

Chair

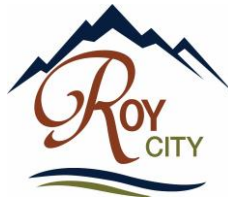
- Ryan Cowley

Vice-Chair

- Jason Felt

City Planner

- Steve Parkinson

**Commission Members**

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

PLANNING COMMISSION - AGENDA

June 13, 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 April 11, 2023, regular meeting minutes
3. Approval of the May 9, 2023, regular meeting minutes

Legislative Items

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.
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

Administrative Items

6. A request for Site Plan approval for Pandora's Box located at approximately 1821 West 4000 South.
7. A request for preliminary Subdivision approval for Tigard phase 3 located at approximately 3025 West 4600 South
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 8th day of June 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
April 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 Ryan Cowley, Chair

Steve Parkinson, City Planner

8 Torris Brand

Matt Wilson, City Attorney

9 Chris Collins

10 Claude Payne

11 Jason Sphar

12 Daniel Tanner

13
14 Excused: Commissioners Samantha Bills, Chris Collins and Janel Hulbert

15
16 Others in attendance: Glenda Moore, Gregg Sorensen and Steve Huntsman

17
18 Pledge of Allegiance: Commissioner Tanner

19
20 1. DECLARATIONS OF CONFLICT

21
22 There were none.

23
24 3. TO CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL REVIEW APPROVAL
25 FOR NCS PROPERTIES LOCATED AT APPROXIMATELY 6051 SOUTH 1900 WEST

26
27 Gregg Sorensen identified himself as the father of applicant Nick Sorenson and explained “NCS”
28 stood for Nick and his wife, Courtney Sorenson. Steve Huntsman indicated he was the
29 representative and partner of the applicant and said he was available to answer any questions to
30 try and get the project approved. He expressed they wanted to do this in the way that the City
31 wanted, and they appreciated the City’s help. Mr. Huntsman shared some photographs of the
32 site plan, and indicated they planned to repaint the whole structure as well as change some of
33 the materials. He shared some of the other changes they planned to make, and said the overall
34 goal was to make the building look nice and presentable. Mr. Huntsman expressed they would
35 continue to rent out the units, and added one of their tenants would be Pest Control.
36 Commissioner Tanner clarified some of the technical specs of the storage space. Mr. Huntsman
37 reiterated they would be willing to do whatever the City thought was best, as long as it was within
38 their budget. The Commissioners expressed appreciation for the applicant’s willingness to work
39 with them.

40
41 City Planner Steve Parkinson presented, and gave a succinct overview of the request. He
42 explained the reason it had come before the Planning Commission is because the use would
43 change, and go from retail and repair to service, with the addition of Pest Control. He noted he
44 would have to look into renting out of the bays, and acknowledged in the past service uses had
45 been allowed. He expressed he would have to do more research to make sure they would be in
46 compliance.

Mr. Parkinson also gave an overview of the site, and identified some key points of the surrounding landscaping rules. He also said that because it was a change of use, they would need a letter from UDOT, and their approval may impact some of the landscaping plans.

Mr. Parkinson clarified any changes made by UDOT should be minor, and not significantly change the site plan. He said for this reason, Staff recommended approval.

Mr. Parkinson noted as well their Code allowed for a wide range of materials to be used, and so the applicants would be in compliance with their plans for changing materials on the exterior of the building as well as their plans to re-paint the facade. He summarized Staff recommended approval of the architectural changes.

Mr. Parkinson clarified this was only the approval of the Planning Staff, and emphasized Fire and other departments needed to approve the plans as well. He noted Fire had some additional requirements as far as storm drains were concerned, but they were only concerned with Planning at the current point.

Mr. Parkinson said they were only looking at the landscaping and the architecture at this point, rather than the uses in response to a question from the applicant about being legal non-conforming.

Mr. Parkinson reiterated he needed to investigate the whole issue further.

Commissioner Tanner thought they needed to reconfigure the parking lot.

Mr. Huntsman pointed out even if UDOT closed the southern parking lot, there was another one to the north of the property which could still be used.

Commissioner Payne moved to approve the Site Plan for NCS Properties with the conditions as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners Brand, Cowley, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.

Commissioner Sphar moved to approve the Architectural review for NCS Properties with the conditions as stated in the staff report. Commissioner Felt seconded the motion. Commissioners Brand, Cowley, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.

4. DISCUSSION ON ALLOWING PARKING WITHIN THE FRONT YARD DURING THE WINTER MONTHS

Mr. Parkinson presented this item and gave a brief background. He explained in February of that year, the City Council had held a meeting in regard to amending Title Six and allowing parking trailers on the street, which had led to a discussion of parking cars in the front yard. He recalled the conclusion of the Council meeting had been to allow trailers to be parked for 72 hours and clarified the Planning Commission had not been involved with that decision; however, they would be involved with the decision to allow parking on the front lawn in winter months.

Mr. Parkinson said several options had been presented, including allowing cars for up to 72 hours, all the time, or all the time except in the event of snowfall.

Mr. Parkinson clarified no decision would be made that evening; this was simply a chance for the Commissioners to discuss the issue so he could begin drafting a document. He indicated he had identified some parts of their Code which pertained to the issue, including Chapter 19, which was their parking ordinance. He invited the Commissioners to give their thoughts.

Commissioner Tanner did not think there was any validity to this, and recommended they take no action. He thought during the winter months, people needed to find the best solution, which he did not think was parking on the grass. He worried if they allowed parking on the grass in the winter, people would do it in the summer as well. He did not think they should make a change in the ordinance for a minute number of people who wanted to park on the lawn.

Commissioner Payne wondered why this issue had come up, and asked if it was because the previous winter had been so bad. Commissioner Spahr agreed, and said over the last several years, snowfall had not been so bad that people had been unable to park on the street.

Mr. Parkinson clarified that the front lawn was not people's legal parking spaces, and explained driveways were viewed as an accessory or additional parking pad, with garages being the designated place to park cars.

Commissioner Felt thought this was an issue of too many cars, and said people needed to get storage units if they needed additional storage space, rather than using their garages as storage units and then parking their cars outside. He thought garages were intended to be used for cars, and it should be kept to that. He reiterated he was not in favor of this proposal.

Commissioner Brand asked who the proponent is for this?

Mr. Parkinson indicated the ad hoc committee were the ones in favor of this proposal.

Glenda Moore, citizen – after posting the Agenda on Facebook, received a comment that many are already parking in the Front Yard, and it looks really “crappy”. After parking in Front Yards for even just one day can ruin your yard. At least two of the people in the ad hoc meeting had multiple vehicles, and one had received a citation in the past about parking on their lawn.

Commissioner Spahr expressed he like the idea of a permit or something that expired, but he also agreed with the other Commissioners and voiced was not in favor of allowing people to park on front lawns; however, he did not think someone parking on their lawn for just a couple hours during a snowstorm should be an issue. He did not think any changes needed to be made.

Mr. Parkinson asked for directions. The Commissioners determined they did not think any changes needed to be made and said there were ample opportunities within the existing ordinance to create more space around one's property to park cars.

Commissioner Spahr asked for some clarification on the ordinance in regard to the 72-hour parking for trailers.

Mr. Parkinson gave some history on that ordinance and noted many years ago they had allowed for temporary trailer parking, but at some point, this had been changed and they were now reinstating the rule to permit people to temporarily park their trailers in the street.

5. COMMISSIONERS MINUTE

Chairman Cowley did not have any announcements.

