

SUPPLEMENTARY DEVELOPMENT STANDARDS

Section 1101—Purpose:

The purpose of supplementary development standards is to further the purposes of this Ordinance and address the use, location, construction, and operation of particular uses and activities. Compliance with supplementary development standards, as applicable, as well as all other requirements of this Ordinance, and all other Federal, State, and Local requirements is required for the issuance of any required development approval, license, or permit.

Section 1102—Shared Driveways:

- 1) Except as otherwise provided herein, no building permit shall be issued for a dwelling located on a lot or parcel accessed by a shared driveway other than a dedicated and improved public street, except as provided by this Section.
- 2) The creation of or the issuance of a building permit for a lot or parcel accessed from a shared driveway may be approved by the DRC under the following circumstances:
 - a) There exists certain unique circumstances that directly impact the lots or parcels to be accessed by the shared driveway as follows:
 - i) The lots or parcels are isolated from any presently existing public streets and will be isolated from any future public streets; and
 - ii) Certain physical barriers exist that isolate the proposed lots or parcels and preclude future expansion and development and deny through access to public streets bound the property. For purposes of this Section, physical barriers may include: existing canals with recorded easements and rights-of-way that prohibit public access and crossing; railroad rights-of-way; terrain that prevents conventional access by public streets; utility easements which prohibit street access and crossing; existing developments of improved real property contiguous to the subject property that prohibits extension of through public streets to or from the lots or parcels; existing or proposed drainage requirements which include storm drain channels, retention/detention ponds, or natural creek beds which prohibit public street access; or limited access roads which prohibit a public street connection.
 - iii) The shared driveway is not necessary to be dedicated as a public street to accomplish needed and logical street connections, to provide access to properties that may otherwise have no access or limited access to the detriment of the property.
- 3) The creation of or the issuance of a building permit for a lot or parcel accessed by a shared driveway shall comply with the following restrictions and limitation:
 - a) Be located in any Residential zoning district;
 - b) Provide access to a maximum of two (2) lots or parcels only;
 - c) Required minimum yard setback requirements shall apply to all buildings fronting, siding or rearing on the shared driveway or private lane and shall be measured from the boundary of any such right-of-way nearest the building;
 - d) The shared driveway has a minimum recorded unobstructed right-of-way width of at least twenty-five (25) feet and approved hard surface of cement or asphalt for at least twenty (20) feet;
 - e) The shared driveway shall have a turn-around as determined necessary by the DRC;
 - f) No parking is permitted within the shared driveway;
 - g) Each adjoining lot or parcel using the shared driveway shall have recorded ownership or right-of-way access to such driveway by easement or fee title;

- h) Each recorded owner of a right-of-way access to such driveway shall enter into a joint maintenance agreement that shall be recorded with the easement or fee title;
- i) All dwellings on the lots or parcels shall not be more than four hundred (400) feet from a fire hydrant approved by the DRC; access to the fire hydrant shall comply with the applicable Fire Code as adopted by the City; and
- j) The shared driveway is accessed directly from an improved and dedicated public street.

Section 1103—Supplementary Requirements for Residential Facilities for Persons with Disabilities:

- 1) Compliance with Health Codes, Building Codes, Fire Codes, and Zoning District Requirements.
 - a) No Residential Facility for Persons with a Disability shall be established unless:
 - i) It is proposed in a building that complies with all Building, Fire, Health Codes, and Zoning Ordinance, as adopted, applicable to similar structures in the zoning district in which the Residential Facility for Persons with a Disability is proposed, and all other requirements of this Ordinance.
- 2) Maximum Number of Occupants (Consumers and Staff).
 For any building proposed to be used for a Residential Facility for Persons with a Disability, the existing building, or building plans, shall be reviewed by the Building Official, considering the Categorical Standards for physical facilities, as established by the State of Utah Department of Human Services. Following this review the Building Official shall determine and establish the maximum number of persons allowed to reside within the Facility.
- 3) State of Utah Department of Human Services License.
 At the time of application for a Conditional Use permit to establish a Residential Facility for Persons with a Disability, or within forty-five (45) days following approval of a Conditional Use permit to establish a Residential Facility for Persons with a Disability, the owner or provider shall provide to the Zoning Administrator evidence that the Facility is licensed by the State of Utah Department of Human Services for the type of Facility being considered by the City. The Council shall condition any Conditional Use approval on the presentation of evidence that the Facility is licensed by the State of Utah Department of Human Services, as required by this Section. Failure to provide such evidence shall be grounds for the City to invalidate any existing or pending approvals.
- 4) Continued Compliance with the Licensure Requirements of the Department of Human Services.
 The responsibility to license programs, or owners or providers that operate a Residential Facility for Persons with a Disability, as well as require and monitor the provision of adequate services to consumers residing in these facilities shall rest with the State of Utah Department of Human Services.
- 5) Conditional Use Permit to Operate a Residential Facility for Persons with a Disability Non-transferable.
 A permit to operate a Residential Facility for Persons with a Disability, as authorized by this Section, is nontransferable and shall only be valid to the owner or provider identified on the application authorizing the operation of the Facility, and as identified as the owner or provider as licensed by the State of Utah Department of Human Services. A Conditional Use permit to operate a Residential Facility for Persons with a Disability terminates if the building is devoted to another use or if the building fails to comply with any of the standards established herein.
- 6) Reasonable Accommodations.
 The Council shall have the authority, in reviewing an application for a Conditional Use permit to establish and operate a Residential Facility for Persons with a Disability, to modify the requirements, contained herein, if the Council determines such modifications are necessary in order to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.

