

PLANNING COMMISSION

• **Chair** – Lindsey Ohlin • **Vice Chair** – Douglas Nandell
Members: • Leland Karras • Gennie Kirch • Joe Paul • Claude Payne • Jason Sphar

AGENDA

August 9, 2016
6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

Agenda Items

1. Declaration of Conflicts
2. Approval of July 26, 2016 regular meeting minutes
3. **6:00 p.m. – PUBLIC HEARING** – Request to amend the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones.
4. Request for
 1. Site Plan and Architectural Approval
 2. Conditional Use approvalFor a property located at 4148 South Midland Drive
5. TRAINING – Open and Public Meetings Act
6. Commissioners Minute
7. Staff Update
8. Adjourn

In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: ced@royutah.org at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 3rd day of August 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 3rd day of August 2016.

STEVE PARKINSON;
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2
3 July 26, 2016

4
5 Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy
6 City Municipal Building on July 26, 2016, at 6:00 p.m.

7
8 The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting
9 was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was
10 posted.

11
12 The following members were in attendance:

13
14 Lindsey Ohlin, Chairman Steve Parkinson, Planner
15 Leland Karras Michelle Drago, Secretary
16 Gennie Kirch
17 Doug Nandell
18 Joe Paul
19 Claude Payne

20
21 Excused: Jason Sphar

22
23 Others present were: Brian Stein, Jeanine Stein, and Todd Johnson.

24
25 Pledge of Allegiance: Lindsey Ohlin

26
27 1. DECLARATIONS OF CONFLICT

28
29 There were none.

30
31 2. APPROVAL OF JUNE 28, 2016, MINUTES

32
33 **Commissioner Karras moved to approve the June 28, 2016, minutes as corrected.**
34 **Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell,**
35 **Ohlin, Paul, and Payne voted “aye.” The motion carried.**

36
37 3. PUBLIC HEARING TO CONSIDER A REQUEST FROM KAREN DUFFY FOR
38 APPROVAL OF A CONDITIONAL USE FOR A COMMERCIAL PET GROOMING
39 BUSINESS (DOGGIE DEN) LOCATED AT 4484 SOUTH 1900 WEST, SUITE 1

40
41 Steve Parkinson stated that the Zoning Ordinance was recently amended to allow a pet grooming
42 business as a conditional use in the Community Commercial Zone. Karen Duffy had submitted
43 an application to operate a pet grooming business to be known as the Doggie Den in an existing
44 building located at 4484 South 1900 West, Suite 1. The existing building had sufficient
45 landscaping and parking. The staff recommended that the Planning Commission forward a
46 recommendation of approval to the City Council.

47
48 **Commissioner Kirch moved to open the public hearing at 6:03 p.m. Commissioner Nandell**
49 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and**
50 **Payne voted “aye.” The motion carried.**

51 Chairman Ohlin opened the floor for public comments. There were none.

52 **Commissioner Kirch moved to close the public hearing at 6:04 p.m. Commissioner Nandell**
53 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and**
54 **Payne, voted “aye.” The motion carried.**
55

56 **Commissioner Kirch moved to recommend that the City Council grant a conditional use**
57 **for a pet grooming business located at 4484 South 1900 West, Suite 1 based on the staff’s**
58 **findings and recommendation. Commissioner Nandell seconded the motion. Commission**
59 **members Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted “aye.” The motion carried.**
60

61 4. PUBLIC HEARING TO CONSIDER A REQUEST FROM JEANINE STEIN FOR
62 APPROVAL OF A CONDITIONAL USE FOR A COMMERCIAL WAREHOUSE
63 INVENTORY BUSINESS (THE SUGAR SHACK & GIFTS) LOCATED AT 1821 WEST
64 4000 SOUTH
65

66 Steve Parkinson stated that the City had received a request for approval of a conditional use for
67 a commercial warehouse inventory business located at 1821 West 4000 South. The address
68 under consideration was part of the Iomega complex and was zoned Business Park. The
69 proposed business would not have retail sales. All sales would be online. The business would
70 occupy an existing building with sufficient parking and landscaping. The staff recommended that
71 the Planning Commission forward a recommendation of approval to the City Council.
72

73 **Commissioner Paul moved to open the public hearing at 6:06 p.m. Commissioner Kirch**
74 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and**
75 **Payne voted “aye.” The motion carried.**
76

77 Chairman Ohlin opened the floor for public comments.
78

79 Brian and Jeanine Stein, Riverdale, stated that the business would be located in the building
80 where Get Air used to be.
81

82 Jeanine Stein stated that her business would be a 3PL, or a third party logistics business. She
83 would ship products on ‘as needed’ basis.
84