6. STAFF UPDATE

Mr. Parkinson said they were at the tail end of the Station Area Plan, and indicated there would be a joint work session coming up to discuss those plans. He said there was a deadline to get those plans approved by June, and he anticipated it would come before the Planning Commission at their next meeting in May. He commented that the plans were about density in regard to the Front Runner Station, and he briefly discussed the State had not thought their 2017 plan was up to date to their standards, which was the reason the plans needed to be looked at again.

7. ADJOURN

Commissioner Tanner moved to adjourn at 6:36 p.m. Commissioner Payne seconded the motion. Commissioners Brand, Cowley, Felt, Payne, Sphar and Tanner voted "aye", The motion carried.

Ryan Cowley
Chair

dc: 04-11-23



ROY CITY
Planning Commission Regular meeting
May 9, 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 Ryan Cowley, Chair

Steve Parkinson, City Planner

8 Torris Brand

Matt Wilson, City Attorney

9 Chris Collins

10 Jason Felt

11 Janel Hulbert

12 Jason Sphar

13 Daniel Tanner

14
15 Excused: Commissioners Samantha Bills, and Claude Payne

16
17 Others in attendance: Kevin Homer, Valerie Claussen, Ashton Dayton, Tim Higgs, Curt Davis,
18 Mark Ohlin, Jeff Buttars, Jason Ohlin and Paul Wilson

19
20 Pledge of Allegiance: Commissioner Torris Brand

21
22 1. DECLARATIONS OF CONFLICT

23
24 Commissioner Jason Felt stated he was the main consultant for the owner of the property listed
25 under agenda item 3B, so he would not be commenting or voting on that issue. Chair Cowley
26 asked if they wanted him to step outside for that and City Attorney Wilson replied they would like
27 him to do so.

28
29 2. APPROVAL OF THE MARCH 14, 2023, REGULAR MEETING MINUTES

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31 **Commissioner Collins moved to approve the March 14, 2023, regular meeting minutes as**
32 **written. Commissioner Sphar seconded the motion. Commissioners Brand, Collins,**
33 **Cowley, Felt, Hulbert, Sphar and Tanner voted “aye.” The motion carried.**

34
35 3A. PUBLIC HEARING – TO CONSIDER UPDATES TO THE 2023 ROY CITY GENERAL
36 PLAN, APPENDIX A, ADDING STATION AREA PLAN, AS PER HB 462 (2022).

37
38 City Planner Steve Parkinson turned the presentation over to Valerie Claussen of Outpost
39 Planning.

40
41 Ms. Claussen indicated she was part of the Consultant team and presented the item. She stated
42 the State legislature that passed this bill and even though Roy had already been at the forefront
43 of having their planning documents in place there had been changes in the State the legislature
44 and to comply with that they had created a matrix to demonstrate what needed to be updated
45 including some moderate-income housing components and the implementation of these plans.

46
47 Ms. Claussen stated per State Code, the area was required to be a ½ mile from the station, so
48 they had done some baseline calculations. She explained they had held several stakeholder

meetings and resident property owner meetings, and added they had utilized visual images and typology in order to have discussions in these meetings. Ms. Claussen stated they had done a market analysis to determine what would be potentially viable at this site for Roy and showed a graphic of land-use in the area. She briefly explained the different zoning.

Ms. Claussen showed and explained some graphics which had been used in the stakeholder and resident property owner meetings. She stated there had been a lot of research and numbers that had gone into this and discussed some of the various figures. There were technical difficulties with the presentation, and it was decided to get a hard copy of the presentation to the Commissioners.

Ms. Claussen discussed anticipated water usage and energy, and then stated they had done a transportation analysis. She noted the traffic study that had been done and showed images of some of the areas which could use improvements to make the station most successful and viable. She commented this would not happen overnight and this would be a long term commitment, and said fortunately, a plan that could accommodate that timeline. Ms. Claussen finished her presentation and asked for questions.

Mr. Parkinson stated when they had applied for this grant they had experienced some difficulties because not everyone had wanted to amend the mixed-use ordinance, especially since the process they had gone through to get the ordinance adopted in the first place had been so challenging. He showed an image of the areas which were in compliance as well as the areas which were not in compliance per to the new State Legislature. City Planner Parkinson commented the only thing which their plan did not have was the senior housing component, and said the ordinance did include the senior housing component.

Mr. Parkinson stated the plan and the ordinance went well together for the most part, but Council still needed to adopt it and added it would also need to go to UTA Wasatch Regional Council to be certified for approval. He commented it still had a process to go through, but the first step was City approval. He added it was great that UTA had been a part of this every step of the way so they had an idea of what was going on, and he reiterated he thought it was an overall good plan.

Commissioner Hubert asked to see the slide which showed where the senior housing would be located. City Planner Parkinson stated it was on the east side of the tracks, south of the station itself. Commissioner Hubert asked about the parking and City Planner Parkinson explained the parking as shown on the image.

Chairman Cowley commented he liked the diversity in the plan. Commissioner Hubert agreed, but commented she thought the senior housing was needed.

Commissioner Hubert asked for further explanation on the impact study on the roads in the area.

Mr. Parkinson replied this was just a general idea, and when development started occurring, they would need to provide a transportation plan in accordance with the overall plan.

Ms. Claussen commented their study identified some connectivity issues.

Commissioner Huber asked if they were planning for a pedestrian bridge in that area.

Ms. Claussen replied that would always be the ultimate goal.

Mr. Parkinson stated UTA also had a concern about getting people to the station without having them go all the way up to 4000 and back around. Commissioner Hubert appreciated that.

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

Chairman Cowley opened the floor for public comments.

Kevin Homer of 5398 S. 4000 W. Roy asked City Planner Parkinson if this proposed change was something that he and Staff had approved, which City Planner Parkinson confirmed. Mr. Homer stated he had been following the General Plan changes over the years and it was his belief that a good idea would stand on its own merits and values and not have to rely on force or coercion. He appreciated everything that had been done over the years and he would support these changes.

No additional comments were made.

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

Commissioner Sphar moved to recommend to the City Council that they approve the proposed updates to the 2023 Roy City General Plan, Appendix A, adding Station Area Plan, as per HB 462 (2022). Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Felt, Hulbert, Sphar and Tanner voted “aye,” The motion carried.

3B. PUBLIC HEARING – TO CONSIDER EITHER, FOR PROPERTIES LOCATED AT APPROXIMATELY 1930 W & 1969 W 6000 S

- AMENDING THE GENERAL PLAN (FUTURE LAND USE MAP) FROM DOWNTOWN MIXED-USE TO LIGHT INDUSTRIAL/COMMERCIAL

AND

- AMENDING THE ZONING MAP FROM DT-G (DOWNTOWN GATEWAY) TO LM (LIGHT MANUFACTURING)

OR

- AMENDING 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

Commissioner Jason Felt left the meeting due to conflict.

City Planner Parkinson stated there were two businesses on 6000 which were both looking to build storage for their current businesses. He reported they had discussed this with both of them based on the changes made to the ordinance in 2021 which lessened the requirements for elevations.

Mr. Parkinson went through the history of the zoning in that area and showed the zoning map from 1953. He moved onto the 1960-1970 map and commented that in 1970 when the first General Plan was adopted the area had been zoned as multi-family high density, and in 1980 when they updated the General Plan it changed it to commercial. He added the future land-use maps from 2002 as well as 2005 had the zone listed as commercial. He stated the 2023 future land-use map had it listed as mixed-use commercial and on the zoning map it was shown as a downtown gateway mix-use zone.

