out they were not necessarily zoned to add more commercial buildings in some of the areas they were considering allowing storage structures.

Commissioners Hulbert and Payne expressed they were in favor of 25 rather than 50 feet behind the primary structure.

Commissioner Tanner clarified they could pick any number they wanted; it did not have to be 25 or 50.

Commissioner Hulbert said she liked 25 feet since she thought it gave businesses more options.

Chairman Cowley said he was not worried about the properties that were already there since he thought they could be accommodated, but he did want to incentivize future businesses to come in that were more future-thinking and would be able to grow bigger. Chairman Cowley stated he was more in favor of 50 feet, and Commissioner Tanner agreed with this.

Commissioner Hulbert pointed out with building costs, some people might not be able to purchase larger buildings and properties, and if they could only afford a smaller property then they would not necessarily have space to add a storage structure as well if the minimum was 50 feet.

Chairman Cowley replied there were other places they could store things; storage units did not have to be on the actual commercial property and things could be kept in storage units that were not on-site.

Commissioner Hulbert acknowledged this point, although still felt 25 feet would be fairer to all businesses. She also pointed out if the minimum was 25, property owners could still choose to put the structure 50 feet away from their primary building as well and voiced the opinion 25 feet just gave people more prerogative over their properties.

Commissioner Hulbert spoke about window requirements as well and clarified 15% was just the minimum requirement for windows and they could have more.

Mr. Parkinson clarified the front of the structure was considered to be whichever facade faced the street and said he would work on the language to make that point clear.

The Commissioners briefly discussed they did not think there needed to be strict guidelines on facade requirements for the sides which did not face the street.

Mr. Parkinson summarized that two of the Commissioners were in favor of 25 feet, and two others preferred making it 50 feet. He said while it was not a unanimous decision, it still gave him some direction.

3. DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 9 – PUBLIC NOTICE REQUIREMENTS, AS PER HB 43 (2023)

Mr. Parkinson summarized this was a state statute, so the Commissioners would not be able to make any changes to this change. He commented the bill was somewhat confusing, since it eliminated the need to post public notices in some places but had added some places as well. Mr. Parkinson specified public notices were no longer required to be in the newspaper, although they could choose to continue to put notices in the newspaper if they wanted to.

Mr. Parkinson said for meetings about the General Plan and General Plan amendments they would eliminate newspaper notices. Mr. Parkinson explained since notices needed to be in three places, those three places would now be the public website, the City Municipal building, and the City official website. He said they would also send notices to all affected entities as well as the applicant.

Mr. Parkinson said for meetings such as this one, where they did not come to any decisions in the meeting, they would just have to be noticed in three places as well. He said for meetings about zoning ordinances, they would be noticed in three places and also emailed to all adjacent cities. He further stated zoning ordinances now needed to be sent out to all affected entities and expressed that would be difficult to realistically do in areas that had a lot of residences. Mr. Parkinson discussed he had spoken with the City Attorney about this and had been told they would be able to identify specific affected areas within a zone and would only need to notify people

193 within that specific area. He lastly noted there was not a section which addressed re-zones, so
194 he had chosen to keep their exciting practice of mailing notices to people within 300 feet.

195
196 Mr. Parkinson said Mr. Wilson had already gone through this document, and said he still had
197 some grammatical issues to work through. He explained this would not go before the City Council
198 for some time; the intent of the presentation was just to bring it to the Commissioner's attention.

199
200 4. COMMISSIONERS MINUTE

201
202 The Commissioners had nothing to report. They held a brief discussion about a recent internet
203 outage in their area. They also expressed appreciation for Commissioner Payne and his long
204 service to the Commission, as well as his upcoming retirement.

205
206 Mr. Parkinson noted once Commissioner Payne stepped down, they would need one more
207 alternate Commissioner. He said he had received one application so far and told the
208 Commissioners if they knew of anyone to have them turn in an application.

209
210 5. STAFF UPDATE

211
212 Mr. Parkinson did not have any updates, and asked if there were any questions about ongoing
213 projects. One of the Commissioners noted there was a portion of Airport Road near the
214 roundabout which was torn up and the road was closed, and asked if that was part of Riverdale
215 or Roy. It was discussed that it was part of Riverdale, and the Commissioners noted it had been
216 closed for some time.

217
218 Commissioner Bills asked if the project on 4000 and 1900 was being done by the City or UDOT,
219 to which Mr. Parkinson replied it was being done by UDOT. The Commissioners quickly
220 discussed this project and debated what the best option for that intersection was.

221
222 6. ADJOURN

223
224 **Commissioner Sphar moved to adjourn at 6:53 p.m. Commissioner Payne seconded the**
225 **motion. Commissioners Bills, Brand, Cowley, Felt, Hulbert, Payne, Sphar and Tanner**
226 **voted "aye." The motion carried.**

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Ryan Cowley
Chair

dc: 06-27-23



ROY CITY
Planning Commission Regular meeting
July 11, 2023 – 6:00 p.m.
City Council Chambers/Courtroom
5051 South 1900 West

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

4
5 The following members were in attendance:

6		
7	Jason Felt, Vice Chair	Steve Parkinson, City Planner
8	Samantha Bills	Matt Wilson, City Attorney
9	Torris Brand	
10	Janel Hulbert	
11	Jason Spahr	
12	Daniel Tanner	

13
14 Excused: Commissioners Chris Collins and Ryan Cowley

15
16 Others in attendance: Kevin Homer, Glenda Moore, Jean P. George, Linda Palfreyman, Tim
17 Oliver, Nolan Parker, Cambria Hulbert, Rachel Carrion, Jim Williams, Wyle Williams, David
18 Young, Doug Armstrong, Pam Armstrong, Cindi Buckley, Christey Peterson, Anglea Day, Shaun
19 Day, Alan Walker, Joseph Western Larry Thomas and Linda Bingham

20
21 Pledge of Allegiance: Commissioner Spahr

22
23 1. DECLARATIONS OF CONFLICT

24
25 Commissioner Spahr said he lived in the neighborhood they would be discussing that evening,
26 and knew the applicants. He added although he lived there, he had not spoken about the issue
27 nor been approached about the topic by any of his neighbors.

28
29 2. APPROVAL OF THE JUNE 13, 2023 REGULAR MINUTES

30
31 3. PUBLIC HEARING – TO CONSIDER AMENDING THE ZONING MAP FROM RE-20
32 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) FOR PROPERTIES
33 LOCATED AT APPROXIMATELY 5839 SO., 5859 SO., & 5867 SO. 3500 WE.

34
35 Applicant Tim Oliver gave his address as 5859 S. 3500 W., Roy City, and the other applicant Jim
36 Williams stated his address was 5867 S. 3500 W., Roy. He explained he lived on 3500 and State
37 Road 8, and he knew the State planned to widen the road, which would take away a large portion
38 of their front yard. He had also seen that the Roy City General Plan intended to add more
39 commercial to their street as well, and he explained his request was to just do those changes
40 now, since he knew they were coming and he wanted to prepare for them.

41
42 Commissioner Spahr commented road 3500 had been scheduled to be widened several times,
43 but each time the money had been repurposed for another project and it never got done.

44
45 Mr. Parkinson summarized the request and gave an aerial view of the properties in question. He
46 said that per their newly adopted General Plan, this area was designated as residential and mixed
47 use, which he believed was a change from the old one but was not sure. He said the zoning map
48 showed that this area was currently all single-family residential, so this would begin the process

49 of rezoning. He said it was something that needed to be done and this happened to be the first
50 request like it for that specific area, so Staff recommended approval.