Section 1104—Home Occupations:

All applications to establish a home occupation shall comply with all requirements of Roy City.

Section 1105—Sale, Distribution, and Consumption of Alcoholic Beverages and Alcoholic Products:

All applications for a Beer License, as provided by Utah law, shall comply with the procedures and requirements of the Roy City Alcoholic Beverage Control Ordinance, as adopted.

Section 1106—Sexually Oriented Business Location and Separation Requirements:

A sexually oriented business shall be allowed subject to the following restrictions:

- 1) No sexually oriented business shall be located less than five hundred feet (500') of:
 - a) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;
 - b) A public or private educational facility, including, but not limited to, child daycare facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. "School" includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;
 - c) A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trail, swimming pool, reservoir, athletic field, basketball or tennis court, pedestrian/bicycle path, wilderness area, or other similar public land within the City which is under the control, operation or management of the City park and recreation authorities;
 - d) An entertainment business which is oriented primarily towards children or family entertainment; or
 - e) Any private club or tavern;
 - f) A boundary of a "residential district", as defined in the zoning code; or
 - g) The property line of a lot devoted to a "residential use", as defined in the zoning code.
- 2) No sexually oriented business shall be located within two hundred feet (200') of the nearest right of way line from Riverdale Road, 1900 West, 5600 South and Hinckley Drive.
- 3) For the purpose of this subsection, measurements shall be made in a straight line, without regard to the intervening structures or objects from the nearest portion of the building or structure used as part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in this subsection. Presence of a City, County, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this subsection.
- 4) For the purpose of this subsection, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.
- 5) Notwithstanding anything contrary contained in Title 9, Chapter 4 of the Roy City Municipal Code, the more restrictive requirements for signs shall prevail. Signs for sexually oriented businesses shall be limited as follows:
 - a) No more than one exterior sign shall be allowed.
 - b) No sign shall be allowed to exceed eighteen (18) square feet.
 - c) No animation shall be permitted on or around any sign or on the exterior walls or roof of such premises.
 - d) No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sign. Said signs shall contain alphanumeric copy only.
 - e) Only flat wall signs and/or awning signs shall be permitted.
 - f) Painted wall advertising shall not be allowed.
 - g) Other than the signs specifically allowed by this subsection, sexually oriented businesses shall not attach, construct, or allow to be attached or constructed, any temporary signs, banner, light, or other device designed to draw attention to the business location.

Section 1107—Mobile Home Parks Development Requirements:

The purpose of this Section is to provide regulations for the construction and operation of mobile home parks, recreation coach parks and the use of the same in the City in order to promote, protect and secure the public health, safety and general welfare.