Mr. Parkinson continued and said if this was not something this body would like they could recommend denial, tabling, or approval of the rezone in the General Plan amendment. He added they could also look at amending the zoning ordinance to allow an accessory storage bay building for the business rather than a standalone building. He stated the ordinance would require a new building type.

Mr. Parkinson stated he would table the ordinance and go into a work session to determine the fine details so they did not put themselves in a situation they did not foresee. He thought amending the General Plan they had just adopted would be difficult for him to recommend. He said he would rather go the route of a Code change, but the reason there was no recommendation in the Staff report was because he did not want to encourage them one way or the other.

Chairman Cowley asked if a 40x60 structure could be built on the property despite the materials.

Mr. Parkinson replied one of them could, but he was not sure about the other one which was why he had given them two options. Chairman Cowley clarified the discussion was mostly about the materials used. Commissioner Brand recommended tabling the issue. Chairman Cowley reminded him they still needed to have a public hearing.

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

Chairman Cowley opened the floor for public comments.

Paul Wilson, 1969 West 6000 South, stated he was the owner of the properties and explained all they wanted to do was build a 30x60 storage shed that they already had planned and paid for. He commented when he had come to Mr. Parkinson about it, Mr. Parkinson just kept referring to title 10, so he had moved forward with the building not knowing this was going to be a huge problem for the City. Mr. Wilson stated there was a metal building across the street from them and he did not understand how the zoning had not previously prevented that from happening. He continued to say they were growing and they were trying to grow with the City, but if they could not do that they would need to move somewhere where they could grow. Mr. Wilson did not see how a metal building that could not be seen from the roadway would affect things and expressed they needed the storage in the back.

No additional comments were made.

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

Mr. Parkinson stated without knowing what materials were allowed in the C2 zones he could not speak to Mr. Wilson’s point about the adjacent metal building. He indicated he would need to go back to see if C2 allowed for metal in order to answer Mr. Wilson’s question about the other metal buildings in the area.

Commissioner Tanner stated one of the concerns he had about rezoning to a manufacturing was that down the road if there a change, a manufacturing zone would not be conducive to neighboring zones. He expressed he would be less inclined to approve to move it into a manufacturing zone with the knowledge that its current use would not be its permanent use. He was concerned about what would happen when the current businesses vacated the premises and was not a fan of spot zoning properties.

Commissioner Hulbert agreed and did not think zoning was the answer and they should look at the ordinance.

Chairman Cowley stated he was a hard no on a rezone but was not opposed to explore the option of changing the ordinance.

Commissioner Collins agreed and thought that was the best way to find a compromise and was more inclined to table and have a work session.

Commissioner Hulbert asked how soon they could have a work session because it sounded like Mr. Wilson already had plans in place. City Planner Parkinson stated it could take a couple of work sessions to hash things out. Commissioner Hulbert stated she wanted to move along as quickly as they could.

Commissioner Brand moved to Table the item to a work-session so they could discuss it more. Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Felt, Hulbert, Sphar and Tanner voted “aye,” The motion carried.

Commissioner Jason Felt returned to the meeting.

3C. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING
REGULATIONS: AMENDING CH 6 – ESTABLISHMENT OF ZONING DISTRICTS –
ZONING DISTRICTS PURPOSE AND AMENDING CH 17 - TABLE OF USES - TABLE
17-1 - TABLE OF ALLOWED USES - RESIDENTIAL ZONING DISTRICTS.

City Planner Parkinson stated it had been interpreted that other uses could be considered primary in the single-family home zone, so they had amended the primary use zoning language to establish the primary use. He commented they had added clarifying language for permitted use as well.

Chairman Cowley asked for examples where a secondary use had become a primary use.

Mr. Parkinson replied the property in question on the corner of 56 and 31 was an example, where there was a home which ran a farm and the owner wanted to subdivide his property into four parcels. City Planner Parkinson reported the Planning Commission at the time had informed him that no building could be built on the subdivided properties until they also contained single-family homes. City Planner Parkinson continued that since then, the owners had changed and they had started using these buildings and there had been neighbor complaints.

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

Chairman Cowley opened the floor for public comments.

Tim Higgs of 5381 S. 3400 W stated he was the owner of one of the properties and asked what happened with this request if there was a permitted use application actively in review in the approval process at the same time that an ordinance changed. He expressed his understanding was that the ordinance in place at the time the application was submitted was the ordinance that was gone by and asked for clarification. Mr. Higgs then asked what happened when there was a permitted use granted from the application that was opened and an ordinance changed. He read from a prepared note but was cut off due to time allotment. Mr. Higgs stated he has shown there was a permitted use, but Staff had told him to submit an application for review and approval and he had done that. He read from an email. He was again told he was out of time. Mr. Higgs continued and stated there was an active request for a permitted use on this property and he did not think it was fair to have an ordinance change during an active request. Mr. Higgs ran out of time to finish his comments.

City Attorney Matt Wilson addressed Mr. Higgs' questions. He stated there was a pending ordinance and any applications made after a notice were subject to the ordinance change that had been noticed.

Chairman Cowley asked if the application had been filed before the notice.

Mr. Wilson replied it had been made after the notice.

Mr. Higgs commented that he had not received a notice.

Mr. Wilson replied there was a public notice which had been published on the City website.

Mr. Wilson answered the second question and stated nothing happened to those because they were grandfathered in.

Chair Cowley asked for clarification about uses that existed in residential zones.

Mr. Parkinson replied that every city allowed for cemeteries and churches in any zone but most of those kinds of uses were very specific.

Kevin Homer of 5398 S. 4000 W. Roy stated the information presented in the packet was concise and clear and he commended Staff on their work. He stated for this proposal, because there was

a pending request, he suggested either tabling the change until the matter was resolved or make a change to the proposed ordinance.

Curt Davis of 4128 S. 1100 W. Riverdale stated he owned the lot in question and was Mr. Higgs neighbor and when he bought the property in 1999 his intention was to store his RVs and was told this was fine but now, they were back and arguing about this issue again. He stated they had maintained the property and had kept all of their vehicles in the building, and he did not see the issue. He wanted the issue tabled until the history of the property could be fully assessed.

Mr. Wilson clarified this was not directed at these two property owners; it was to address discrepancies in the Code going forward.

No additional comments were made.

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

Chairman Cowley stated he understood the change in the ordinance was just clarifying there were permitted uses but that these permitted uses were not to be the primary use of the property. There was discussion about what would be grandfathered in after the potential ordinance amendment.

Mr. Parkinson stated that because they were not dealing with one particular property, Staff would recommend approval of the changes.

Commissioner Brand asked if this would affect the current use of Mr. Higgs if this were to be approved.

Mr. Wilson clarified it would affect his application, and added he thought an agreement had been reached between Mr. Higgs and Mr. Flint.

Commissioner Tanner moved to recommend to the City Council that they approve the proposed amendments to Title 10 Zoning Regulations: amending CH 6 – Establishment of Zoning Districts – Zoning Districts purpose and amending CH 17 - Table of Uses - Table 17-1 - Table of Allowed Uses - Residential Zoning Districts. Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Felt, Hulbert, Sphar and Tanner voted “aye,” The motion carried.

4A. TO CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR UTAH BEST HOME PROS LOCATED AT APPROXIMATELY 5982 SOUTH 1900 WEST

Chris Parker of 5982 S 1900 W, Roy as well as Craig Lowe of 5982 S 1900 W Roy both stated they had been operating for about a year and had previously leased a small 300 square foot building for their business.

