

ROY CITY PLANNING COMMISSION

August 25, 2009

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on August 25, 2009, 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:

Brad Hilton, Chairman	Tony Reynolds, Community and
Dave Collins	Economic Director
Blake Hamilton	Jared Hall, Planner
Lee Holt	Michelle Drago, Secretary
Bill Merx	
Tom Stonehocker	
Roy Watts	

Pledge of Allegiance: Dave Collins

1. APPROVAL OF AUGUST 11, 2009, MINUTES

Commissioner Stonehocker moved to approve the minutes of August 11, 2009, as corrected. Commissioner Merx seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Commissioner Hamilton arrived at 6:02 p.m.

2. A. CONTINUATION OF PUBLIC HEARING FROM AUGUST 11, 2009, TO CONSIDER AMENDMENTS TO THE SIGN ORDINANCE REGARDING FREE-STANDING AND MONUMENTS SIGNS
- B. CONTINUATION OF PUBLIC HEARING FROM AUGUST 11, 2009, TO CONSIDER AMENDMENTS TO THE SIGN ORDINANCE REGARDING ELECTRONIC MESSAGE CENTER SIGNS

At 6:02 p.m., Commissioner Merx moved to continue the public hearing to consider amendments to the Sign Ordinance regarding free-standing and monument signs. Commissioner Stonehocker seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

At 6:02 p.m., Commissioner Stonehocker moved to continue the public hearing to consider amendments to the Sign Ordinance regarding electronic message center signs. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Jared Hall stated that this was a continuation of the discussion held at the August 11<sup>th</sup> Planning Commission meeting regarding potential changes to the sign regulations regarding pole signs, monument signs, and electronic message center signs. The staff had prepared a draft ordinance to facilitate further discussion (see attached copy). Mr. Hall reviewed the proposed regulations for electronic message center signs (EMC). The staff proposed the following changes to what had been drafted:

- Section 2003    3)    EMC Signs in Regional Commercial and M  
Manufacturing Zones - In Regional Commercial  
and Manufacturing zones, ...
- 3a)    No EMC sign shall be permitted on property  
                                  closer than two hundred (200) feet to any  
                                  residential ~~zone~~ or zoning district...
- 4)    EMC Signs in Other Non-Residential Zones - In  
                                  the Community Commercial, Business Park  
                                  Recreation, and Light Manufacturing zones, and  
                                  ~~Manufacturing zones~~...

Commissioner Holt asked what, if any, changes the City had made in the dimensions of EMC signs. Jared Hall said the sign regulations allowed four square feet of signage for every one foot of frontage. The new regulations overlaid the existing standards. Commissioner Holt asked if there would be a bunch of EMC signs that would be in non-compliance. Mr. Hall said the majority of the existing EMC signs would comply. He didn't feel it was possible to make any changes to the current sign regulations without making some signs non-conforming. The staff was trying, however, to limit the number of non-conforming signs that these changes would create wherever possible.

Commissioner Collins stated that if changes or alterations were made to a site, non-conforming items could be brought into compliance. Jared Hall said the City's non-conforming regulations would allow a sign to be replaced if it was damaged or destroyed by

an act of God. If a property owner changed a site of his own volition, everything had to be brought into conformance.

Commissioner Merx suggested that the words 'light-emitting diode' be removed from Item 1 of Section 2003. In a few years, there could be a whole new technology that would require the regulations to be updated. Jared Hall said the definition also needed to include language that excluded the digital numbers used by gas stations.

Commissioner Merx felt it would be better to spell out the actual zones in Items 3 and 4 rather than saying 'other non-residential zones.' It was ambiguous. Jared Hall said those items had been worded that way to prevent the need for an amendment if new zones were created. However, the actual zones could be listed.

Commissioner Merx asked if the Planning Commission was comfortable with the percentage mentioned in 2(a). Jared Hall said 50% was pretty typical of surrounding cities. The other Commission members did not have a problem with it.