- I) Site Development Standards:
 - a) Access: All mobile home parks and recreational coach parks shall have access to a collector street if directly abutting thereon. Parks not abutting a collector street shall show several direct routes to a collector street in order that the traffic may be dispersed along several routes.
 - b) Park Density: In no case may density in the mobile home park exceed seven and one-half (7 1/2) mobile homes per gross acre, and in the recreational coach park, gross density shall not exceed twenty five (25) units per acre.
 - c) Enclosure of Mobile Home Park: The following provisions are applicable in providing buffers between other zone classification properties abutting the mobile home park, recreational coach park or abutments to public rights of way:
 - i) A greenbelt planting strip of not less than twenty feet (20') in width shall be placed along the perimeter of the park where it abuts public rights of way or an area in any other zone classification. Mobile home setbacks shall be in addition to the twenty foot (20') greenbelt. The greenbelt shall be developed with a mixture of hardy deciduous and coniferous plant material, grass or ground cover, as approved by the Commission; or
 - ii) A continual ornamental wall or decorative fence, erected inside property lines abutting other zones and at least six feet (6') from property line abutting public rights of way. All walls or fences on right of way or street corners shall meet sight triangle requirements of City ordinances. Any such wall or fence shall be landscaped with suitable material along both sides of such wall or fence for the total length along rights of way or streets. Wall or fence used on interior property lines shall be landscaped on the park sides. The ornamental wall or fence and landscape materials shall be built to such heights and in such a manner as approved by the Commission and it shall not be necessary for such wall or fence heights to comply with the fence regulations; or
 - iii) Any combination of the two (2) above described methods may be used with approval of the Commission.
 - d) Frontage: All mobile home lots must front on interior mobile home park private streets. None may front on a public thoroughfare.
 - e) Fencing for Individual Mobile Home Lots: Mobile lots in a mobile home park may not have separate individualized fencing around the lot.
 - f) Landscaping: A separate landscape planting design sheet shall be submitted to the Commission during the final approval process. There shall be provided at least two (2) deciduous trees of minimum one and one-half inch (1 1/2") caliper for each mobile home lot. There shall also be provided at the front or rear of the lots at least one evergreen tree for every three (3) lots. Dead trees shall be replaced.
 - g) Lot Standards: Each single wide mobile home lot shall contain a minimum area of three thousand (3,000) square feet with a minimum width of forty feet (40') fronting on a driveway; lots for double wide mobile homes shall contain a minimum area of four thousand (4,000) square feet with a minimum width of fifty feet (50') fronting on a driveway; provided, however, that:
 - i) Lots larger than the above minimum sizes may be required where it is determined that said lot size will:
 - (1) Be consistent with the general pattern established by mobile home parks in the vicinity; or
 - (2) Be necessary to accommodate mobile home sizes as stated in the mobile home park preliminary plans submitted.
 - ii) Lots on curved driveways or cul-de-sacs where lot lines are either converging or diverging from the front to the rear of the lot shall have an average width of at least thirty feet (30'), but in no case shall their frontage on a driveway be less than twenty five feet (25').
 - h) Minimum Off-Street Parking Requirements: Adequate hard surface paving shall be provided for off

street parking, vehicle storage and access in accordance with the following:

- i) Each mobile home lot shall be provided with off street parking space for two (2) vehicles. This may be provided totally on the lot, or in the parking compounds conveniently located and readily accessible to the lot which they are intended to serve, or as a combination of the above; but at least one off street parking space shall be provided on the same lot as the mobile home.
 - ii) Sufficient space shall be provided, in accordance with acceptable standards of the Commission, to fit the scale of the contemplated use and activity to be developed.
 - iii) Each parking space shall have a minimum width of nine feet (9') and a minimum depth of twenty feet (20'). All parking spaces and parking compounds shall be surfaced with an asphalt or concrete surfacing in accordance with specifications approved by the City Engineer. Such facilities shall be so drained as to dispose of all surface water accumulated in the parking area.
 - iv) A separate parking area for recreational vehicles shall be provided at a ratio of one space per four (1:4) mobile home lots. Automobiles or other vehicles being repaired or maintained shall not be permitted on the individual lots. Adequate screening of fences and landscaping shall enclose the area from the living areas of the mobile home park.
 - v) Guest, service and delivery parking shall be provided throughout the park at recreational buildings, service buildings and other convenient locations at a ratio of one space for every five (5) lots.
- i) Mobile Home Height Limits: Maximum height of mobile homes is one and one-half (1 1/2) stories or twenty feet (20').
 - j) On Site Laundry Drying Space: On site outdoor laundry drying space of adequate area and suitable location shall be provided if the park is not furnished with indoor dryers or if use of indoor dryers is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities on each lot of the collapsible umbrella type of hanging apparatus shall be allowed in the rear yard only, with park management providing a concrete imbedded sprocket at each site.
 - k) Pads: Each mobile home lot shall be provided with a concrete double runner or solid pad which shall run parallel to the length of the lot and shall be not less than four inches (4") in depth or of equal bearing strength if reinforced concrete is used. Each runner shall be at least three feet (3') wide. Minimum pad dimensions for single wide mobile homes shall be twelve feet by sixty feet (12' x 60'); minimum pad dimensions for double wide mobile homes shall be twenty four feet by sixty feet (24' x 60'). Anchor rings shall be provided every fifteen feet (15') in the parking pad, the design of which shall be approved by the Building Official.
 - l) Park Size and Density:
 - i) Mobile Homes: Minimum site size for mobile home parks shall be ten (10) acres. Park density shall not exceed seven and one-half (7 1/2) mobile home units per gross acre.
 - ii) Recreational Coaches: Separate areas designated for recreational coach use may have an average density of twenty five (25) units per acre. Minimum size for a recreational coach park shall be three (3) acres.
 - m) Patio: An outdoor patio area of not less than one hundred eighty (180) square feet shall be provided at each mobile home lot, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a mobile home.
 - n) Recreational Requirements: A minimum of eight percent (8%) of the gross site shall be reserved for recreational development. These facilities and areas shall be designed with trees, grass, benches and equipment in relationship to park clientele. Provision of separate adult and tot lot recreational areas is encouraged. The recreational area design shall be subject to the Commission approval.
 - o) Setbacks:
 - i) Setback from Park Property Line: All mobile homes and recreational coaches shall be set back not less than thirty feet (30') from all park property lines and the yard space so formed shall be landscaped or fenced in accordance with subsection C of this section, and with a site plan approved by the Commission. No structure shall be placed in the thirty foot (30') setback