Mr. Parker explained they had since grown enough to buy a building, so they bought one in Roy and received occupancy to move in. He explained since the building had changed use, they had to comply with all of the new rules.

Mr. Parker stated they had approached engineers about needed upgrades to stay in compliance, and all of it was out of their budget. He showed a site plan with the things they were told to address and described the changes they had made thus far.

Chairman Cowley stated the only question he had was about the parking.

Mr. Lowe stated they ran a heating and AC company, and all of their employees took their vans home and did not come into the office very often because they were dispatched from home. He stated they had originally wanted to see what they could get away with not doing because it was so expensive and asked if there was anything they could exclude.

Mr. Parker stated they had two full time office staff who had their vehicles on site, but other than that everyone else came and went.

Mr. Parkinson stated the building was south of the liquor store and was an older house. He said the site plan that had been provided in response to Staff comments was only the planning portion, so comments had not yet been received from Fire and other entities so they could only address the planning comments.

Mr. Parkinson stated Staff did not imagine these comments would drive it to change the plan much and the building was already there and Staff would recommend approval based on the conditions in the Staff report.

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

4B. TO CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR DARKCLOUD DIESEL PERFORMANCE LOCATED AT APPROXIMATELY 5049 SOUTH 2700 WEST

Ashton Dayton showed the site plan and explained the image. She stated they would be fencing in the dumpster so it would not be visible, and described the landscaping they would be doing.

Mr. Parkinson stated the building already existed and they were not making any modifications, so not a lot of changes could really occur to the site plan. He expressed that Staff recommended approval subject to the conditions in the Staff report.

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

5. COMMISSIONERS MINUTE

Chairman Cowley commented they would have a work session coming up which was good.

6. STAFF UPDATE

Mr. Parkinson stated even without the tabling of that ordinance they would be having a lot of work sessions coming up because of all of the new State Legislative changes.

7. ADJOURN

Commissioner Tanner moved to adjourn at 7:37 p.m. Commissioner Hulbert seconded the motion. Commissioners Brand, Collins, Cowley, Felt, Hulbert, Sphar and Tanner voted “aye”, The motion carried.

Ryan Cowley
Chair

dc: 05-09-23



STAFF REPORT

Planning Commission

June 13, 2023

Agenda Item #4

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

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

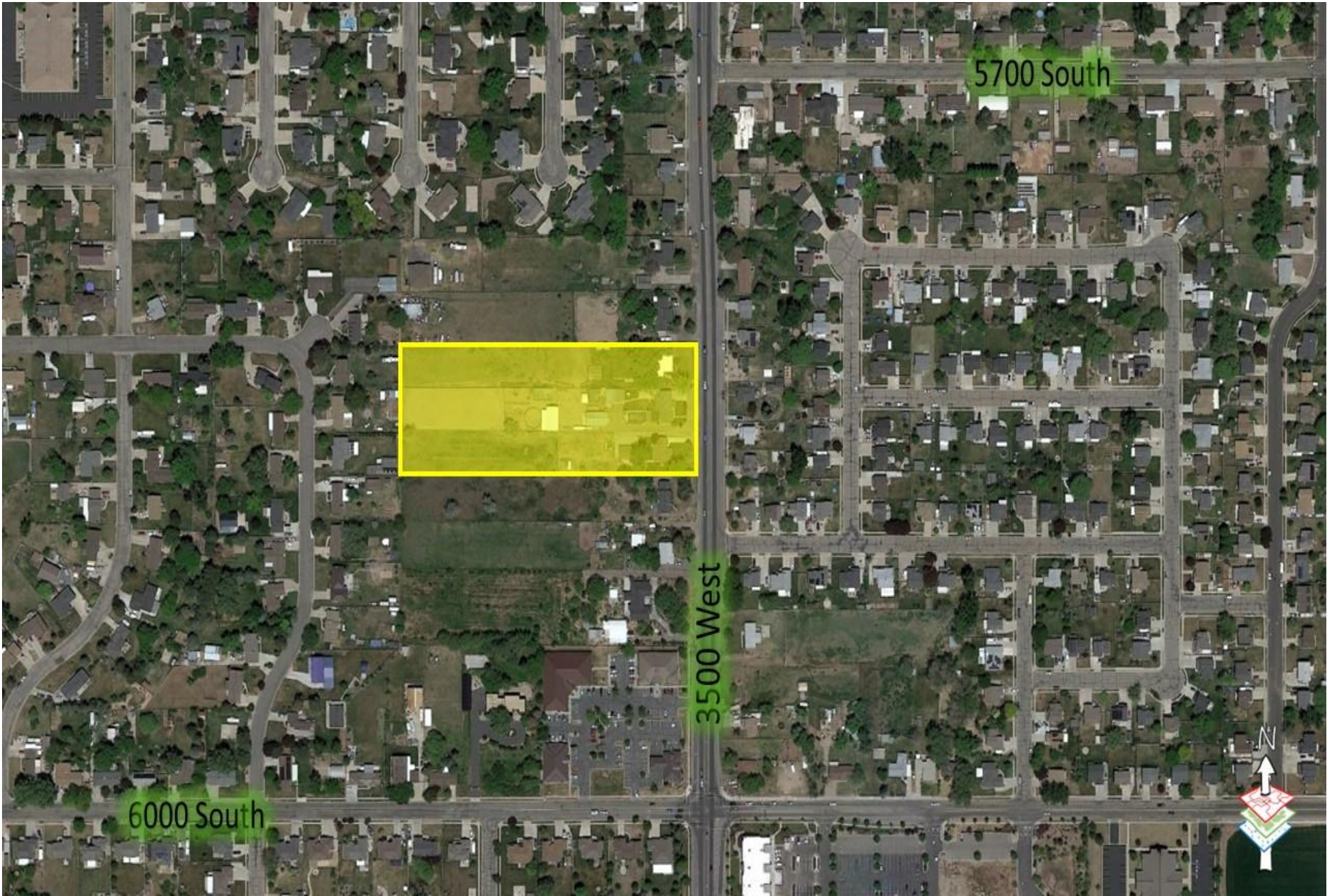
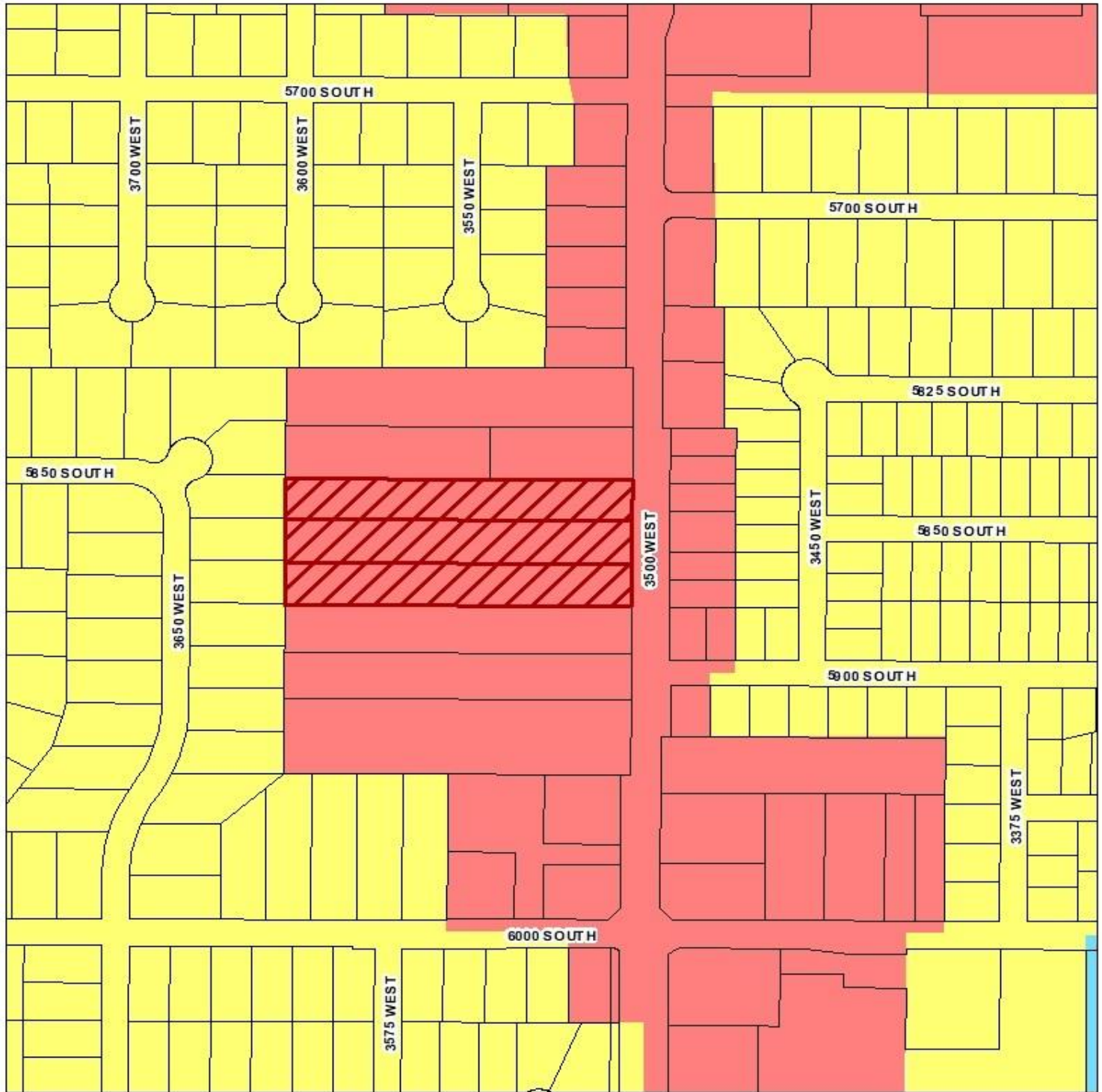