Jared Hall reviewed the proposed language for pole signs. The staff proposed the following changes to what had been drafted:

- Section 2004    3b) ~~Shopping Centers. Pole signs on Shopping Centers in the RC and M zones shall require Conditional Use Approval, and may be allowed a maximum of forty five (45) feet in height.~~
- cb) Freeway Orientation. Pole signs on properties east of 1900 West within three hundred (300) feet of Interstate 15 that abut Interstate 15 or are within a two hundred (200) foot radius of the Interstate 15 interchange at 5600 South Street may be allowed a maximum height of 50) feet or 30 feet above the grade of Interstate 15, whichever is greater, ...
- 4    Community Commercial Zones Other Non-Residential Zones. The following regulations and standards shall apply to all Pole Signs in other non-residential zones: CC Zones:
- 4a) Individual Properties. Pole signs on individual properties in the CC zone shall...

- 4b) Shopping Centers. Pole signs in Shopping Centers ~~in the CC zone shall...~~
- 4e) Site Relation. All Pole signs in the CC zone shall be designed to relate to the building and site with which they are associated through the use of placement, similar colors, materials or architectural details and elements. ~~Additional setbacks for signs may also be imposed in order to comply with this requirement.~~
- ~~5 Other Non-Residential Zones. The following regulations and standards all apply to all Pole Signs in BP, LM, and R zones:~~
  - ~~5a) Individual Properties. Pole signs on individual properties in the BP, LM, and R zones, shall be allowed as a Permitted Use at a maximum height of twenty (20) feet.~~
  - ~~5b) Shopping Centers. Pole signs in Shopping Centers in the BP, LM, and R zones shall require Conditional Use Approval, and may be allowed at a maximum height of twenty (20) feet.~~

Commissioner Merx expressed concern that if the grade of Interstate 15 was changed at 5600 South, businesses on Riverdale Road could have signs even 30 feet higher. Tony Reynolds said that regulation would only apply to businesses adjacent to the interchange and in the Regional Commercial zone.

Commissioner Hamilton asked if that regulation was currently in place. Tony Reynolds said it was not. Commissioner Hamilton didn't feel the current freeway signs were 30 feet above grade. Jared Hall said that so far, there weren't a lot of businesses trying to attract the attention of drivers on Interstate 15.

Commissioner Merx asked if the City had signs that weren't in compliance with the new language. Jared Hall said the only sign that wouldn't comply was McDonald's. Tony Reynolds said the Zoning Ordinance had a fantastic chapter that addressed non-conforming uses. He didn't feel it would be difficult to manage the non-conforming signs.

Commissioner Holt asked if a businessman on the west side of 1900 West would be excluded from having a freeway sign. Jared Hall said he would. Tony Reynolds said that freeway oriented signs would have to be located along the eastern portion of the property. Commissioner Holt suggested that language restricting freeway oriented signs to the eastern portion of properties be included in the new regulations. Chairman Hilton pointed out that a property owner on the east side of 1900 West could have a freeway sign on the eastern portion of his property, but he was limited to monument and wall signs on 1900 West.

Commissioner Holt said the new regulations would change the way commercial properties were appraised. Signs would become more valuable.

Commissioner Hamilton asked if language needed to be included about how the grade of Interstate 15 was measured. Mr. Hall said that could be included.

Commissioner Holt asked about properties along the frontage road east of 1900 West. Jared Hall said a property had to be within 300 feet of Interstate 15 or the appropriateness for a freeway sign diminished. Three hundred (300) feet was the length of a city block.

Commissioner Merx stated that the only deviation from the typical pole sign heights in the Regional Commercial zone was the McDonald's sign on 1900 West. Commissioner Holt asked if McDonald's obtained a conditional use permit for their sign. Jared Hall said McDonald's plans for re-building the site had required a Conditional Use approval, but that all those plans had left the sign as it was.

Commissioner Hamilton asked why pole covers were only required in 'other non-residential zones.' Jared Hall said a lot of new signs had pole covers or larger bases. If the new regulations required pole covers in the Regional Commercial zone, a significant number of signs would become non-conforming. He didn't want to create a large number of non-conforming signs for nothing more than pole covers.

Commissioner Holt asked if the City was doing anything that would jeopardize the EMC signs at Triple Stop and Roy High. Jared Hall said Triple Stop would become non-conforming. Roy High was a quasi public sign.

Jared Hall stated that the staff recommended the following changes to the proposed language for monument signs:

Section 2005 1b) Setback Required. In addition to clear view requirements, ...

c) Landscaped Areas. All Monument signs shall be located within landscaped areas.

c)3) Monument Signs in Non-Residential Zones - The following regulations shall apply to all Monument signs in non-residential zones:

3)a) Street Frontage Less...

a)1. ...

b)2. ...