adjacent to a public street. Greater setbacks may be required where, in the opinion of the Commission and/or Council, such setbacks are necessary due to topographic conditions, drainage and/or protection of adjacent properties.

- ii) Interior Park Lot Setbacks: Interior park lot setbacks for mobile home from mobile home lot line, minimum:
 - (1) Front: Five feet (5') from sidewalk; if no sidewalk, nine feet (9') from curb; but under no circumstances shall the mobile home tongue hitch be closer than two feet (2') to the sidewalk nor six feet (6') from the curb if no sidewalk.
 - (2) Side: Five feet (5') with a total of not less than thirteen feet (13') for both sides.
 - (3) Side Facing Street On Corner Lot: Fifteen feet (15') from sidewalk; if no sidewalk, nineteen feet (19') from curb.
 - (4) Rear: Twenty feet (20').
- iii) Accessory Building: Detached accessory building may be located in the rear yard of each lot, provided the accessory building is at least six feet (6') from the main structure and two feet (2') from side and rear lot property lines. Lots backing onto public thoroughfares may not have detached accessory structures on the lot.

Note: Side yard setbacks are to be in addition to that area necessary for off street parking.

- p) Site Coverage: Maximum mobile home lot coverage shall not exceed fifty percent (50%). Coverage shall mean any manmade apparatus, such as a parking space, trailer pad, storage areas, patio and sidewalks.
- q) Skirting, Canopies and Awnings:
 - i) Each mobile home shall be skirted within ninety (90) days after establishment in a mobile home park.
 - ii) Such skirting shall be of metal, aluminum or other non-corrosive metal or material so constructed and attached to the mobile home so as to deter and prevent the entry of animals and to screen from view those materials that may be stored under the mobile home.
 - iii) Canopies and awnings shall not extend into required yard setback nor extend above the mobile home.
 - iv) A permit shall be required for construction or erection of canopies or awnings. A permit shall be required from the building inspector before construction or erection of any screened, glassed in or otherwise enclosed awning or canopy.
- r) Streets and Highways: The Council may require additional dedication and improvements on streets and highways abutting the proposed mobile home park or recreational coach park.
- s) Utilities and Other Services:
 - i) All electric, telephone and other lines from supply poles to each mobile home or lot or recreational coach space shall be underground. When meters are installed they shall be uniformly located.
 - ii) When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas. Cable TV, if desired, shall be located underground.
 - iii) Yard lights, attached to standards approved by the City, shall be provided in sufficient number and intensity to permit the safe movement of vehicles and pedestrians at night, and shall be effectively related to buildings, trees, walks, steps and ramps.
 - iv) The erection, construction, reconstruction, repair, relocation and or alteration of all permanent buildings and structures located within a park shall conform to the requirements of the building code adopted by the City.
 - v) All public utilities shall be installed to meet a capacity as determined by the City Engineer, Building Official and public utility companies.
- t) Utility Cabinet: Each mobile home lot may be provided with one metal, or other suitable material, utility cabinet, which shall be uniform as to size and location throughout the mobile home park site. All cabinets shall be kept clean and shall be maintained in good condition and kept painted