EXHIBIT "B" – FUTURE LAND USE MAP



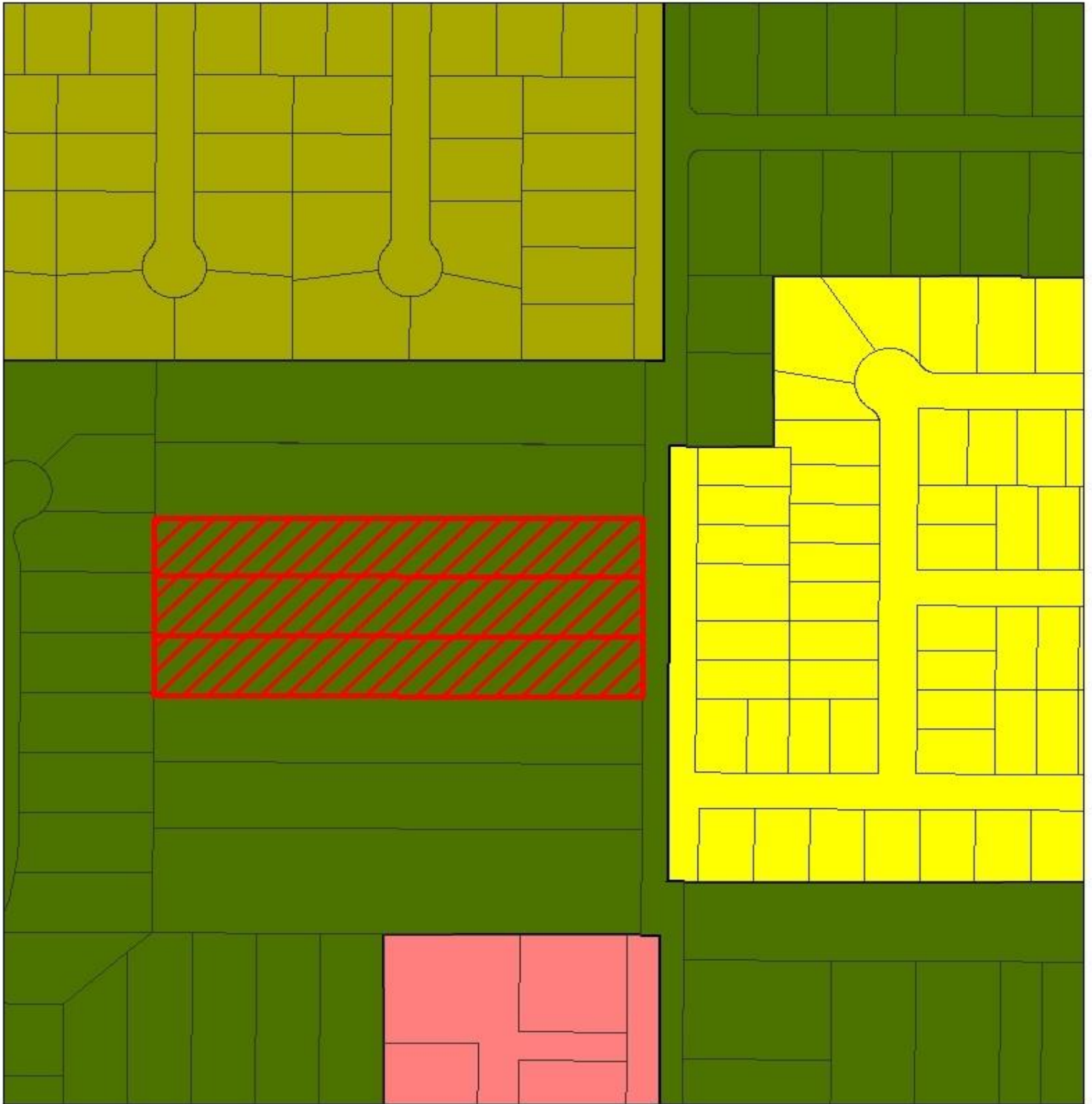
Legend

- | | |
|--|-----------------------|
| 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 |

Notice
Map





STAFF REPORT

Planning Commission

June 13, 2023

Agenda Item #5

SYNOPSIS

Application Information

Request: **6:00 p.m. – 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

Staff

Report By: Steve Parkinson

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 19 - Off-Street Parking and Loading
 - § 6 - Location of Required Off-street Parking

ANALYSIS

On February 16 2023, staff was involved in a ADHoc committee to discuss Trailer Parking, first on the Street then it turned into a discussion regarding “Parking in the Front Yard” during the winter months. Commissioners Jason Sphar and Daniel Tanner were also involved in this discussion.

Like most discussions, it covered several points of interest and hopes. Ranging from, allowing parking all of the time, to not allowing it at all, to requiring a permit to be able to park, to “Snow Day” exceptions with a time limit after a snowstorm.