4)b) ....

4c) Site Relation. Monument signs proposed to be greater than six (6) feet in height or greater than eight (8) feet in width shall be designed to relate to the building and site with which they are associated through the use of placement, similar colors, materials, or architectural details and elements. ~~Additional setbacks or the increase of landscaping elements for these signs may also be imposed in order to comply with this requirement.~~

5)4) ...

Commissioner Holt asked if the maximum height and maximum width requirements were different from the City's current regulations. Jared Hall said it was impossible to change something that didn't exist. He suggested that even larger monument signs be allowed as a conditional use. Commissioner Holt was concerned about some of the dimensions.

Commissioner Holt asked if there would be opportunities for variances. Jared Hall said that "variance" was probably the wrong term. An allowance for greater dimensions might be possible. Tony Reynolds said that was something the City Attorney was concerned

about. The ordinance had been carefully worded to prevent variances.

Commissioner Merx and Commissioner Collins were concerned about what part of the sign was actually measured. If there was a definable 'sign cabinet' and structure, then it was easy, but that wasn't always the case. Jared Hall stated that language about the measurement of the sign versus structures could be written into the ordinance.

Commissioner Holt asked about the signage approved for WinCo would conform to the new regulations. Jared Hall said that most of the draft language was based on the City's current practices. WinCo's signs fit within the parameters of the proposed regulations.

Commissioner Hamilton asked what the preferred height of a monument sign was. Jared Hall the typical sizes in the surrounding cities were 4'x6', 6'x8', and 10'x12'. Many cities had language that talked about the structure and the cabinet separately.

At 6:52 p.m., Commissioner Collins moved to continue the public hearing to consider amendments to the Sign Ordinance regarding electronic message center signs to September 8<sup>th</sup> at 6:00 p.m. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

At 6:52 p.m., Commissioner Hamilton moved to continue the public hearing to consider amendments to the Sign Ordinance regarding free-standing and monument signs to September 8<sup>th</sup> at 6:00 p.m. Commissioner Stonehocker seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ROY CITY SUBDIVISION AND ZONING ORDINANCES REGARDING STANDARDS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS IN THE R-3 AND R-4 ZONES

Commissioner Watts moved to open the public hearing at 6:53 p.m. Commissioner Collins seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Jared Hall stated that the Zoning Ordinance currently had very few regulations regarding multi-family housing. The maximum density allowed in R-3 and R-4 Zones was 12 units per acre. There was a 20-foot spacing requirement between buildings. The ordinance required 3,750 square feet of land per residential unit. The City Council adopted a TZRO on March 7, 2009. It would expire in October. The City didn't have any current applications for multi-family development.

Commissioner Holt asked about the project at 5590 South 2500 West that was just approved by the City Council. Jared Hall said that project was reviewed by the Planning Commission in February before the TZRO was adopted. Commissioner Holt asked if that project was in line with the new regulations being proposed by the staff. Mr. Hall said it did very well in some aspects, but not all.

Jared Hall reviewed the spatial/orientation (setbacks, height, spacing, etc.) regulations proposed by the staff:

**Height-** Maximum building height is 35 feet. Heights in excess may be granted under special circumstances (no adjacency to single-family residential, etc.)

**Two-Stories or More** - Structures of two stories or more will be evaluated on, but not limited to, the basis of perceived height, building mass, and compatibility with existing and future area development. It is the developer's obligation to demonstrate sensitivity to and mitigation of the impacts of greater heights.

**Building Spacing** - Multiple Family Buildings are required to maintain a separation of no less than 20 feet for buildings of three units or more.

**Number of Units Per Building** - Where appropriate, the City may allow limited numbers of units per building on the basis of perceived building mass, perceived project densities and compatibility with surrounding areas.

**Orientation** - Developments of more than six (6) units may not be oriented to a public right-of-way unless approved by Special Exception. Building orientation should assist in buffering and screening and the mitigation of the impacts of higher densities on surrounding neighborhoods.

Commissioner Merx asked about the orientation of developments larger than six units. Jared Hall wanted to create a threshold. Anything over six units needed to be oriented toward the interior of the development itself, not the public right-of-way, unless approved by special exception.

