

ROY CITY PLANNING COMMISSION

June 27, 2006

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on June 27, 2006, at 6:30 p.m.

The meeting was a regularly scheduled meeting 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:

Bill Merx, Chairman	Tony Reynolds, Community
Doug Allred	Services Director
Dave Collins	Michelle Drago, Secretary
Brad Hilton	
Blaine Hoopes	
Gennie Kirch	
Karlene Yeoman	

Others present were: Chris Yarrington; Kathleen Yarrington; and Shaun Odekirk.

Pledge of Allegiance: Brad Hilton

1. APPROVAL OF MAY 23, 2006, MINUTES

Commissioner Collins moved to approve the minutes of May 23, 2006, as corrected. Commissioner Hilton seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR A BEAUTY SALON LOCATED AT APPROXIMATELY 5643 SOUTH 3500 WEST

Commissioner Allred moved to open the public hearing at 6:33 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Tony Reynolds stated that Kathleen Yarrington had requested approval of a conditional use permit to open a beauty salon at approximately 5643 South 3500 West, which was part of the Roy Crossroads Plaza. The space she was proposing to occupy was formerly occupied by a sandwich shop called The Hut. She planned to use the space 'as is.' The use would not require additional parking. The City and the Planning Commission required Weber State students and Domino's Pizza employees to park behind the building to leave room in front for short-term customers. The Development Review Committee felt the proposed use was compatible with the existing site improvements and the CC Zone. The DRC recommended that the Planning Commission recommend that the City Council approve a conditional use permit for the Attitude Hair Salon located at approximately 5643 South 3500 West subject to the conditions listed in the staff report.

Commissioner Kirch asked if the space would be re-plumbed and if it would have adequate ventilation. Tony Reynolds said there might be some interior modifications that would require a building permit. The Building Official would review those modifications.

Chairman Merx asked if the chemicals would cause an air pollution problem for adjoining tenants. Commissioner Kirch felt that would be handled by adequate ventilation.

Kathleen Yarrington, 5424 South 3100 West, stated that she was moving to a new location because of plans to tear down the Washington Mutual Bank building where she was currently located. She didn't plan to use the kitchen area in the new space and had heard it would be incorporated into the adjoining space for another tenant.

Chairman Merx opened the floor for public comments. There were none.

Commissioner Collins moved to close the public hearing at 6:40 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Hoopes moved to recommend that the City Council approve a conditional use permit for a beauty salon located at approximately 5643 South 3500 West subject to the conditions and recommendations of the staff listed in the staff report. Commissioner Yeoman seconded the motion. Commission members

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Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER AMENDMENTS TO ROY CITY TITLE 10 -
ZONING REGULATIONS

Commissioner Kirch moved to open the public hearing at 6:42 p.m. Commissioner Hilton seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Tony Reynolds stated that the staff was proposing to amend the Zoning Ordinance by removing the size restriction on accessory buildings and allowing six foot fences in corner side yards and side yard setbacks. When the Zoning Ordinance was discussed by the ZOSO Committee, there was not a discussion about limiting the size of accessory buildings. The size restriction of 800 feet was brought in by the planning consultant. The size restriction of 800 feet worked for smaller lot sizes, but it didn't work for larger parcels where owners wanted to construct large accessory buildings like barns.

Commissioner Collins asked about accessory buildings attached to the main structure. An accessory building should be an independent structure. If was attached to the main building, it became part of the main structure. Tony Reynolds explained that any accessory building located less than 10 feet from a primary building is considered part of the main building and would have to comply with main building setbacks. If an accessory building was located more than 10 feet from a primary building, it could be located as close as 3 feet to side and rear property lines provided there were no recorded easements.

The Planning Commission expressed concern about the current language that allowed an accessory building to be as large as 25% of the total lot area. They felt that would allow an accessory building that was too large.

Tony Reynolds suggested a graduated scale that would allow accessory buildings up to 800 square feet in R-1-6, R-1-7, and R-1-8 Zones, larger accessory buildings in R-1-10 and R-1-15 Zones, and even larger accessory buildings in RE-20 Zones.

Commissioner Collins was concerned about the maximum height of 25 feet. He felt it should be less. Accessory buildings that were 25 feet high invariably had a second story that ended up being used as a dwelling space.

Commissioner Kirch felt it would be difficult to make a regulation that would be all encompassing.

Tony Reynolds recommended that the Planning Commission discuss the size and height of an accessory building separately.

Shaun Odekirk, 5985 South 3100 West, stated that his property was half an acre. He wanted to build an accessory building that was 40'x 60'. The language of the current ordinance prohibited him from doing that.

Commissioner Hilton suggested that the size of accessory buildings could be limited by making it no more than 25% of the rear and side yard space rather than the entire lot.

Blaine Hoopes pointed out that a graduated scale would restrict those lots with more than the minimum square footage required by the zone.

The Planning Commission discussed restricting the potential size of accessory buildings by reducing the maximum percentage to 15% or 20%.

Commissioner Kirch suggested that the Planning Commission direct the staff to look at accessory buildings in terms of 25%, 20%, and 15%; a graduated scale; and the maximum height of accessory buildings.

Tony Reynolds stated that because of requests and complaints from residents, the staff had proposed to amend the fencing requirements for corner lots to allow 6-foot fences in the street side yard area. The Zoning Ordinance currently restricted fences in street side yards to 4 feet. The proposed amendment would revert the Zoning Ordinance back to what it was before June 7, 2005.

Mr. Reynolds explained that there was a huge difference between words that were commonly used interchangeably: side yard and side yard setback. The side yard was the area between the side of a home and the property line. The side yard setback was the setback area required by the City. A 6-foot fence could not extend beyond the front or side of a home, regardless of whether the footprint of the home was smaller than the building envelope.

There was a discussion about what happened when an interior lot was sandwiched between two corner lots. It could end up with 6-foot fences in its front yard on both sides.

Chairman Merx disagreed with the proposed amendment. If 6-foot fences were allowed on corner lots, there would not be an unobstructed view up and down the street. Aesthetically, it would be better to keep 4-foot fences in street side yards.

Commissioner Allred moved to continue the public hearing to July 11, 2006, at 6:45 p.m. Commissioner Hilton seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

4. APPROVAL OF RESOLUTION NO. 875 ESTABLISHING PLANNING COMMISSION MEETINGS FOR FY2007

Chairman Merx stated that Mayor Ritchie had asked the Planning Commission to meet at 6:00 p.m. in order to avoid confusion about different meeting times between the Planning Commission and City Council.

Commissioner Kirch moved to approve Resolution No. 875 establishing Planning Commission dates for FY2007 subject to the approval date being corrected to June 27, 2006, and the beginning time being changed to 6:00 p.m. Commissioner Hoopes seconded the motion. A roll call vote was taken: Commission members Allred, Kirch, Merx, Yeoman, Collins, Hoopes, and Hilton voted "aye." The motion carried. (Copy filed for record).

5. OTHER BUSINESS

There was a discussion about pending projects.

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6. ADJOURN

Commissioner Yeoman moved to adjourn at 8:10 p.m. Commissioner Hilton seconded the motion. Commission members Allred, Collins, Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:pjun2706