When there is a consideration of amending Zoning Code is outlined in section 10-5-9 “Criteria for Approval of a Zoning Ordinance ... Amendment”

10-5-9 Criteria for Approval of a Zoning Ordinance and/or Zoning Districts Map Amendment:

General Plan and Land Use Maps Consistency Required. No amendment to the Zoning Ordinance or 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. In considering a Zoning Ordinance or Zoning Districts Map Amendment, the Commission and the Council shall consider the following factors, among others:

- 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.

Staff will try and provide the Planning Commission and/or Council with some comments or concerns for the five (5) items mentioned above.

The proposed amendment is to advance the goals and policies of the Roy City General Plan. The newly approved General plan states that we should “build upon established patterns and embrace historical precedents”. Which would suggest that we keep residential neighborhoods as they have been, keep parking, setbacks etc. the same. Not to change how a neighborhood street looks and feels because one family has too many vehicles, trailers, etc.. to correctly park in areas previously designed and designated for parking.

The effect of the proposed amendment on the character of the surrounding area. The effect will change how neighborhood streets will look and feel. Appearance will change from the openness as you drive down a



neighborhood street, where homes are setback from the street, everything is open feels safe and comforting to a crowded parking lot, where cars fill in the former open area between street and house and provide spaces for kids to hide and dart into the street with little notice.

The compatibility of the proposed uses with nearby and adjoining properties. Of course, not everyone will park vehicles in the front yard, but those that do the neighborhoods will no longer be as they once were, and neighboring houses won't be as consistent in appearance and feel as they once were.

The suitability of the properties for the uses requested. House ownership shows the pride the owner has for their property. Thus, keeping the yard in good shape and appearance has always been the norm since sprawl in the suburbs occur in the 1940's & 50's. Allowing parking in the front yard may have the opposite effect and may cause a downward spiral in ownership and pride in property appearance.

The overall community benefits. The community benefits from having properties being well maintained in appearance. Allowing parking in the front yard will change the overall feel of the community. Just take a drive down streets in a neighboring city to the direct south of the older sections of Roy. One street appears as everyone hopes a residential street would appear. Cars parked in the driveway or on the street. But drive down another street and the appearance changes, the impressions one gets are much, much, different than the street before. The only difference is cars parked in the front yard.

An additional question that the Commission and Council needs to reflect upon is:

- Does changing are not changing the Zoning Ordinance provide the best options for the City and the residents as a whole and not just for a handful of residents?

FINDINGS

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

ALTERNATIVE ACTIONS

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

EXHIBITS

- A. April 11, 2023, meeting memo
- B. April 11, 2023, meeting minutes
- C. May 9, 2023, meeting memo
- D. May 23, 2023, work-session minutes
- E. Proposed Code Changes

EXHIBIT “A” – APRIL 11, 2023, – PLANNING COMMISSION STAFF MEMO

On February 16 2023, staff was involved in a ADHoc committee to discuss Trailer Parking, first on the Street then it turned into a discussion regarding “Parking in the Front Yard” during the winter months. Commissioners Jason Sphar and Daniel Tanner were also involved in this discussion.

Like most discussions, it covered several points of interest and hopes. Ranging from, allowing parking all of the time, to not allowing it at all, to requiring a permit to be able to park, to “Snow Day” exceptions with a time limit after a snowstorm.

Staff has been asked to bring this discussion to the Commission to get their thoughts and opinions on this topic. It would require a Zoning Text amendment.

The sections of the code that may need to be amended to allow such an exception are:

10-10-32 Parking in Residential Zones:

In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. Accessory parking space for vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (weed free), or road base (weed free), as long as it is accessible to and from a legal access point on the same parcel. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk. (Ord. No. 17-1; 3-7-2017)

10-19-2 General Provisions:

- 1) Off-street parking spaces shall be provided, meeting the requirements of this Chapter, for all new buildings constructed, all additions or enlargements to an existing building, the establishment of any new use, or the expansion of any existing use.
- 2) If an existing, legally established building is expanded by more than thirty percent (30%) of the existing gross floor area, all off street parking spaces and areas must comply with the requirements of this Chapter, as applicable.
- 3) Required off street parking spaces and areas shall not be used for the repair of motor vehicles, or the display or sale of goods and services, unless authorized by a temporary use permit approval, as provided herein.
- 4) No off-street parking area shall be used for the overnight occupancy of any vehicle including motor homes, campers, or trailers.
- 5) Oil separators and other pollution control devices may be required as part of Site Plan approval, as recommended by the City Engineer, and approved by the Commission as part of Site Plan approval.
- 6) No sidewalk, trail, or required landscape area shall be used for the off-street parking of any vehicle(s), or as a loading area.
- 7) Off street parking is prohibited in all fire lanes or similar areas not designated for parking purposes. These areas shall be posted with "No Parking" signs and/or other means as required by the City Engineer.
- 8) Access to parking space (driveways and access lanes); access to all parking spaces shall be as follows:
 - a) Residential Property, including four (4) units or less attached units, shall provide access to approved off-street parking spaces and private garages used in conjunction with those uses as follows:
 - i) Driveways and drive approaches shall not be located within the clear view area (sight triangle).
 - ii) Drive approaches may go up to a side lot line of a lot as if the property line is extended to the back of the curb and gutter or roadway, except if there are utility boxes located in the area, if so then approval from the utility companies is needed to be any closer than two (2) feet from the utility boxes. In the case of a cul-de-sac exceptions may be made by the Zoning Administrator.
 - iii) A driveway on private property may be constructed up to the side or rear property line so

long as the driveway does not interfere with the surface drainage of the lot or adjacent lots where drainage easements are provided. If no drainage easements exist, the drainage from the driveway must be kept within the property.

- iv) Properties with less than one hundred (100) feet of frontage shall be limited to one (1) driveway approach per frontage. One additional drive approach may be added for each additional fifty (50) feet.

- I. Exceptions may be approved by the Zoning Administrator where property fronts (5600 South, 1900 West, 3500 West or Midland Drive) for a circular driveway.

- v) The minimum width of a drive approach is twelve (12) feet, and the maximum is thirty (30) percent of the frontage width of the property

10-19-6 Location of Required Off-Street Parking:

- 1) All required off street parking spaces shall be located on the same lot as the building or use it serves, except required off street parking spaces may be allowed on a separate lot that is within five hundred (500) feet of the building or use it serves, provided the two (2) lots are not separated by any major street and a non-revocable written parking agreement is in place prior to Site Plan approval.
- 2) No required off-street parking spaces shall be permitted in any front yard setback or in any street side yard setback. (*Ord. No. 17-1, 3-7-2017*)

EXHIBIT “B” – APRIL 11, 2023, PLANNING COMMISSION MEETING MINUTES

4. DISCUSSION ON ALLOWING PARKING WITHIN THE FRONT YARD DURING THE WINTER MONTHS

Mr. Parkinson presented this item and gave a brief background. He explained in February of that year, the City Council had held a meeting in regard to amending Title Six and allowing parking trailers on the street, which had led to a discussion of parking cars in the front yard. He recalled the conclusion of the Council meeting had been to allow trailers to be parked for 72 hours and clarified the Planning Commission had not been involved with that decision; however, they would be involved with the decision to allow parking on the front lawn in winter months.

Mr. Parkinson said several options had been presented, including allowing cars for up to 72 hours, all the time, or all the time except in the event of snowfall.

Mr. Parkinson clarified no decision would be made that evening; this was simply a chance for the Commissioners to discuss the issue so he could begin drafting a document. He indicated he had identified some parts of their Code which pertained to the issue, including Chapter 19, which was their parking ordinance. He invited the Commissioners to give their thoughts.