- and shall contain a minimum of one hundred (100) square feet of storage area.
- u) Vehicle Travel Lanes: All roads and driveways shall be hard surfaced and so constructed as to handle all anticipated peak loads, adequately drained and lighted for safety and ease of movement of vehicles. Minimum pavement width shall be thirty six feet (36') for two-way roads, twenty four feet (24') for one-way roads and ten feet (10') for all driveways. The mobile home park and recreation coach park road system should be so designed as to prevent the use of such roads for through traffic. The entire width of the vehicle travel lanes shall be surfaced with asphalt-concrete, plant mix, cement or other approved materials and design on suitable road base as approved by the City Engineer. Concrete curb and gutters shall be placed along both sides of all roads. Types of curbs and gutters shall reflect topographic conditions and road design. Walkways may be required on one or both sides of roads providing access to park facility. Approval of design for road system, curb and gutters and walkways will be subject to the Building Official's approval.
 - v) Walkways: Public walks meeting the specifications for the City's sidewalks shall be provided on the public street side for each mobile home site. All public walks, such as from mobile homes or recreational coaches to service buildings and along Roads and driveways, shall be at least four feet (4') in width. Walks used in common by one to three (3) units, connecting the units to a common area or primary walk, shall be at least thirty inches (30") in width. Walks may be required on only one side of drives.
- 2) Other General Requirements:
- a) Bonds to Guarantee Improvements: The developer shall be required to provide a surety or cash bond in amount determined by the Building Official guaranteeing the completion of the development of the recreational areas, open space, landscaping plans or a phase thereof. When completed in accordance with the approved plan, the bond shall be released. If not completed at the end of a two (2) year period, the City will review the progress and may proceed to use the bond funds to make the improvements with the approved plan. The bond shall be approved by the City Manager and by the City Attorney and shall be filed with the City Recorder.
 - b) Certificate of Occupancy: Twenty five (25) mobile home lots and twenty five (25) recreational coach spaces must be completed and ready for use before the first occupancy is permitted. Upon completion of any such mobile home park or recreational coach park, the owner or operator of said park shall make an application to be in writing upon the form provided by said office and shall be filed not less than ten (10) days nor more than twenty (20) days before the park is ready for use. The Building Official shall thereupon make a final inspection of the park referred to in said application and if found to be in conformity with the requirements of this and other ordinances of the City, said department shall forward to the County Health Department a written Certificate of Occupancy.
 - c) Drainage and Flood Hazards: A mobile home park or recreational coach park shall be located on a well-drained site, properly graded to provide for adequate disposition of runoff. Such areas shall be free of flood hazards from natural sources. The Council may require dedications and improvements which will ensure proper protection to the park in accordance with this subsection.
 - d) Fee for Permit: A fee for each mobile home park construction permit shall be paid to the Building Official at the time of the filing of the application therefore. Said fee shall be in addition to all other building, electrical, plumbing and other fees required for work included in the construction. Said fee shall be determined by the Council.
 - e) Inspector's Authority: The Building Official is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this chapter and regulations issued hereunder and may take such steps to enforce compliance with the law.
 - f) License and Certificate Requirements: It shall be unlawful for any person to operate any mobile home park or recreational coach park unless he obtains a license from the City's license division and a certificate of occupancy from the Building Official.
 - g) Mobile Homes and Recreational Coaches Placed in Parks:
 - i) No occupied mobile home shall be located anywhere within the City except in a licensed mobile home park. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park will be permitted for a period not exceeding twenty four (24) hours. This does not include mobile home sales areas.
 - ii) Recreational coaches which do not include the facilities necessary to be a "mobile home", as

defined herein, shall not be used as a place of abode at any place in the City, at any time, for living quarters except in designated camping areas or overnight trailer parks.

- h) **Modification in Design:** Where mobile home parks or recreational coach parks are submitted for approval which, although not complying with the requirements of design as stated in this section, are consistent with the general intent and purpose of this chapter, the Commission shall review the park design and make recommendations to the Council, which may, at its discretion, approve such parks with conditions and restrictions which will ensure that the general purpose set forth herein will be satisfied.
- i) **Permit Requirements:** It is unlawful for any person to construct, enlarge, alter, improve or convert any park or to improve any lands for use as a park, or to cause the same to be done, unless such person holds a valid and existing permit issued by the building inspector for the performance of such work.
- j) **Power to Enter:** The Building Official shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter and regulations issued hereunder.
- k) **Zoning:** All mobile home parks and recreational coach parks shall be located within the appropriate zone as designated in herein.

