



## Agenda Roy City Planning Commission Meeting

6:00 p.m.  
March 25, 2014

City Council/Court Room  
Municipal Building  
5051 South 1900 West

1. Approval of February 25, 2014 minutes.
2. Public hearing to consider a request for Conditional Use allowing a Tobacco Oriented Retail Business on property located at approximately 5798 S. 1900 West.
3. Public hearing to consider a request to amend Table 17-2 of the Roy City Zoning Ordinance regarding Warehouse, Self-Service Storage.
4. Staff update
5. Adjourn

If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 24 or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact is Tammy Nelson at (801)-774-1040.

## ROY CITY PLANNING COMMISSION

March 25, 2014

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on March 25, 2014, at 6:00 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:

Gennie Kirch, Chairman  
Bob Dandoy  
Blake Hamilton  
Leland Karras  
Lindsey Ohlin  
Joe Paul  
Tom Stonehocker

Jared Hall, Planner  
Michelle Drago, Secretary

There were no others present.

Pledge of Allegiance: Lindsey Ohlin

Chairman Kirch welcomed Lindsey Ohlin, the newest member of the Planning Commission.

### 1. APPROVAL OF FEBRUARY 25, 2014, MINUTES

**Commissioner Stonehocker moved to approve the February 25, 2014, minutes as corrected. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.**

### 2. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING A TOBACCO ORIENTED RETAIL BUSINESS LOCATED AT APPROXIMATELY 5798 SOUTH 1900 WEST

**Commissioner Stonehocker moved to open the public hearing at 6:02 p.m. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker seconded the motion. The motion carried.**

Jared Hall stated that the City had received a request for approval of a conditional use for a tobacco oriented retail business located at approximately 5798 South 1900 West. The proposed business would be a vapor shop. Because of the nicotine involved, the

Weber County Health Department regulated it as a TOR. The location in question was located in the Regional Commercial Zone where tobacco oriented retail businesses were a conditional use. The requirements for conditional uses were pretty standard. The Development Review Committee felt the requested conditional use met the requirements of Ordinance No. 1032, which established regulations for tobacco oriented retail businesses, and the requirements for conditional uses.

Mr. Hall said the location in question was not located within 600 feet of another tobacco oriented retail business. The City did not cap the number of TOR's allowed in the City. Weber County regulations required TOR's to be 1,000 feet from any church or school. The church located at the same address had moved making the area available for a TOR shop. There weren't any other churches within 1,000 feet. The church located at 5700 South 2000 West had been vacant for a year so it did not qualify. If another church moved into the vacant building, it would render the location in question ineligible for a future TOR.

Mr. Hall said the staff recommended that the Planning Commission recommend that the City Council approve a conditional use for a tobacco oriented retail business located at approximately 5798 South 1900 West subject to:

1. The applicant obtaining and maintaining all approvals and licenses necessary for the operation of a tobacco oriented retail business.
2. The applicant abiding by the terms and conditions contained within Ordinance No. 1032 and all regulations for this class of business imposed by the State and Weber County at all times.

Chairman Kirch asked if the day care located near 6000 South was more than 1,000 feet from the location in question. Mr. Hall said the day care was considered a school and was more than 1,000 feet away. The smoke shop that was located near 6000 South had closed.

Jared Hall stated that the building in which the TOR would be located had been modified to meet the occupancy requirements of the former tenant – a church. The occupancy load for a TOR was less than that of a church.

Chairman Kirch asked if the Fire Department had inspected the building. Jared Hall said the business license application would be processed after the zoning process. Part of the licensing process was completion of a fire inspection.