51
52 Commissioner Spahr asked what “community commercial” entailed, to which Mr. Parkinson
53 explained community commercial was a commercial zone which allowed for the kinds of
54 businesses in that area, including Kent’s market and some offices. He elaborated it included a
55 wide range of businesses that were allowed to be in that zone, and he said they would do
56 something similar to what they had done downtown near the Front Runner Station and do mostly
57 medium-box developments. He noted the lots there were very big and deep, so they could
58 possibly have a good project in them if several lots were to be sold to one developer.

59
60 Mr. Parkinson added if they created a mixed-use zone, there could be some residential as well.

61
62 Commissioner Spahr clarified they did not have a developer yet and so did not know what type of
63 project would go there; they were simply changing the zone that evening. Commissioner Spahr
64 added 3500 was a State highway, and said these properties were both flanked by fairly substantial
65 commercial activity already so it was inevitable that the area would continue to develop in that
66 direction.

67
68 **Commissioner Tanner moved to open the public hearing. Commissioner Bills seconded**
69 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
70 **motion carried.**

71
72 Vice Chair Felt opened the floor for public comments.

73
74 Rachel Carrion of 5823 S. 3500 W., Roy stated she lived right next door to the properties on the
75 north side, and expressed she wanted to be considered as well for the zoning change. Mr. Wilson
76 explained if the current applicants wanted to delay, they could include her, or if she wanted to get
77 with other homeowners in the area she could submit another application. Mr. Wilson assumed
78 the current applicants would not want to delay further since they had already been delayed once
79 before due to a noticing error. He explained she would have to express her intentions to be
80 included in the proposed change ahead of time, since they would have to post a public notice.

81
82 Nolan Parker, 5910 S. 3650 W., Roy explained he and other homeowners in the area had bought
83 in that part of town specifically because it was all residential, and he argued adding commercial
84 properties would change the neighborhood. He expressed concerns about increased light
85 pollution and more trash if commercial developments went in, and he also worried he would lose
86 the view of the mountains that he had from his home. He wondered where the storm drain would
87 go as well. Mr. Parker was concerned about the loss of property value of his home, and pointed
88 out the only group who stood to benefit from this was the developers. He lastly noted wildlife in
89 the area would suffer from this change as well. He stated he had spoken with many of his
90 neighbors, who all shared his concerns.

91
92 Larry Thomas of 5838 S. 3500 W., Roy said he had moved there 16 years ago, and said they had
93 about three or four accidents in front of his house every month. He complained the street was
94 not wide enough, and said he had even been in accidents in front of his home. He stated the
95 drainage there was also bad, and advocated for better curb, gutter, and sidewalks on the streets
96 before they did anything else. He complained the City did not control the area, and said he never

97 saw police in the area. Mr. Thomas felt if the City did not protect the area, they did not have the
98 right to develop commercial in the area. Mr. Thomas firmly stated commercial should not go in
99 the area, and was upset at the thought of having to move and the expenses that went along with
100 moving.

101
102 No additional comments were made.

103
104 **Commissioner Spahr moved to close the public hearing. Commissioner Hulbert seconded**
105 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
106 **motion carried.**

107
108 Mr. Parkinson reiterated this was just a request to rezone; there was not a development planned
109 for the area. He said developers would not spend the time and money to create a site plan if it
110 was not a guarantee the area would even be zoned in a way where they could develop. He
111 commented as well that light pollution was already an issue in that area, and he noted as well that
112 people could not mandate their views remained unobstructed as their property rights ended right
113 at their property line.

114
115 Mr. Parkinson added even if commercial did not go in the area, single family homes could also go
116 in there which would also block the view of the mountains. He discussed that there had been
117 funding in the past to widen the street, and explained the reasons the money had not been
118 allocated for the street project. He reiterated this rezone was not spearheaded by the City; the
119 request had come from homeowners.

120
121 Mr. Parkinson elaborated this was in line with the General Plan, and these homeowners were just
122 taking advantage of that. He explained as well that there were no sidewalks on that street since
123 it was under the jurisdiction of UDOT, and the City could not just go in and add sidewalks.

124
125 Commissioner Bills asked about the application process for Ms. Carrion and others who might be
126 interested in being part of the rezone.

127
128 Mr. Parkinson explained the process of the application, and said they would have to apply
129 separately and follow the steps of the amendment process. Mr. Parkinson elaborated if the
130 original applicants wanted to amend their original application to include other property owners, it
131 would have to go through the process again and they would need to hold another public hearing.

132
133 Commissioner Spahr summarized that evening they could only talk about the three properties on
134 the original application; they could not make decisions on anything else before it had been
135 properly noticed. Commissioner Spahr thought Ms. Carrion could reach out to other homeowners
136 and see if they wanted to get involved.

137
138 Commissioner Bills thought it was unfair to make the original applications wait any longer, or to
139 ask them if they wanted to include other people and postpone the application.

140
141 Vice Chair Felt asked the applicants if they wanted to postpone, and the applicants responded
142 they were okay with that. Vice Chair Felt clarified this would delay them by at least 30 days since
143 it needed to be noticed as there would be another public hearing. One of the applicants inquired
144 about the \$400 fee, and Vice Chair Felt explained they would need to pay again since the City

would have to send out notices, although he commented if they had more people involved it would cost less per person. Vice Chair Felt elaborated that if they wanted to table the application until the next month, they would not have to re-do their entire application. One of the applicants expressed they wished to table the application.

Commissioner Hulbert moved to table the item in order for the applicant to include additional neighboring properties.. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye,” The motion carried.

4. CONTINUATION – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS: AMENDING CH 13 - MIXED USES - 10-13-2 – USES - § 2) DEFINITION OF USES – TO ALLOW STORAGE STRUCTURES AS AN ACCESSORY USE.

Mr. Parkinson recalled they had held a public hearing about this issue several months ago, and reported that since then they had held a work meeting about this item. He explained this would change the language of chapter 13 of their zoning ordinance to allow storage structures as a secondary accessory use, and also updated the guidelines about setbacks, facade, and distance from the primary building. He said based on the Commission’s previous discussion, the minimum distance from the primary building would be 25 feet, and the minimum for windows on the facade facing the street would be 15%.

Commissioner Hulbert moved to recommend to the City Council that they approve the proposed amendments to Title 10 Zoning Regulations: amending CH 13 - Mixed Uses - 10-13-2 – Uses - § 2) Definition of Uses – to allow storage structures as an accessory use.. Commissioner Brand seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, and Spahr voted “aye,” Commissioner Tanner voted “Nay,” The motion carried.

5. PUBLIC HEARING – TO CONSIDER AMENDING TITLE 10 ZONING REGULATIONS: AMENDING CH 17 - TABLE OF USES TABLE 17-2 TABLE OF ALLOWED USES NON-RESIDENTIAL ZONING DISTRICTS ADDING STATE OWNED LIQUOR STORE AS A PERMITTED USE IN THE COMMUNITY COMMERCIAL (CC) ZONE.

Mr. Parkinson discussed since they had eliminated the regional commercial zone, they needed to have a zone in which liquor stores would be allowed to operate. He said this was essentially a formality; the State mandated how liquor sales were controlled in areas near residential areas, community areas, or churches. He explained they simply needed to have a zone which included State-run liquor stores as a use in a commercial area, and added at the moment the only zones which allowed this were Downtown East and Downtown West.

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

Vice-Chair Felt opened the floor for public comments.