Section 1108—Amateur Radio Antennas

- 1) **Purpose:** The following requirements are provided in order to protect the public health and safety of City residents while providing and allowing reasonable accommodation for amateur radio communications, as provided by Section 10-9a- 515 U.C.A. The following requirements for the location and operation of amateur radio antennas are hereby found by the City Council to be the minimal practical regulation necessary to achieve the purposes of this Section.
- 2) **Conditional Use Application Required:**
 - a) A request to establish an amateur radio antenna shall be initiated by filing a conditional Use application with the City.
 - b) The review of a Conditional Use application to establish an amateur radio antenna shall be reviewed and approved, approved with conditions, or denied by the Council by following the procedures and requirements for a Conditional Use Permit, as provided herein.
- 3) **Location:** No amateur radio antenna, or its associated support structure(s), shall be located within any required front yard, side yard, or rear yard of the lot on which the antenna is proposed, as required by the Zoning District in which the lot is located.
- 4) **Height:**
 - a) No amateur radio antenna, or its associated support structure(s), shall be erected to a height greater than the distance measured from the base of the proposed amateur radio antenna to the closest property line of the lot or parcel on which the amateur radio antenna is located.
 - b) The height of an amateur radio antenna shall be measured from the ground level immediately adjacent to the base of the antenna to the highest point of the amateur radio antenna.
- 5) **Mounting:** The amateur radio antenna, and its support structure(s), shall be designed to withstand a wind force of 80 miles per hour without the use of supporting guy wires or similar supporting structures.
- 6) **Building Permit Required:** The establishment of an amateur radio antenna shall require the approval of a building permit, as may be required by the adopted building codes.
- 7) **Airport Zoning Regulations:** All amateur radio antennas shall comply with all applicable provisions of the Airport Overlay regulations of Roy City, as applicable.
- 8) **Reasonable Accommodations:** As required by the Section 10-9a-515 U.C.A. and the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or a regulation related to amateur radio service adopted under 47 C.F.R Part 97, the Council, in reviewing an application to establish an amateur radio, may to the extent necessary modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford an Amateur Radio Operator amateur radio communications

Section 1109—Supplementary Requirements for Vehicle and Equipment Rental or Sale, New or Used, Minor or Major

The purpose of this section is to provide supplementary regulations for the development and operation of Vehicle and Equipment Rental or Sale, New or Used, Minor or Major and the use of the same in the City order to promote, protect and secure the public health, safety and general welfare

- 1) Vehicle and Equipment Rental or Sale, New or Used, Minor or Major uses shall be fully improved and maintained in compliance with current City standards, including, but not limited to, a fully paved display area, a permanent and dedicated sales office built to the current building code, security lighting and permanent signage.
- 2) Display vehicles at Vehicle and Equipment Rental or Sale, New or Used, Minor or Major uses shall not be located within the public right-of-way, within any required landscape area or within any required setback or required yard area.
- 3) No Vehicle and Equipment Rental or Sale, New or Used, Minor or Major use shall be permitted on any parcel of land that does not have frontage on 1900 West or Riverdale Road.
- 4) No Vehicle and Equipment Rental or Sale, New or Used, Minor use located in a Community Commercial Zoning District shall be permitted within 300 feet of any Single-Family Residential Zoning District or Residential Estates Zoning District.

Section 1110 —Supplementary Development Standards for Multi-family Developments

The purpose of this Section is to provide supplementary regulations and standards for the development and construction of vibrant, quality multiple family housing developments that enhance and contribute to the quality of the overall housing stock of the City, and which will promote, protect, and secure the public health, safety and general welfare.

- 1) Multi-Family Development – Multi-Family Developments include projects or developments of more than six (6) units where all or any portion of the proposed dwelling units intended for residential occupation share common walls among two or more units, or projects or developments of any number of units that share property outside the dwelling unit in common among one or more owners. Applications for Multi-Family Developments, as herein defined, shall require Conditional Use review and approval under the guidance of this Section.
- 2) Site Requirements – The provisions and requirements for Multi-Family Development as contained in tables 10-1 and 10-3 of Chapter 10 of the Roy City Zoning Ordinance shall apply except as otherwise noted by this Section.
- 3) Unit Requirements – The following standards and regulations must be considered and applied in the layout and design of Multi-Family Developments:
 - a) Number of Units per Building. The City may limit the number of units per building allowed on the basis of perceived building mass, perceived densities or compatibility with surrounding areas, and to improve the function of the site.
 - b) Height – Maximum building height is thirty-five feet (35'). Additionally, all multi-family structures of two stories or more will be reviewed with respect to the following elements: perceived height, building mass, compatibility with existing development, and compatibility with future development in the area. It is the developer's obligation to demonstrate sensitivity to and mitigation of the impacts of height.
 - c) Additional Height – A Conditional Use may be granted allowing additional height up to 60' under special circumstances as follows:
 - (i) Transit Oriented. Developments in close proximity to Commuter Rail or other major hubs of public transit may be granted an exception for additional height if it can be demonstrated that the additional height will not negatively impact the surrounding neighborhoods both commercial and residential, will contribute to the success of the project, and results in a better and more livable design.
 - (ii) Public Purpose. Developments seeking to further a goal or purpose identified by the City which

can be facilitated by an exception may be granted additional height if it can be demonstrated that the exception will in fact provide an amenity to the City and/or neighborhood, further the goals of the City toward such a public amenity, or provide the betterment of an existing amenity that benefits the larger City and neighborhood. It must also be demonstrated that the additional height will be used in manner that does not negatively impact the surrounding neighborhoods, commercial or residential.