Commissioner Holt asked how the proposed regulations fit with the recommendations of the Wasatch Front Regional Council. Jared Hall said these were like a baby step toward the vision presented by Wasatch Choices 2040. In order to limit growth to 3% more land as proposed by the Wasatch Front Regional Council, densities would have to be more along the lines of 20 to 30 units per acre.

Commissioner Stonehocker asked how the proposed regulations would relate to mixed use development. Jared Hall felt the proposed regulations could very easily serve as a platform for planned communities and mixed use development, though successful mixed use might require greater densities than proposed here.

Jared Hall reviewed the proposed access and parking regulations:

**Access Standards** - All development will have access to the public right-of-way. Vehicular service to units may be provided by private access-ways and/or roads, which will be considered easements for public access, utility and drainage.

**Intersection** - The point of intersection of access to the development and the public right-of-way will provide no less

than thirty-six (36) feet of passable asphalt for a distance to be determined by the City Engineer. Reduced widths of passable asphalt may be approved to a minimum of thirty (30) feet by the City Engineer if it can be demonstrated that such a reduction is appropriate.

**Width** - All access and roadways within a multi-family project will provide a minimum of twenty-six (26) feet of passable asphalt surface. If parking is to be allowed on one side of an access or roadway, a minimum of thirty-two (32) feet of passable asphalt is required.

**Pedestrian** - All accesses and roadways within multi-family projects will provide appropriate pedestrian access to the public right-of-way, and continuous pedestrian access throughout the project on at least one side. Additionally, pedestrian access to individual buildings not adjacent to a parking area or roadway must also be provided.

**Interconnectivity & Circulation** - All multi-family development will provide for the functional integration of proposed buildings, pedestrian and vehicle circulation patterns, parking areas and other systems of interconnected streets, walkways, trails and parking areas to facilitate development or redevelopment of adjacent and neighboring parcels as may be necessary.

**Utilities & Service** - All multi-family development will provide for the appropriate installation of utilities on site, including the potential looping of lines and future connection to facilitate development or redevelopment of adjacent and neighboring parcels. All multi-family development will also plan for the provision of other services as may be needed, such as waste collection and snow removal.

**Parking** - Parking is required as per Chapter 19 of the Zoning Ordinance. Reductions in parking ratios may be approved if the development is within certain distances of public transit.

**Parking Orientation** - Parking areas should be located throughout the proposed development and should be decentralized. When larger parking areas are necessary, buffering of the adjacent development components and of adjacent properties may be required.

Commissioner Merx suggested that language be added about multiple accesses for larger developments, such as a certain number of accesses for a certain number of units. Jared Hall said that could be included in the interconnectivity and circulation section.

Jared Hall reviewed the proposed coverage and density regulations:

**Impervious Surface** - Maximum coverage of impervious surfaces in multi-family projects will be in a range between 40% - 55%. Factors considered in determining the appropriate impervious surface coverage allowed will include project size, density, amenities provided and surrounding uses.

**Base Density** - As currently covered by the Zoning Ordinance. (3,750 square feet per unit, not to exceed 12 units per acre.)

**Density Bonus** - Bonus densities, allowing to 15 units per acre, may be awarded for projects providing exceptional open space creation, green infrastructure preservation or enhancement, exceptional amenities, or amenities that are relatable to and provide interconnection with the larger community (examples might include an amphitheater, public access park, extension of an adjacent park or addition of facilities, trails, trail-heads, etc.)

Commissioner Holt asked how the 55% impervious surface ratio related to parking ratios. Jared Hall said the City currently required 2.5 parking stalls per residential unit. One parking space had to be covered. Tony Reynolds said the City currently didn't have impervious surface coverage requirements. The staff wanted those designing the projects to address it.

Commissioner Stonehocker asked if the staff had addressed sustainability issues. Jared Hall said the staff didn't feel that true concepts of sustainability would make it into the ordinance. Tony Reynolds said a density bonus had been included in the ordinance.

Commissioner Merx asked if the density bonus could be used to increase the heights above 35 feet. Jared Hall said in some instances developers could get more density by building higher.

Commissioner Holt asked about Roy City's interpretation of square footage per acre. Weber County's definition of 40,000 square feet. However, a full acre was 43,560 square feet. Roy City's requirement of 3,750 square feet per unit totaled 45,000 square feet. Tony Reynolds said the maximum density of 12 units per acre was adopted when the new Zoning Ordinance was adopted in 2007. The City had adopted the standard of 3,750 units per acre when it copied Weber County's ordinance in approximately 1972. Jared Hall said it needed to be corrected.