Kevin Homer of 5398 S. 4000 W. Roy appreciated the comment about what zones currently permitted government-controlled liquor sales since he had been under the impression that none

of the zones currently allowed that. He expressed while he was in favor of the ordinance change, he did not think the State government controlling liquor sales in general. He did not think the government should create a monopoly on any business, and thought private businesses should be allowed to run liquor stores. He acknowledged the Planning Commission was not the body who could affect this change, and noted he would speak to the City Council about this as well.

No additional comments were made.

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

Commissioner Sphar moved to 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 adding State Owned Liquor Store as a Permitted Use in the Community Commercial (CC) zone. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye,” The motion carried.

Commissioner Hulbert asked if the community commercial zone included mixed use as well, and Mr. Parkinson explained while the General Plan expressed they wanted to have a commercial mixed use zone, it did not exist yet and so they had gone to community commercial since it was the only zone which existed in the area. He explained the goal was for Staff to write code for a commercial mixed use zone, but clarified again this would be in the future and that kind of zone did not currently exist.

6. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS: AMENDING CH 9 – PUBLIC NOTICE REQUIREMENTS, AS PER HB 43 (2023)

Mr. Parkinson explained there had been changes made to the noticing requirements as part of House Bill 43. He reported newspaper requirements had been eliminated since they were costly and few people read the newspaper anymore. He elaborated it was more effective to get noticing requirements from the public website, and said the general public could access notices from any City in Utah that way. Mr. Parkinson also discussed there had been updates as to what entities needed to receive notices. He said another change was clarifying what three spaces their notices would be posted in; previously, their ordinance had just specified there would be three public notices but now it specified all notices would be posted at the City Hall building, the public website, and the City official website.

Mr. Parkinson added the applicant would always receive a notice as well.

Mr. Parkinson also discussed going forward, they would email people notices rather than sending them in the mail, since it was much faster and more effective. He said another change was the notice had to specify what the affected area was; if they did not the assumption was the whole City would be affected. Mr. Parkinson said they would continue to notice people if they lived less than 300 feet away from the affected area, and explained those notices would be mailed and emailed.

Commissioner Hulbert commented she loved a lot of the changes, and specifically she was glad they had clarified where the notices were posted. She thought this made it much easier for people. Mr. Parkinson imagined it was the intention of the legislators to make it simpler.

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

Vice-Chair Felt opened the floor for public comments.

Kevin Homer, 5398 S. 4000 W. Roy, said he had been following House Bill 43 since it had been introduced earlier that year. He was glad to see that they had not gotten rid of public noticing overall, and was also happy to know they would not be wasting money on newspaper notices any more. He liked they were sending emails as well. Mr. Homer did think they should expand the area that was noticed, and he pointed out sending emails was essentially free so he thought there was no reason to not send them to a larger radius. He commented he did not go to the public notification website very often, but said there was a website which emailed people when there was a public notice which might affect them. He opined that the website link should be posted prominently on the City’s website so people could add themselves to the list to be notified.

David Young, 4870 S. 2575 W., Roy, wondered how the City would get a hold of everyone’s email addresses. He said he had several emails, and did not check all of them, and he imagined this was the case for many people. He discussed how the public website was a little difficult to navigate. However, he did agree that removing newspaper notices was a wise idea.

No additional comments were made.

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

Mr. Parkinson commented people could sign up to be notified about meetings through the Roy City website as well. He explained if people signed up online they could get emails about Council meetings and Planning Commission meetings, as well as all public notices.

Commissioner Spahr clarified the differences between public notices, which were for everyone and were posted everywhere, and specific notices, which only impacted a small number of people in a given area. He said for the specific notices only people within a 300 foot radius needed to be notified.

Commissioner Spahr moved to recommend to the City Council that they approve the proposed amendments to Title 10 Zoning Regulations: amending CH 9 – Public Notice Requirements, as per HB 43 (2023). Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye,” The motion carried.

7. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR KOOL KIDZ CHILDREN CENTER LOCATED AT APPROXIMATELY 1845 WEST 4400 SOUTH.

Mr. Parkinson first noted that for administrative items such as this one the public would not be allowed to speak. He clarified public comments were only permitted for legislative items.

Applicant Cindi Buckley gave her address as 3935 S. 3750 W., West Haven and stated she was the owner of Kool Kidz Academy in Clinton, Utah. She explained they were looking to expand to a second location in Roy City. She stated they had 24 employees at their current center, and discussed they worked hard to take care of their employees, and expressed all her employees were great with children. Ms. Buckley also introduced the manager of the facility, and said she worked hard to ensure they stayed in compliance with all State licenses and permits.

Ms. Buckley said one of the features of the academy was date night for the parents, and explained they watched children when their parents went on dates. She noted this was especially appreciated by military families. She said they also helped families in crisis, and made sure children were cared for in bad housing situations. Ms. Buckley expressed they worked with children who had behavioral issues as well, and she made the point that these were all ways that the academy served the community. She said she took a lot of pride in the Kool Kidz family, and expressed that she wanted to expand to Roy and grow the academy.

Ms. Buckley stated they were considering 1845 W 4400 S in Roy City as the site for the new academy. She said they had a couple obstacles in their way, namely that they would need to be permitted by the City to add an outdoor playground. She explained in order to add the playground it would take out some of their parking spaces. Ms. Buckley noted the State would also have to come in and tell them how many children they could serve in the new facility, and she added she hoped to serve around 80 to 100 children. She then spoke about the fencing around the site, and commented she intended for it to look nice and match the surrounding area well.

Mr. Parkinson commented he was representing the City in this meeting, although he also helped applicants through the process, and after the meeting he expressed to Ms. Buckley he would be willing to help her further.

Mr. Parkinson indicated the playground was intended to go on the northern corner of the site, and said it would impede the circulation and flow of traffic in the parking lot and would remove at least one stall. He commented Staff could work with that and try to find ways around that, and reminded the Commission they only needed to consider this from a planning perspective, not from the point of view of Fire or Engineering. He thought as well they could find solutions for the fencing, and he expressed he thought this could be approved as long as the suggestions from Staff were accepted.

Vice Chair Felt felt this was a nice, family friendly business that he would be happy to see in Roy; however, he wanted to see a more thorough site plan. Mr. Parkinson thought it would be difficult to come up with a more comprehensive site plan without comments from the Fire and Engineering department.

Commissioner Brand moved to table the Site Plan for Kool Kidz in order for the applicant to receive all of the comments from the remaining. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye.” The motion carried.

Mr. Parkinson commented he was just waiting to hear back from Engineering and acknowledged there were some issues with dead ends in the parking lot and the flow of traffic. He explained to Ms. Buckley that to table the item just meant they would reevaluate the request once they got comments back from Engineering, and he said once he got comments from them he could pass them along to her so she could begin to develop the site plan.

8. TO CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR NORTH STAR BUILDINGS LOCATED AT APPROXIMATELY 3399 SOUTH 1900 WEST.

Applicant Alan Walker stated his address as 4496 W. 1560 N., and explained he was a general contractor and his company did a wide range of projects. He gave background on the proposed development, and explained they would use the existing building on the property for storage. He clarified nothing would be permanently stored outside. He noted the current owner had not followed the plan accordingly, and he said they had not closed or vinyled the building appropriately. Mr. Walker stated his company was willing to take on the cost of completing the structure in accordance with the site plan created by the City.