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

**Commissioner Karras moved to close the public hearing at 6:08 p.m. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker seconded the motion. The motion carried.**

**Commissioner Karras moved to recommend that the City Council approve the request for a conditional use allowing a tobacco oriented retail business located at approximately 5798 South 1900 West based on the staff's findings and subject to the conditions recommended by the staff. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.**

**3. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND TABLE 17-2 OF THE ROY CITY ZONING ORDINANCE REGARDING WAREHOUSE, SELF-SERVICE STORAGE**

**Commissioner Ohlin moved to open the public hearing at 6:09 p.m. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.**

Jared Hall stated that staff had filed an application for a text amendment to the Zoning Ordinance on behalf of the City. Due of the nature of some of the studies of the City's center, it had been suggested that the staff review the Table of Uses to determine if some uses should be removed from the Regional Commercial Zone. Warehouse Self-Storage, commonly referred to as storage units were currently allowed in the Regional Commercial Zone as a conditional use. The staff proposed that storage units be prohibited in Regional Commercial Zone as they was prohibited in the Business Park and Community Commercial Zones. Storage units were allowed as a conditional use in Light Manufacturing and Manufacturing Zones. The staff was not proposing to add any new language. It proposed to prohibit further development of storage units on land in the Regional Commercial Zone. The staff had found that the proposed text amendment was in keeping with the goals and intents of the General Plan.

Commissioner Dandoy asked if the area along 1900 West was the Regional Commercial Zone. Mr. Hall said it was. The Regional Commercial Zone ran the length of 1900 West from approximately 5150 South to the south end of the City.

Commissioner Paul arrived at 6:12 p.m.

Commissioner Dandoy stated that if the City was looking at restricting uses in the Regional Commercial Zone there were other uses besides storage units that needed to be considered, such as recycling collection centers. Mr. Hall said he had considered that use, but if it was not permitted in a Regional Commercial Zone it would preclude businesses from having collection containers in their parking lots.

Commissioner Hamilton arrived at 6:14 p.m.

Commissioner Dandoy felt recycling warranted a second look. He also felt there were other uses the City should take a second look at.

Jared Hall stated that there were uses such as vehicle sales and vehicle repair the City allowed in the Regional Commercial Zone because the use brought people and traffic into the zone that would support other uses.

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

**Commissioner Stonehocker moved to close the public hearing at 6:16 p.m. Commissioner Karras seconded the motion. Commission members Dandoy, Hamilton, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.**

Commissioner Dandoy stated that the intent of the staff and Planning Commission was to look at uses that would entice new businesses and growth in the Regional Commercial Zone. The Regional Commercial Zone in Roy City was isolated to a particular area of the City. He wasn't in favor of excluding some uses and favoring others when considering long range planning in the City. He encouraged the staff to look at the Table of Uses again and bring back a list of other uses that should be prohibited in the Regional Commercial Zone.

Chairman Kirch asked if the Planning Commission could include prohibition of recycling in its motion. Mr. Hall said it could not because it wasn't included in the public hearing notice.

**Commissioner Dandoy moved to recommend that the City Council amend Table 17-2 of the Zoning Ordinance by prohibiting Warehouse, Self-Storage in Regional Commercial Zones based on the staff's findings; and to direct the staff to consider prohibiting other uses in the Regional Commercial Zone, such as recycling, based on the City's long range plan. Commissioner Karras seconded the motion. Commission members Dandoy, Hamilton, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.**

#### 4. STAFF UPDATE

Chairman Kirch asked if ordinance books for the Planning Commission were complete. Mr. Hall said he had a book for every member bur Commissioner Ohlin.

Chairman Kirch asked for an update on the Walmart development in West Haven. Mr. Hall said the word was that Walmart was moving forward, but they didn't seem to be in a big hurry.

Commissioner Paul asked when the redirection of 3500 West and Midland Drive would occur. Mr. Hall said UDOT had included the project in its preplanning for the coming year. The project would probably be done in the next 12 to 18 months.

Commissioner Paul asked when the Riverdale Road Project would be finished. Mr. Hall said it was supposed to be finished by the end of the year.

Jared Hall stated that the staff would be prepared to discuss the overlay zone at the next Planning Commission meeting. He also wanted to begin the General Plan update.

#### 5. ADJOURN

**Commissioner Paul moved to adjourn at 6:28 p.m. Commissioner Hamilton seconded the motion. Commission members Dandoy, Hamilton, Karras, Kirch, Ohlin, Paul, and Stonehocker and Yeoman voted "aye." The motion carried.**

Attest:

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Gennie Kirch  
Chairman

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Michelle Drago  
Secretary

dc:pmar2514