Commissioner Tanner did not think there was any validity to this, and recommended they take no action. He thought during the winter months, people needed to find the best solution, which he did not think was parking on the grass. He worried if they allowed parking on the grass in the winter, people would do it in the summer as well. He did not think they should make a change in the ordinance for a minute number of people who wanted to park on the lawn.

Commissioner Payne wondered why this issue had come up, and asked if it was because the previous winter had been so bad.

Commissioner Spahr agreed, and said over the last several years, snowfall had not been so bad that people had been unable to park on the street.

Mr. Parkinson clarified that the front lawn was not people's legal parking spaces, and explained driveways were viewed as an accessory or additional parking pad, with garages being the designated place to park cars.

Commissioner Felt thought this was an issue of too many cars, and said people needed to get storage units if they needed additional storage space, rather than using their garages as storage units and then parking their cars outside. He thought garages were intended to be used for cars, and it should be kept to that. He reiterated he was not in favor of this proposal.

Commissioner Brand asked who the proponent is for this?

Mr. Parkinson indicated the ad hoc committee were the ones in favor of this proposal.

Glenda Moore, citizen – after posting the Agenda on Facebook, received a comment that many are already parking in the Front Yard, and it looks really “crappy”. After parking in Front Yards for even just one day can ruin your yard. At least two of the people in the ad hoc meeting had multiple vehicles, and one had received a citation in the past about parking on their lawn.

Commissioner Spahr expressed he like the idea of a permit or something that expired, but he also agreed with the other Commissioners and voiced was not in favor of allowing people to park on front lawns; however, he did not think someone parking on their lawn for just a couple hours during a snowstorm should be an issue. He did not think any changes needed to be made.

Mr. Parkinson indicated the ad hoc committee were the ones in favor of this proposal.

Commissioner Brand shared some of the comments she had seen online about this issue and said two of the people in the ad hoc meeting had multiple vehicles, and one had received a citation in the past about parking on their lawn.

Commissioner Spahr expressed he agreed with the other Commissioners and voiced was not in favor of allowing people to park on front lawns; however, he did not think someone parking on their lawn for just a couple hours during a snowstorm should be an issue. He did not think any changes needed to be made.

Mr. Parkinson asked for directions. The Commissioners determined they did not think any changes needed to be made and said there were ample opportunities within the existing ordinance to create more space around one's property to park cars.

Commissioner Spahr asked for some clarification on the ordinance in regard to the 72-hour parking for trailers.

Mr. Parkinson gave some history on that ordinance and noted many years ago they had allowed for temporary trailer parking, but at some point, this had been changed and they were now reinstating the rule to permit people to temporarily park their trailers in the street.

EXHIBIT “C” – MAY 9, 2023 – PLANNING COMMISSION STAFF REPORT

Staff has been asked again to bring this discussion back to the Commission to get their recommendations despite the previous discussion. Below is a history of what has occurred thus far.

On February 16, 2023, I was involved in an AD Hoc committee to discuss Trailer Parking, first on the Street then it turned into a discussion regarding “Parking in the Front Yard” during the winter months. Commissioners Jason Sphar and Daniel Tanner were also involved in this discussion.

Like most discussions, it covered several points of interest and hopes. Ranging from, allowing parking all of the time, to not allowing it at all, to requiring a permit to be able to park, to “Snow Day” exceptions with a time limit after a snowstorm.

During the April 11, 2023, regular Commission meeting this was a topic that was discussed, the draft meeting minutes are above:

It will require a Zoning Text amendment.

The section of the code that appears to be the best to place the exception is below:

10-19-6 Location of Required Off-Street Parking:

- 2) No required off-street parking spaces shall be permitted in any front yard setback or in any street side yard setback.

Example of what the wording could read as:

- a. **Exception, during a winter snowstorm, in order to comply with RCC 6-2-1 A 5, may park a vehicle within the “Front Yard” and must be removed within 12 hours after the said snowstorm is over.**

EXHIBIT “D” – MAY 23, 2023 – PLANNING COMMISSION WORK-SESSION MINUTES

Minutes from the May 23, 2023 work-session have yet to be provided.

However, the discussion was similar to the one from April 11, 2023. Only difference was that the Commission gave some direction of what the wording could be. That language has been reflected in the proposed language found in exhibit ‘B’

EXHIBIT “E” – PROPOSED CODE CHANGES

10-19-6 Location of Required Off-Street Parking:

- 2) No required off-street parking spaces shall be permitted in any front yard setback or in any street side yard setback.
 - a. **Exception, in order residential dwellings to comply with RCC 6-2-1 A 5, during an active winter snowstorm. A single truck or car may park within the “Front Yard setback” only after of the following have been met:**
 - i. **All other locations (i.e. carport, side yard next to driveway and rear yard) available on site have been utilized for parking, and**
 - ii. **The single truck or car must be removed from the Front Yard setback within 12 hours after the active winter snowstorm is over.**



STAFF REPORT

Planning Commission

June 13, 2023
Agenda Item #6

SYNOPSIS

Application Information

Applicant: Aaron Davis
Request: Request for Site Plan approval of an addition for Pandora's Box
Address: Approximately 1821 West 4000 South

Land Use Information

Current Zoning: BP: Business Park
Adjacent Zoning: North: RMH-I; Residential Manufacturing Home South: BP: Business Park
East: BP: Business Park West: BP: Business Park

Staff

Report By: Steve Parkinson
Recommendation: Recommends approval with conditions.

APPLICABLE ORDINANCES

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

ANALYSIS

Project Overview:

The property is on the East side of 1900 West, between 4000 South and the Ogden Airport. (Exhibit "A")

Staff Review & Comments:

Site Plan: There are a few issues with the site plan, however these aren't large items that the site couldn't meet the ordinance after some minor modifications. (see exhibit "B")

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 both the 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: Aaron Davis

From: Steve Parkinson – Planning & Zoning Administrator

Subject: Golden Spike Tech Park "Pandora's Box" Site Plan - 1821 W 4000 S – plans submitted May 23, 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 –

1. The dumpster enclosure needs to be constructed of similar materials and colors as the main building.
2. What will the gates be constructed of? color?
3. Can a truck access the dumpster if vehicles are parked in the stalls across the way.
4. Dumpster enclosures usually are six (6) feet in height, why so tall?
5. Zoning requires landscaping on three sides of dumpster enclosures. Please provide a landscaping plan, along with irrigation plans.





STAFF REPORT

Planning Commission

June 13, 2023

Item #7

SYNOPSIS

Application Information

Applicant: Robert Fuller
Request: Request for Preliminary Subdivision approval of Tigard Subdivision phase 3.
Address: 3025 West 4600 South

Land Use Information

Current Zoning: R-1-8; Single-Family Residential
Adjacent Zoning: North: R-1-8; Single-Family Residential South: R-1-8; Single-Family Residential
East: R-1-8; Single-Family Residential West: R-1-8; Single-Family Residential

Staff

Report By: Steve Parkinson
Recommendation: Recommends approval with conditions

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 (General Property Development Standards)
- Roy City Subdivision Ordinance Title 11, Chapter 3 (Preliminary Subdivision Application)
- Roy City Subdivision Ordinance Title 11, Chapter 9 (Subdivision Development Standards)

ANALYSIS

The property is located west of West Park on the North side of 4600 South. Currently the property is vacant. In the past it has been used as parking for Roy Days.

Subdivision: The proposed subdivision is to subdivide the 4.84 acres (210,830.4 sq.-ft.) into twelve (12) individual parcels (see Exhibit "B").