Mr. Walker also addressed the question about UDOT, and said he did not know how much access they could have or what the frontage was. He expressed he was fine with 20 feet of landscaping at the front, and noted this was what the current owner had as well. He said he did not have a plan for landscaping or irrigation, and he asked if they could use fake plants that would not require water. Mr. Walker explained there would not be parking in the first 20 feet, although he felt this was counterproductive. He also commented there had been a question about a dumpster enclosure, and he asked if he actually needed to have a dumpster on site since he could just take trash to a dump site. He expressed he wanted to be a good neighbor.

Mr. Parkinson explained this was a site plan approval for an existing building located at 399 S. 1900. W, and gave an aerial view of the property. He noted it was a bit of a strange property, and indicated it was located in the manufacturing zone of the City. He also commented some of the property owners in that area, including the adjacent property to the one in question, had historically done things without approval from the City.

Mr. Parkinson shared the original site plan, which he commented was hard to decipher. He highlighted where the access road and 20 foot setback and landscaping were supposed to have been located, although he said the landscaping and parking had never actually been installed. He explained the City and the current landowner were going back and forth about the required landscaping, and said the landowner was recalcitrant to install landscaping since the adjacent landowner had not done proper landscaping. Mr. Parkinson said as long as the landowner could install landscaping, the City was willing to work with him on a variety of options, including xeriscaping.

Mr. Parkinson also expressed concern about having a commercial building without a dumpster, although he said he and Staff did not think this was a huge issue. He summarized the applicant had modified the initial site plan and adapted it to his needs, and he expressed he and Staff recommended approval and did not think any of the challenges were insurmountable.

Mr. Parkinson explained the access to the property was through a frontage road off of 3500 which was primarily for Hanson's. He explained not all of the road was in UDOT's right-of-way, so they

could only require 20 feet. He highlighted which parts of the road were UDOT's and which parts were private property.

Vice Chair Felt commented on the curb, and Mr. Parkinson explained he had just taken what had been approved. Mr. Parkinson elaborated this would be considered a change of use, and that required a letter to UDOT since while it was not their road, it was their right-of-way.

Commissioner Hulbert moved to approve the Site Plan approval for North Star Buildings located at approximately 3399 South 1900 West with the conditions as stated in the staff report. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted "aye." The motion carried.

9. COMMISSIONERS MINUTE

The Commissioners expressed Vice Chair Felt had done a great job filling in for Chairman Cowley that evening.

10. STAFF UPDATE

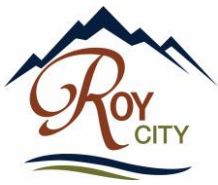
Mr. Parkinson reported the ongoing projects they had were well on their way to completion. He commented on the townhome project on 4300 W. 5500 S., and said six of the eight total buildings installed, and some even had stucco completed on the outside.

11. ADJOURN

Commissioner Sphar moved to adjourn at 7:28 p.m. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted "aye". The motion carried.

Jason Felt
Vice-Chair

dc: 07-11-23



STAFF REPORT

Planning Commission

August 8, 2023

Agenda Item #5

SYNOPSIS

Application Information

Applicant: Timothy Oliver, Dylan Halverson and James & Cathrine Williams
Request: **6:00 p.m. – PUBLIC HEARING** - Requests to amend the Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial)
Approximate Address: 5839, 5859 & 5867 South 3500 West

Land Use Information

Current Zoning: RE-20; Residential Estates
Adjacent Zoning: North: RE-20; Residential Estates South: RE-20; Residential Estates
East: R-1-8; Single-Family Residential West: RE-20; Residential Estates
Current General Plan: Commercial / Mixed Use

Staff

Report By: Steve Parkinson
Staff Recommendation: Approval with conditions

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 5 – Amendments to General Plan and Zoning Ordinance

CONFORMANCE TO THE GENERAL PLAN

- Economic Development Goal 1; *To promote and make possible the realization of a high quality of life for the city's residents through the pursuit and implementation of good economic development practices*
- Economic Development Goal 1; Objective 1; *To promote and encourage commercial, industrial and other economic endeavors to strength and improve the city's tax base and quality of life.*
- Urban Growth Goal 1; Objective 5; *To allow development to occur on parcels of land most suitable for and capable of supporting the kind of development being proposed.*

ANALYSIS

Previous Meetings

This request was first scheduled for the June 13, 2023, meeting, but due to a noticing error the item could not be heard that night, but was re-scheduled for July 11, 2023.

During the July 11, 2023, the request was heard, but during the public hearing there was a request from a neighboring property owner to be a part of this rezone. Two of the three original applicants didn't have an issue with including them and are willing to allow others to be included. Because of this the Commission tabled the request until August 8, 2023

Since the July 11, 2023, meeting three (3) additional properties will be included in on this rezone request. The three new properties are 5809, 5823 & 5891 South.

Background:

The applicants are the Landowners, all three parcels currently have a single-family dwelling on them. These parcels are on the west side of 3500 West and north of the Rock Run commercial complex. The three (3) parcels equal up to 5.48 acres (238,708.8 sq.-ft.).

The Future Land Use Map shows this area to be Commercial Mixed-Use (see exhibit "B").

Amend Zoning Map:



Current Zoning: The subject property currently has a zoning designation of RE-20 (see exhibit “C”).

Requested Zone Change: The applicant would like to have the property changed to CC (Community Commercial).

Considerations: When considering a Zoning District Map Amendment, the Commission and the Council shall consider the following factors, as outlined in section 10-5-9 “Criteria for Approval of a ... Zoning Map” of the Zoning Ordinance:

- 1) The effect of the proposed amendment to advance the goals and policies of the Roy City General Plan.
- 2) The effect of the proposed amendment on the character of the surrounding area.
- 3) The compatibility of the proposed uses with nearby and adjoining properties.
- 4) The suitability of the properties for the uses requested.
- 5) The overall community benefits.

No amendment to the Zoning Districts Map (rezone) may be recommended by the Commission nor approved by the Council unless such amendment is found to be consistent with the General Plan and Land Use Maps.

The above section of the Zoning Ordinance asks some questions mostly looking at the effect the proposed zone and compatibility/suitability to the surrounding uses. Staff would like to comment on some of these questions.

General Plan Goals, Objectives and Policies –

- Within the “Conformance to the General Plan” section of this report it lists five (5) goals and policies that this type of development would satisfy.

The character of the surrounding areas (see Exhibit “A”) –

- To the West, East, North and South is Roy City, and are all Single-Family residential dwellings. At the corner of 3500 West & 6000 South there is Commercial development.
- The Future Land Use map does however show both sides of 3500 West from 6000 South to 4800 South designated as Commercial Mixed-Use.

Compatibility with surrounding area –

- If you look at the current zoning map and aerial then look 500 feet in each direction from this property, there are four (4) different zones, three (3) residential (RE-20, R-I-8 & R-I-10) zones and a Commercial (CC) zone.

Some additional questions that the Commission and Council needs to reflect upon are:

- Does changing are not changing the zoning provide the best options for development of this property or area?
- How can this property best be developed? As multi-family residential? Commercial?

FINDINGS

1. It's the best and highest use of the land.
2. Provides and supports Roy City Economic Development.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval, Approval with conditions, Deny or Table.

RECOMMENDATION

Staff recommends that the Planning Commission recommends approval of the request to amend the Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) with the conditions as discussed and as outlined within the staff report.