Jared Hall reviewed the proposed open space and amenities regulations:

**Open Space Required** - All multi-family residential development shall provide Base Open Space of no less than 20% for projects less than 15 units. Likewise, projects with more than 15 units will be required to provide between 25% and 30% Base Open Space. Base Open Space is specifically planned, usable or preserved areas. It is not a collection of remnant unused areas within a project.

**Common Amenity Required** - All multi-family projects with more than three units should be required to plan for and to provide specific amenities within the open space. Amenities should be usable and accessible to all units in the development.

**Preserved Amenity/Open Space** - The preservation of existing open spaces as an amenity should be encouraged (creeks, tree-stands, slopes, etc.). To that end the developer may propose such preservation to satisfy the requirements of this section in whole or in part per the regulations. Preserved open space

should be nearly adjacent to at least 50% of the units in a project if the preserved open space is intended to satisfy the entirety of the requirement.

**Pedestrian and Trail Connections** - Continuous pedestrian walkways and trails may be a component of the open space and amenity requirements of projects. Where possible connection of these pathways to the larger area sidewalks or trails is to be encouraged.

**Community Relatable Amenities & Open Space** - Every effort should be made to relate the amenities and/or open space of multi-family housing developments to the larger community. This is in order to stabilize neighborhoods, promote adaptive re-use and to enhance community activity and vibrancy.

Commissioner Merx asked how the regulations would apply to a development with commercial uses on the bottom floor with residential uses on the upper floors or stacked units. Would the upper units be adjacent to the open space? Jared Hall said that in that type of situation all of the units would be considered adjacent.

Commissioner Watts asked about the percentage and numbers. Jared Hall said the percentages proposed by the staff were typical of other cities. Twenty percent (20%) was a workable number for design.

Jared Hall reviewed the architectural considerations proposed by the staff:

**Mix of Housing Types** - Development should be encouraged to include a mix of housing types and styles in multi-family residential projects.

**Roofline Variations** - Variations in rooflines should be provided in all multi-family residential development, including alternating overall heights, pitches, pitch orientations, addition of gables, hips, dormers etc.

**Structural Variation (Staggering)**

**Mix of Styles in Unit Entries** - A variety of entry styles and sizes should be encouraged to help add visual interest and a sense of place to the pedestrian and street levels.

**Color & Materials** - The use of a variety of colors and construction materials should be encouraged.

**Architectural Detail** - All multi-family buildings and units should have sufficient architectural surface detail including basic fenestration (doors and windows) at the street and upper levels, stonework, exposed beams and columns, cornices, moldings cast and sculpted features, courtyards, patios roof overhangs, bays and balconies, etc.

Commissioner Stonehocker asked if the City was interested in adding regulations for green roofs (gardens on roof tops). In a multi-family development, the upper tenant had a park all to themselves. Another regulation that could be added was for high albedo, which would reflect heat.

Commissioner Holt stated that there was a difference between standards and items the City encouraged.

Commissioner Watts felt this was a positive direction. These regulations could set a real theme or standard for the community and do it in a positive way.

Commissioner Merx felt the last two Planning Commission meetings had been very useful.

At 7:37 p.m. Commissioner Merx moved to continue the public hearing to consider amendments to the Roy City Subdivision and Zoning Ordinances regarding standards for multi-family residential development in the R-3 and R-4 Zones to September 8<sup>th</sup> at 6:00 p.m. Commissioner Holt seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye."

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**The motion carried.**

4. STAFF UPDATE

Jared Hall stated that the City Council had approved a conditional use permit for a multi-family development at 5590 South 2500 West. The final site plan incorporated the items the Planning Commission asked them to do.

Jared Hall stated that the September 8<sup>th</sup> agenda would consist of continued discussions on the signs and multi-family ordinances, a public hearing for a conditional use, and consideration of a site plan.

5. ADJOURN

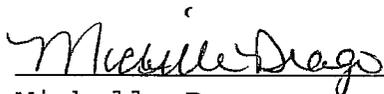
Commissioner Holt moved to adjourn at 7:39 p.m. Commissioner Stonehocker seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.



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Brad Hilton  
Chairman

Attest:



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Michelle Drago  
Secretary

dc:paug2509