Zoning: This property is currently zoned R-1-8.

Vehicle Access: As required by ordinance each parcel will have access to a public street. In this case those will be off of a new road coming off of 4600 South for eleven of the 12, with the twelfth having access to 3100 West.

Improvements / Utilities: All utilities will be accessible to each lot.

DRC Review: The DRC hasn't finished its review, still waiting on one or two departments to respond. However, the Planning & Zoning portion of DRC review comments have been provided.

Summary: Even though the DRC has yet to finalize their review, this twelve (12) lots subdivision can meet all aspects of the Zoning Code and Subdivision Code. The planning department has included their review and attached it to this report.

CONDITIONS OF APPROVAL

1. Compliance to any conditions within this report or stated by the Planning Commission.
2. Compliance to the requirements and recommendations as outline by the DRC.

FINDINGS

1. The proposed subdivision can meet all of the requirements of the Zoning Ordinance.
2. The proposed subdivision can meet all of the requirements of the Subdivision Ordinance



ALTERNATIVE ACTIONS

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

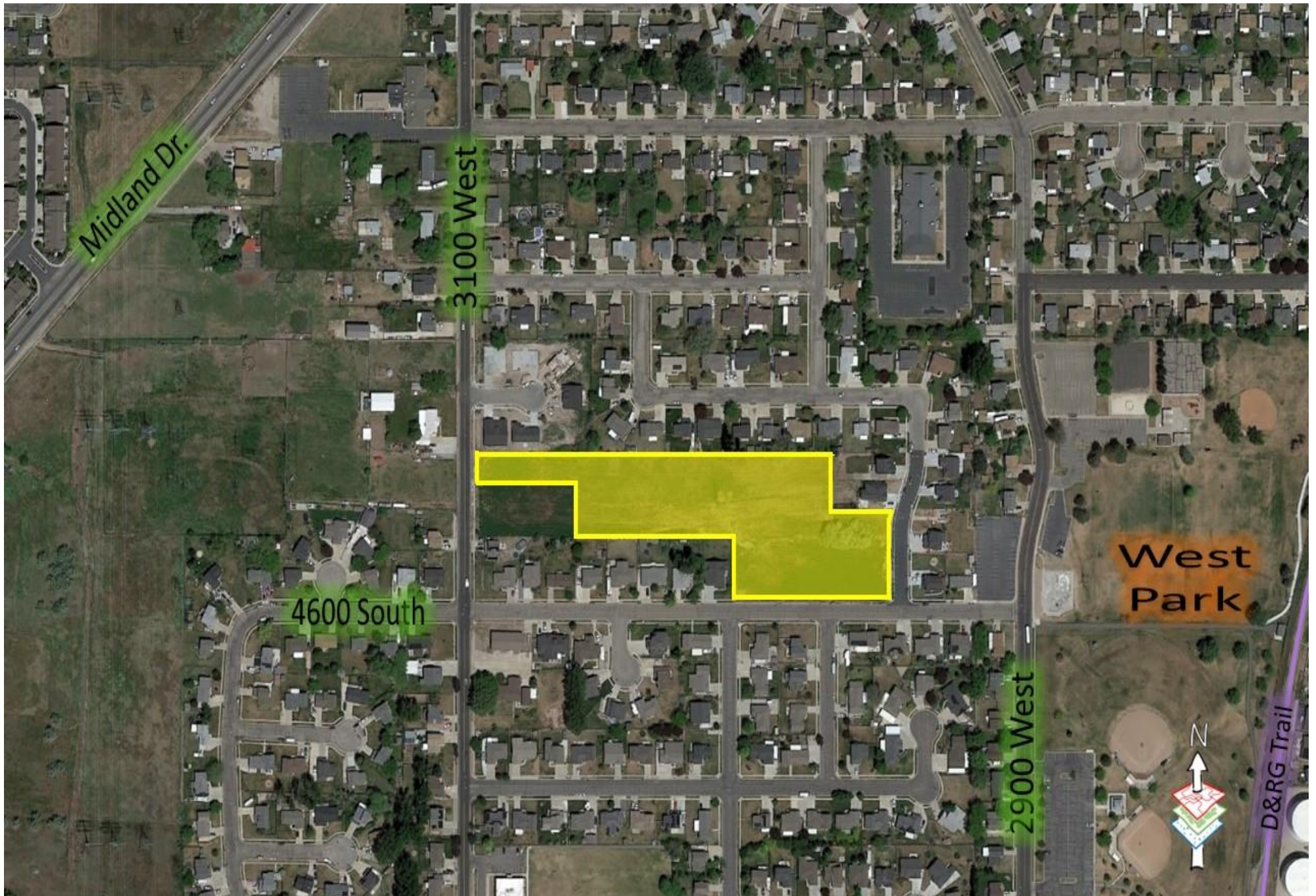
RECOMMENDATION

Staff recommends approval of the Preliminary Subdivision of Tigard Subdivision phase 3 located at approximately 3025 West 4600 South, with the conditions as stated within this report.

EXHIBITS

- A. Aerial Map
- B. Preliminary Subdivision Plat
- C. Planning portion of the potential DRC Review Memo

EXHIBIT "A" – AERIAL MAP





Date:

To: Robert Fuller

From: Steve Parkinson – Planning & Zoning Administrator 

Subject: Tigard Subdivision Phase 3 – plat & plans submitted May 22, 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 & Zoning –

A. General Comments

1. A financial guarantee is required for all off-site improvements. This will be required prior to the recording of the subdivision plat. Need to provide an Engineers cost estate.
2. Need a copy of Rocky Mountain Power's approval letter.
3. Need a "Will Serve" letter from Roy Water Conservancy District.

B. Plat Comments

1. Lots 23-R & 24-R were apart of phase I labeled as Lots 1-R & 2-R. Why are they on this plat?
2. Setbacks within the R-1-8 zone are as follows:
 - a. Interior Lots
 - i. Front & Rear = 25'
 - ii. Sides = 8'
 - b. Corner Lots
 - i. Front = 25'
 - ii. Side Facing Street = 20'
 - iii. Other Side = 8'
 - iv. Rear = 15'
3. The proposed street will create a non-conforming building to the side yard facing a street setback for Parcel 08-051-0167, owned by Carol-Ann J. Fuller. In order for the City to approve the proposed plat the side yard facing a street setback for Mrs. Fullers house must be 20' minimum.
4. Lots 16 thru 21 will need to be identify as restricted due to the Powerline Easements and the Hooper Water Improvement Districts Easement. Thus place an "R" on those lots along with a note.
5. Street numbers and Lot addresses will come after Planning issue #2 has been corrected.
6. Reword the Roy City Acceptance signature block to wording found below
7. Make sure the Owners information on the plat matches exactly as it is recorded. The following is a note from the Weber County Recorder's Office

If there are any changes to correct ownership on the mylar we will require a new signature and Re-Acknowledgment.

Ownership signatures on the original mylar must match (exactly) the current vesting deed. If the legal description covers more than one parcel, check all the parcels covered to make sure they are all owned the same way. If title is held in a trust with a date you must include date when signing out of the trust.

As of September 30, 2020 any alterations to the signature/notary block that have not been re-signed and re-acknowledge will be turned away. Please refer to Utah State Code 17-27a-603 & 17-27a-604.



ROY CITY ACCEPTANCE

This is to certify that this subdivision plat was duly accepted and approved by the Mayor, on the _____ day of _____, 20____.

Roy City Mayor

Attest