EXHIBITS

- A. Aerial Map
- B. Future Land Use Map
- C. Zoning Map

EXHIBIT "A" – AERIAL MAP

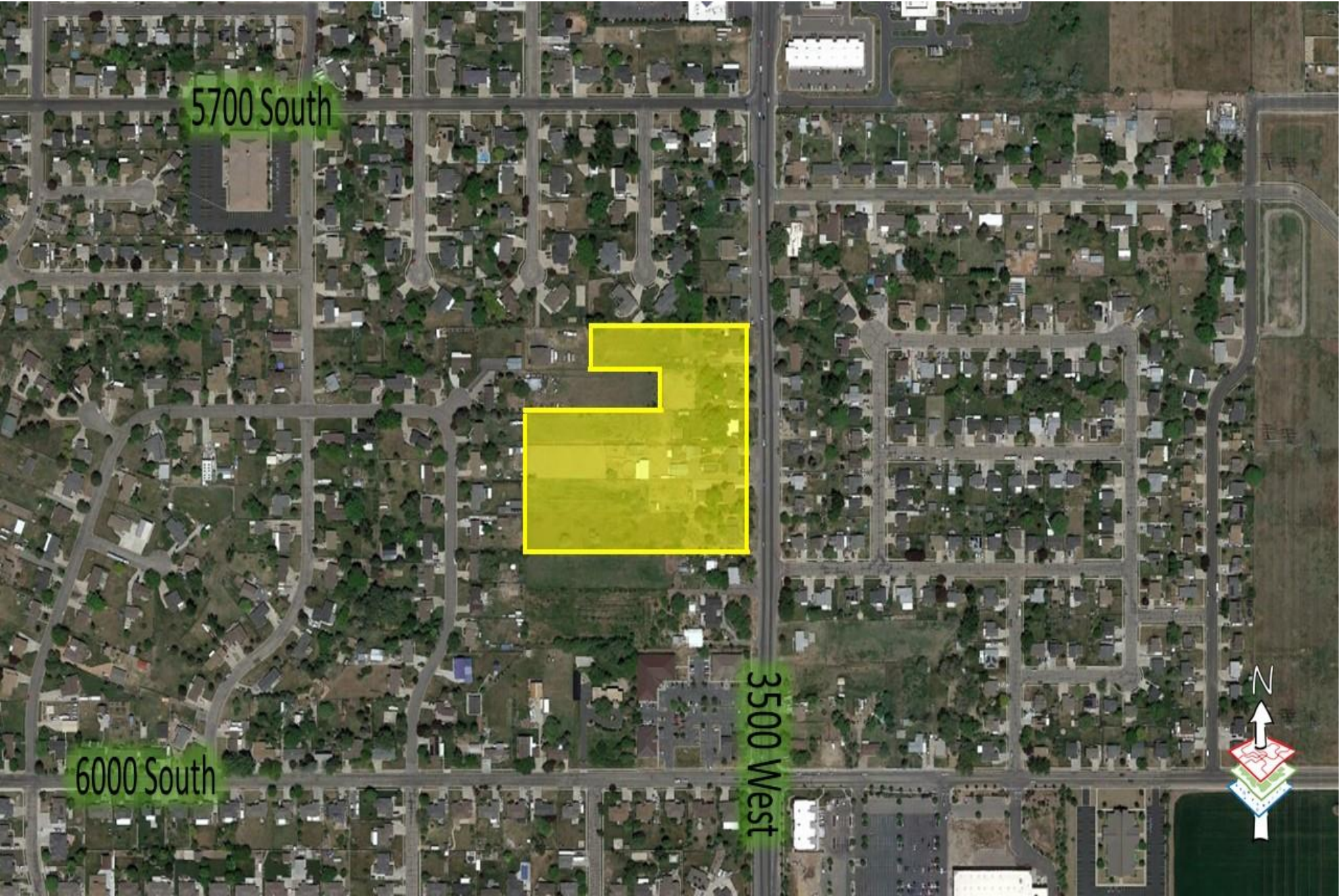
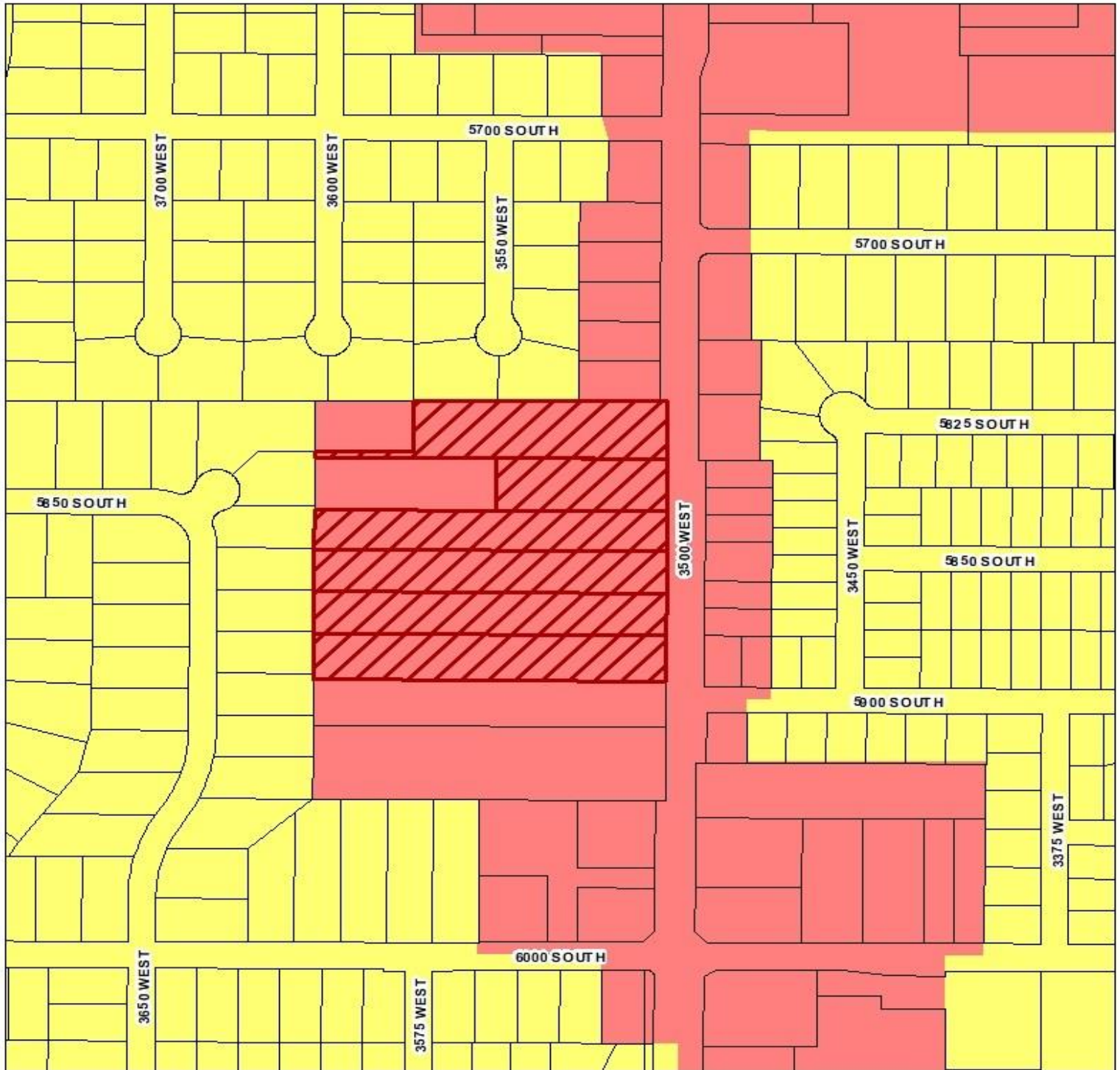