- 4) Access and Circulation –To ensure appropriate access and circulation, the following standards shall apply to all Multi-Family Developments:
 - a) Access to Public Right-Of-Way. All Multi-Family development must have access to the public right-of-way. Vehicular service to individual units and buildings may be provided by private access-ways and roads. All private roads and accesses within a Multi-Family Development shall be designated easements for public access, utility and drainage.
 - b) Intersection. The intersection of the access to the development and the public right-of-way must 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 at the intersection may be approved to a minimum of thirty (30) feet by the City Engineer.
 - c) Width. All access and roadways must provide a minimum of twenty-eight (28) feet of passable asphalt surface. If the design includes a parking component on one side of an access or roadway, a minimum of thirty-two (32) feet of passable asphalt is required.
 - d) Pedestrian Access. All accesses and roadways within multi-family projects must provide appropriate pedestrian access to the private or public rights-of-way, and continuous pedestrian access throughout the project on at least one side of the roadway or access. Additionally, pedestrian access to individual buildings not adjacent to a parking area or roadway must also be provided.
 - e) Interconnectivity & Circulation. All multi-family development must provide a plan for the 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 re-development of adjacent and neighboring parcels as may be necessary.
 - f) Utilities & Service. All multi-family development must provide a plan for the appropriate installation of utilities on site. The plan must address the potential looping of lines and future connection to facilitate development or re-development of adjacent and neighboring parcels. All multi-family development must also plan for the provision of other services as may be needed, such as waste collection and snow removal.
- 5) Parking – Appropriate parking is required for all units, as contained in Chapter 19 of the Roy City Zoning Ordinance, with the following additional considerations:
 - a) Reduction. A reduction in parking ratio requirements may be approved if it can be demonstrated that such a reduction of requirements is appropriate because of proximity to a major public transit facility, and will result in an improvement of one or more components of design.
 - b) Parking Orientation. Parking areas should be located throughout the proposed development, and where possible must be de-centralized. Where larger parking areas are necessary, buffering of the adjacent development components and of adjacent properties will be required.
- 6) Coverage – Maximum coverage of all impervious surfaces in Multi-Family Developments may not exceed a range between 40% - 55%. Factors considered in determining the appropriate impervious surface coverage allowed shall include, but not be limited to, the following: project size, density, adjacent densities, the nature of amenities provided by the proposed development, and the use of pervious and semi-pervious concretes, pavers, permeable paving, and other technology that allows hard surfacing which is not fully impervious.
- 7) Density Bonus. In the R-3 and R-4 zoning districts, an increase in density, up to a total of fifteen (15) units per acre, may be awarded for projects providing exceptional open space creation, green infrastructure preservation or enhancement, the use of sustainable development techniques or construction materials, exceptional amenities, or amenities that are relatable to and provide interconnection with the larger community (examples may include an amphitheater, public access park, extension of an adjacent park or addition of facilities, trails, trail-heads, etc.).
- 8) Open Space and Amenities Required – All Multi-Family Developments shall provide a plan for open space and amenities in accordance with the following:

- a) Open Space. All Multi-Family Developments shall provide a minimum base open space of twenty percent (20%) for projects up to 20 units. Developments with more than twenty (20) units shall provide between 25% and 30% base open space. Base open space must consist of specifically planned, usable or preserved areas. Remnant, unused areas within a project may not be included in the calculation of base open space. If sustainable techniques and materials are successfully incorporated into the development (for example, high-albedo or garden roofs), a proportion of the open-space and amenity requirement may be reduced.
 - b) Common Amenity Required. All Multi-Family Developments are required to plan for and to provide specific amenities within the open space. Amenities must be usable and accessible to all units in the development.
 - c) 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. Preserved open space must be nearly adjacent to a minimum of fifty percent (50%) of the units in a development if the preserved open space is intended to satisfy the entirety of the requirement under this Section.
 - d) Pedestrian and Trail Connections. Continuous pedestrian walkways and trails may be a component of the open space and amenity requirements. Where determined to be applicable, connection of such pathways to sidewalks or trails in the larger area is required.
 - e) Community Oriented Amenities & Open Space. Where it is possible to relate the amenities and/or open space of Multi-Family development to the larger community, to adjacent public open space or recreation infrastructure, or to the amenities and open space of adjoining projects, the developer may propose such variations, reductions or modifications as are appropriate to facilitate that end. The City may approve the variations, reductions or modifications, upon finding that the plan to adjoin or enhance outside open space and amenities also contributes to the stabilization of surrounding neighborhoods, the adaptive re-use of amenities and areas, and will enhance community activity and vibrancy.
- 9) Architectural Considerations and Requirements – Multi-Family Development shall be subject to the considerations and requirements contained in the Roy City Zoning Ordinance, Chapter 15, Section A (Building Design Standards) generally. In order to further promote the improvement and stabilization of housing stock, and to ensure quality new residential development in the City, Multi-Family Developments are also required to adhere to the following standards for architectural consideration:
- a) Mix of Housing Types. Development must include a mix of housing types and styles.
 - b) Roofline Variations. Development must provide variations in rooflines, including alternating overall heights, pitches, orientations, as well as the addition of gables, hips, or dormers to provide interest and visual relief.
 - c) Structural Variation (Staggering). Units within buildings must be structurally staggered to provide additional relief.
 - d) Unit Entries. Development must provide a variety of entry styles and sizes to add visual interest and a sense of place to the pedestrian and street levels. For every 6 units, two distinct styles are required. No single building may include less than two (2) styles of entry.
 - e) Color & Materials. Development must provide for the use of a variety of colors and construction materials to provide visual interest. A material and color palette must be included with the proposal for approval with the Conditional Use.
 - f) Architectural Detail. All multi-family buildings and units shall have sufficient architectural detail, including but not limited to, significant fenestration 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. (*Ord. 1021, 10-6-2009*)