EXHIBIT "B" – FUTURE LAND USE MAP



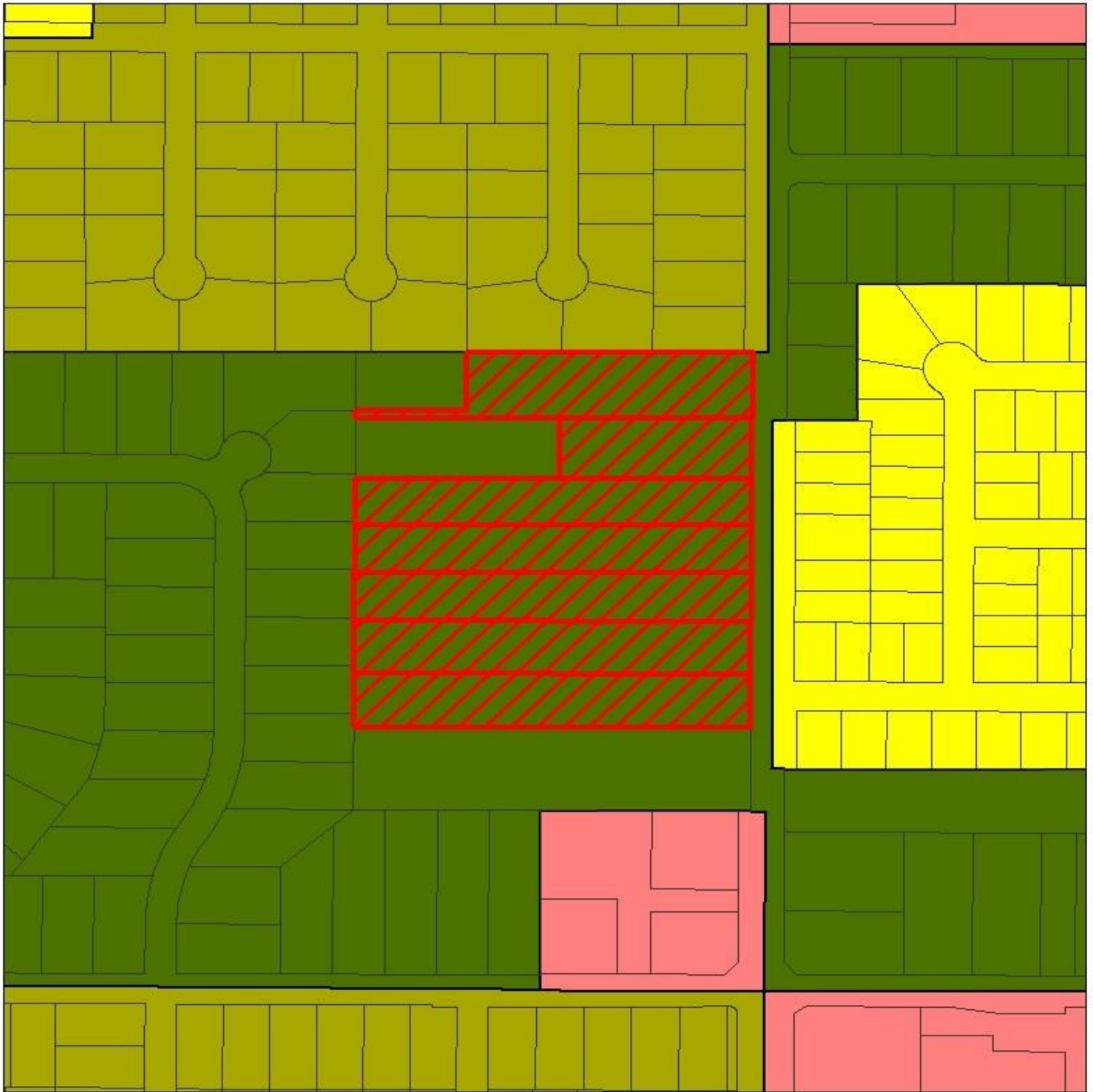
Legend

- | | | | |
|--|--|--|-----------------------|
| | Downtown Mixed Use | | Religious |
| | Station Mixed Use | | Parks and Green Space |
| | Business Park | | Utilities |
| | Commercial/Mixed Use | | |
| | Light Industrial/Commercial Flex Space | | |
| | Manufactured Homes | | City Boundary |
| | Single-Family Residential | | D & RG Rail Trail |
| | Multi-Family Residential | | Railroads |
| | Civic and Institutional | | |
| | Public Schools | | |



Future Land Use Map



EXHIBIT "C" – ZONING MAP



Legend

- | | |
|--|--|
|  City Boundary |  R-1-8 |
|  Parcels |  R-1-15 |
|  Selected Parcel |  RE-20 |
| |  CC |

Zoning Map





August 8, 2023
Agenda Item #6

SYNOPSIS

Application Information

Applicant: Gerritt Timmerman
Request: Request for Site Plan and Architectural approval for Jackson C-Store
Address: Approximately 4805 South 1900 West

Land Use Information

Current Zoning: CC; Community Commercial
Adjacent Zoning: North: CC; Community Commercial South: CC; Community Commercial
East: CC; Community Commercial West: CC; Community Commercial

Staff

Report By: Steve Parkinson
Recommendation: Approval with conditions.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 14 – Permitted Uses
- Roy City Zoning Ordinance Title 10, Chapter 19 – Off-Street Parking and Loading

ANALYSIS

Project Overview:

The property is on the Southwestern corner of 4800 South and 1900 West. (Exhibit “A”) The proposed site changes are to demo the eastern two (2) bays of the carwash for more parking stalls and better on-site vehicle circulation.

Staff Review & Comments:

Elevations: The building already exists however the applicant is looking to demo the two (2) self-wash bays on the eastern end of the building to improve on circulation of the property and add a few additional parking stalls. The new exterior eastern façade will consist of similar materials and colors of the rest of the building.

Vehicle Access/Circulation: The existing car wash building as it stands does cause some circulation issues for those using the drive-up window on the North side and those exiting either the building from the western entrance/exit and/or those leaving the fueling stations.

Removal of the two (2) self-wash bays creates more space for all of those uses coming together.

Site Plan: There are virtually no issues with the proposed changes from and Planning & Zoning side. (Exhibit “C”)

Summary: The proposed site can meet all of the minimum requirements of the code. There are still a department or two that haven’t provided their comments; however the Planning portion of the DRC Memo can be found in exhibit “E”.

The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.

CONDITIONS FOR APPROVAL

- I. Compliance to the requirements and recommendations within this report.



2. Compliance to all requirements as discussed in this meeting

FINDINGS

1. The proposed site plan can meet all of the requirements of the Zoning Ordinance.
2. The proposed building elevations can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can Approve, Approve with conditions, or Table.

RECOMMENDATION

Staff recommends approving the Site Plan & Architectural review with the conditions that all current and future DRC review comments are complied with along with any conditions as stated in the Staff report or during this Planning Commission meeting.