Section 1111 — Reserved

Section 1112 — Supplementary Regulations Allowing Apiary Uses in Single-family Residential Zones.

The purpose of this section is to provide supplementary regulations for limited apiary activities (the keeping of bees) in the single-family zoning districts of the city. It shall be unlawful to keep bees in the R-1-6, R-1-7, R-1-8, R-1-10

and R-1-15 zones except as provided in this section.

- 1) Allowance - All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones shall be allowed points for bee keeping as defined by this section according to the following:

- a) Points by Lot Size – Lots shall be assigned points by lot area, according to the following table. Points assigned are to be used under this section or Section 1111 inclusively.

15,000 square feet and larger	30 points
10,000 – 14,999 square feet	20 points
8,000 – 9,999 square feet	10 points
Less than 8,000 square feet	No points

- b) Allowance by Points – Apiary, or bee keeping shall be permitted by points according to the following table

Bee keeping	10 points each hive
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- 2) Permit Required – A city permit is required for the keeping of bees under this section. Permits may only be issued to the property owner of record.

- a) Fee. The permit fee shall be set forth in the adopted Fee Schedule of the City.
- b) Renewal. All permits issued under this section are subject to annual inspection and renewal.
- c) Inspection. Inspections related to a permit issued under this section must be permitted as deemed necessary by the City
- d) Revocation. A permit may be revoked by the City for any violation of this section at any time.
- e) Transfer of Permits. Permits under this section are issued to property owners of specific lots and may not be transferred or assigned to other persons or properties when ownership or residency changes.
- f) Notice to Adjacent Neighbors. Upon receiving an application under this section, the Zoning Administrator shall cause notice of the application to be sent by mail to all owners of property immediately adjacent to the subject property.
- g) Site Plan. An application for a permit under this section must be accompanied by a site plan indicating the lot, the primary residence, and the proposed placement of the structures or hives in compliance with the requirements of this section required by this section.
- h) Zoning Administrator - The Zoning Administrator or his or her designee shall be responsible for the review of applications, issuance or denial of permits, inspection, renewals, investigation of complaints, and revocation of permits when necessary

- 3) Regulations for Bee keeping – The issuance of a permit for Bee keeping under this section shall be predicated upon compliance with the following.

- a) Registration. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code.
- b) Personal Use Only. Bee keeping is allowed under this section for family food production and pleasure only. No sale of any kind is permitted.
- c) Structure. Honeybee colonies shall be kept in hives with removable frames kept in sound and usable condition.
- d) Location. Hives allowed under this section shall be located a minimum of 30 feet from any dwelling on an adjacent lot, 10 feet from any property line and 10 feet from any dwelling on the same lot.
- e) Flyways. Any hive allowed under this section shall be located on the property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within 25 feet of an area providing public access or from a property line, a flyway barrier at least 6 feet in height shall be established and maintained around the hive except as is necessary for access. Such a flyway shall consist of a solid wall, fence, dense vegetation, or a combination thereof extending at least 10 feet beyond the hive.
- f) Water. At a minimum, a convenient source of fresh water must be made continuously available to the colony between March 1 and October 31 of each year. The water source shall be located to minimize any nuisance created by bees seeking water on neighboring properties.

(Ord. 1053, 2-19-2013)