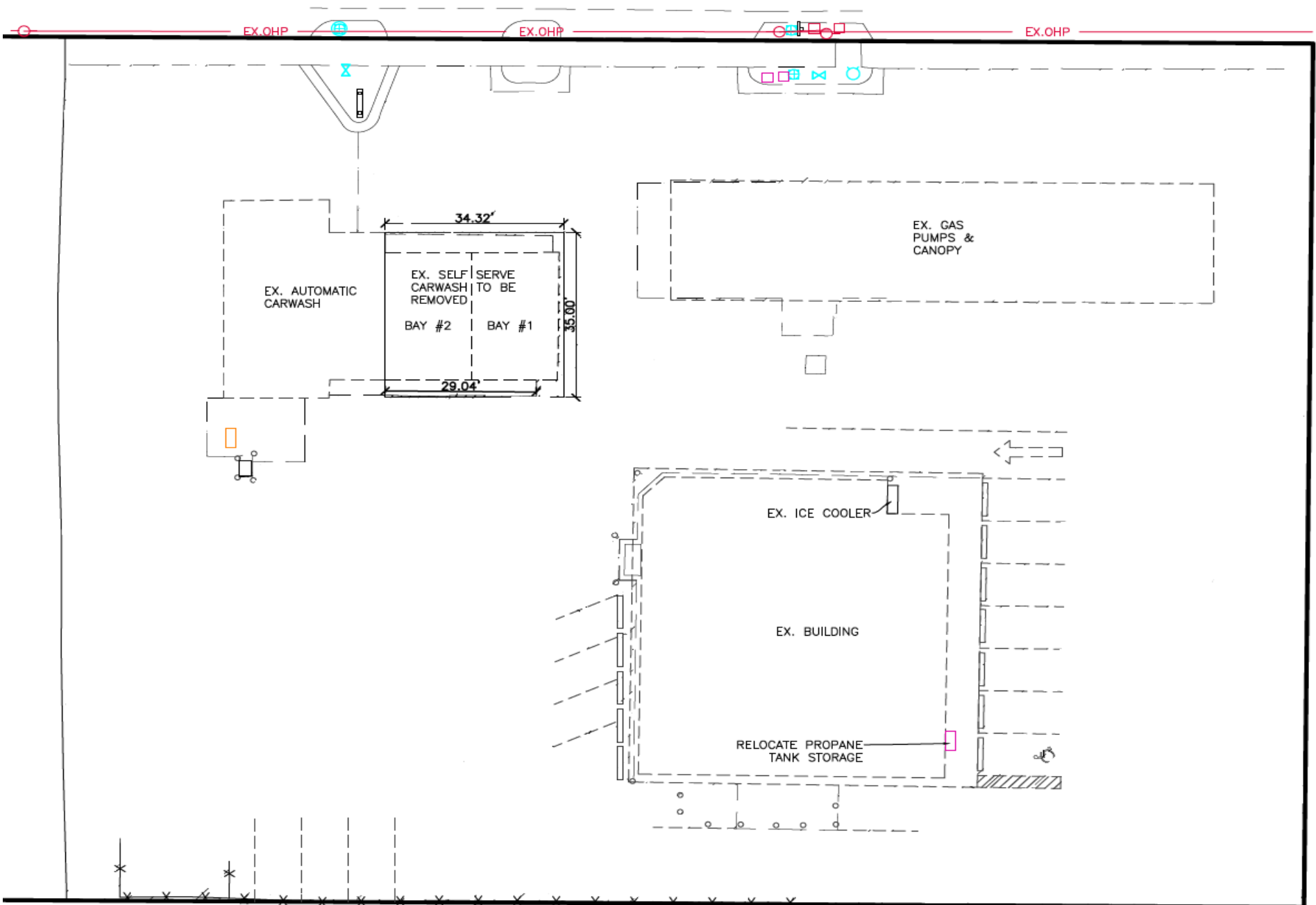
EXHIBITS

- A. Aerial Map
- B. Existing Site Plan
- C. Proposed Site Plan
- D. Proposed Building Elevations
- E. Planning portion of the potential DRC Review Memo

EXHIBIT "A" – AERIAL



EXHIBIT “B” – EXISTING SITE PLAN



EX. OHP

EX. OHP

EX. OHP

EX. AUTOMATIC CAR WASH
FFE 26.06

EX. GAS PUMPS & CANOPY

EX. ICE COOLER

(26.98)
TOC STEP

EX. STEPS TO DOOR

(27.40)
TOC STEP

RELOCATED PROPANE TANK STORAGE

4527.56
FFE

ADA VAN ACCESSIBLE SIGN

20.00'

9.00'

9.00'

20.00'

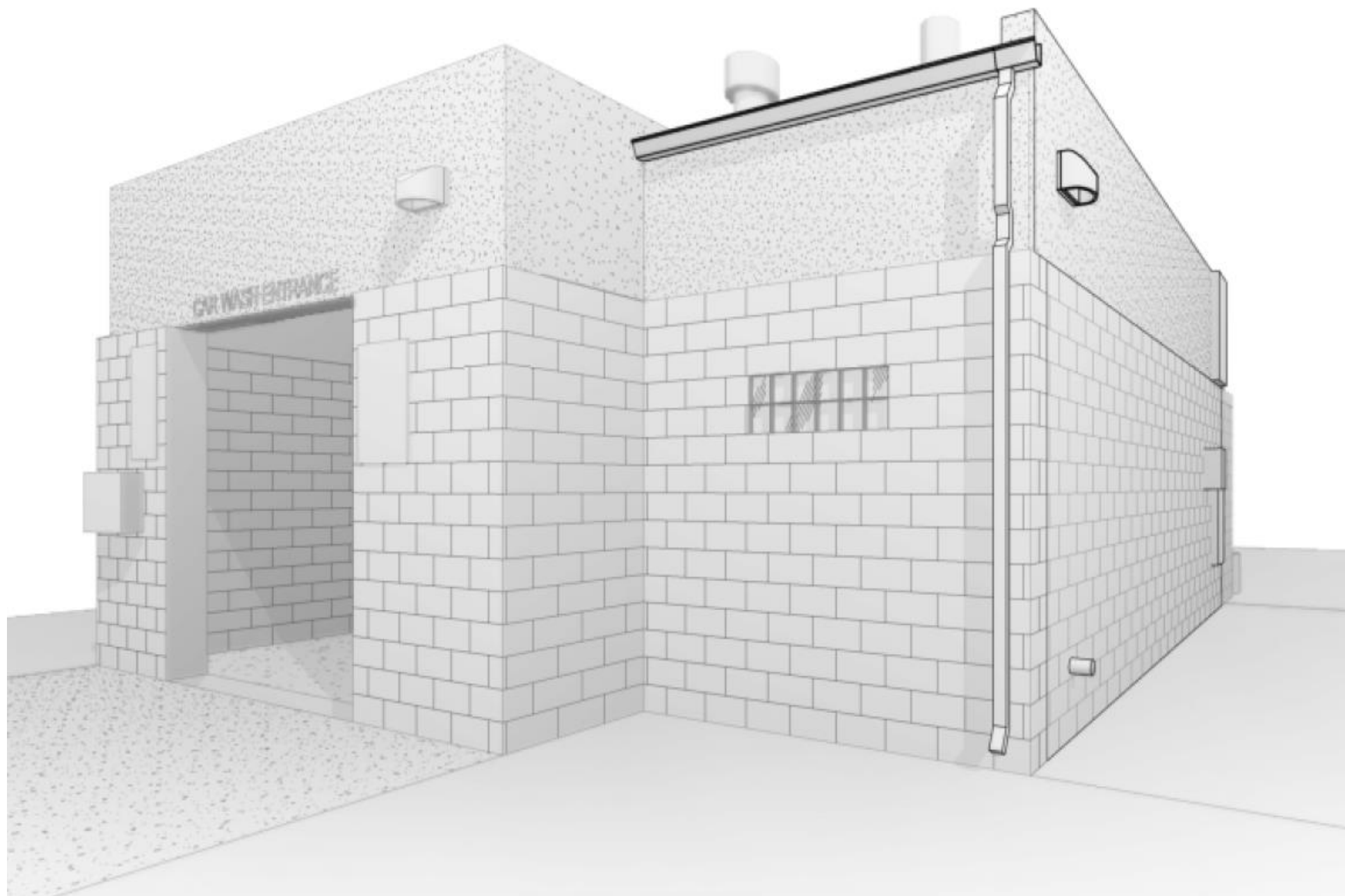
8.00'

9.00'

20.00'

5.84'

EXHIBIT “D” – PROPOSED BUILDING ELEVATIONS





Date:

To: Gerritt Timmerman

From: Steve Parkinson – Planning & Zoning Administrator

Subject: Jackson C-Store Plan – 4805 S 1900 W – plans submitted July 11, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Planning –

- I. No comments.





August 8, 2023
Agenda Item #7

SYNOPSIS

Application Information

Applicant: Brandy Fowers
Request: Request for Conditional Use for Outdoor Sales with Site Plan approval of a Food Truck area for Sacco's
Address: Approximately 6050 South 1900 West

Land Use Information

Current Zoning: DT-G: Downtown Gateway
Adjacent Zoning: North: DT-G: Downtown Gateway South: C-2; Commercial (Sunset)
East: DT-G: Downtown Gateway West: DT-G: Downtown Gateway

Staff

Report By: Steve Parkinson
Recommendation: Approval with conditions.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 13 – Mixed Use

ANALYSIS

Project Overview:

The property has been around for more than 60 years and it is located on the east side of 1900 West and is the last business as you leave the City heading south and is a Landmark in the City. (Exhibit "A") The owner would like to expand the site northward, and provide an area for food trucks.

Staff Review & Comments:

Site Plan: There are a few issues with the site plan, from a Planning & Zoning standpoint these aren't large enough items that the site couldn't meet the ordinance after some minor modifications.

Summary: The proposed site can for the most part meet all of the minimum requirements of the code. There are still a department or two that haven't provided their comments, however the Planning portion of the DRC Memo can be found in exhibit "C".

The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.

CONDITIONS FOR APPROVAL

- Compliance to the requirements and recommendations within this report.
- Compliance to all requirements as discussed in this meeting

FINDINGS

- The proposed site plan can meet all of the requirements of the Zoning Ordinance.
- The proposed building elevations can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can Approve, Approve with conditions, or Table.



RECOMMENDATION

Staff recommends approving the Conditional Use and Site Plan review with the conditions that all current and future DRC review comments are complied with along with any conditions as stated in the Staff report or during this Planning Commission meeting.

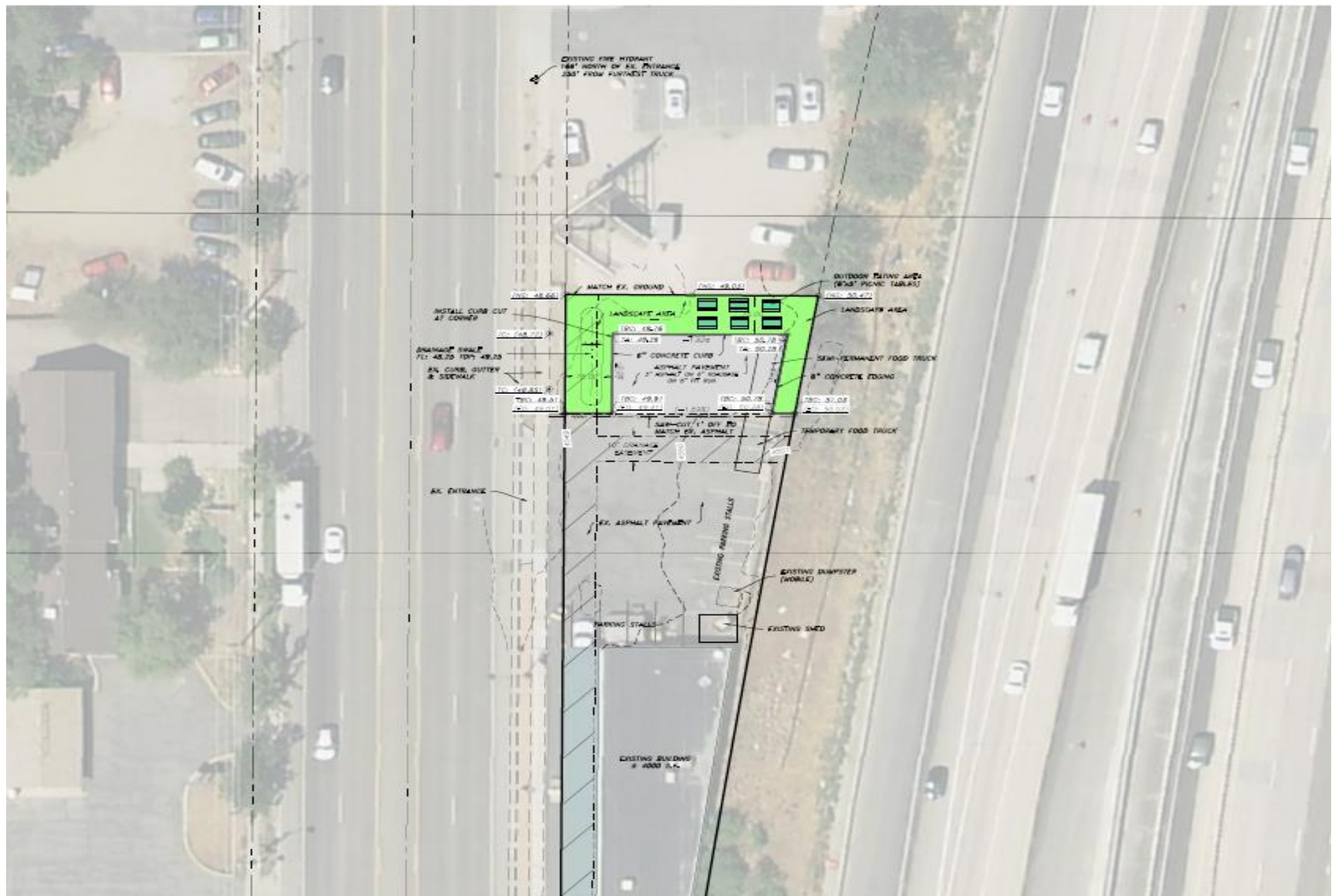
EXHIBITS

- A. Aerial Map
- B. Proposed Site Plan
- C. Planning portion of the potential DRC Review Memo

EXHIBIT "A" – AERIAL



EXHIBIT “B” – PROPOSED SITE PLAN





Date:

To: Brandy Fowers

From: Steve Parkinson – Planning & Zoning Administrator 

Subject: Sacco's Site Plan – 6050 S 1900 W – plans submitted July 13, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Planning –

A. General

1. Need a letter from UDOT.
2. Still need to pay appropriate Application Fee

B. Site Plan

1. What type of materials is proposed within the "Landscape Area"? Will need a landscaping plan.
2. Need an irrigation plan.
3. With moving the dumpster how will it be screened, along with landscaping surrounding it.
4. No parking stalls are allowed to be closer to be street than the building.