85 **Commissioner Kirch moved to close the public hearing at 6:08 p.m. Commissioner Karras**
86 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and**
87 **Payne voted “aye.” The motion carried.**
88

89 **Commissioner Nandell moved to recommend that the City Council grant approval of a**
90 **conditional use for a commercial warehouse inventory business located at 1821 West 4000**
91 **South based on the staff’s findings and recommendation. Commissioner Karras seconded**
92 **the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted**
93 **“aye.” The motion carried.**
94

95 5. CONSIDERATION OF A REQUEST FOR APPROVAL OF BUILDING MATERIALS FOR
96 THE BANK OF UTAH LOCATED AT 5741 SOUTH 1900 WEST
97

98 Steve Parkinson stated that when the Bank of Utah received site plan approval they did not have
99 their materials and colors ready. The Bank of Utah was proposing to use two types of tan stone.

100 One would be rough; one would be smooth. The brick would be red with matching mortar, which
101 would give the appearance of a solid wall. Mr. Parkinson stated that the materials and colors met
102 the intent of the Zoning Ordinance. The staff recommended that they be approved.
103

104 **Commissioner Kirch moved to approve the building materials for the Bank of Utah located**
105 **at 5741 South 1900 West based on the staff's findings and recommendation.**
106 **Commissioner Nandell seconded the motion. Commission members Karras, Kirch,**
107 **Nandell, Ohlin, Paul, and Payne voted "aye." The motion carried.**
108

109 6. CONSIDERATION OF A REQUEST FOR APPROVAL OF BUILDING COLORS FOR LES
110 SCHWAB LOCATED AT 5832 SOUTH 1900 WEST
111

112 Steve Parkinson stated that Les Schwab Tires was proposing to change the colors of their building
113 located at 5832 South 1900 West. The company colors had changed from bright red and white to
114 rust and cream. Les Schwab wanted to paint the exterior of the building with the new colors. The
115 proposed building colors met the intent of the Zoning Ordinance. The staff recommended that
116 they be approved.
117

118 **Commissioner Nandell moved to approve the new building colors of cream and rust for**
119 **Les Schwab located at 5832 South 1900 West based on the staff's findings and**
120 **recommendation. Commissioner Paul seconded the motion. Commissioners Karras,**
121 **Kirch, Nandell, Ohlin, Paul, and Payne voted "aye." The motion carried.**
122

123 7. CONSIDERATION OF A SITE PLAN AND ARCHITECTURAL APPROVAL FOR AN
124 AUTO REPAIR SHOP LOCATED AT 3399 SOUTH 1900 WEST
125

126 Steve Parkinson stated that the City had received a request for approval of a site plan and
127 architectural details for an auto repair shop to be located at 3399 South 1900 West. The use was
128 permitted in the Manufacturing Zone. The repair shop would be a separate business but coincide
129 with an automobile dealership on the property.
130

131 Mr. Parkinson stated that the DRC had not completed its review of the proposed business.
132 Therefore, the staff could not provide any comments. The Planning Commission could approve
133 the site plan and architectural details subject to the DRC comments, or it could table consideration
134 until it had received the DRC's review. The proposed use was a permitted use in the
135 Manufacturing Zone.
136

137 Commissioner Kirch asked about the existing home located on the site. Mr. Parkinson said it
138 would be demolished to make way for the new building. The home was the last non-conforming
139 use in the area.
140

141 Commissioner Kirch stated that the rear building elevation was longer than 30 feet. It would need
142 architectural relief. Mr. Parkinson stated that the Planning Commission needed to determine if the
143 proposed vertical siding would meet the intent of the Zoning Ordinance.
144

145 Chairman Ohlin opened the floor for public comments.
146

147 Todd Johnson, 1916 West 3350 South, stated that the new building would match the dealership
148 building. It would have a small office and four overhead doors for four bays. He planned to remove
149 the existing home and pave the entire site. The house was an eyesore and had been vacant since
150 January.

151
152 Commissioner Kirch asked if tabling this item would delay the applicant. Mr. Parkinson stated that
153 if the Planning Commission approved the site plan and the DRC completed its review, the
154 applicant could get a building permit next week. If the Planning Commission tabled the site plan,
155 it would be at least two weeks before a building permit could be issued.

156
157 Commissioner Kirch did not have a problem with the proposed project. She was concerned that
158 granting approval without a complete DRC review would set a precedent. There could be negative
159 consequences if the Planning Commission approved the site plan without knowing what all of the
160 DRC's comments were.

161
162 Steve Parkinson stated that the staff would not allow a building permit to be issued until all of the
163 DRC's comments were addressed. It was a matter of the Planning Commission's comfort level.

164
165 Commissioner Paul asked if Mr. Parkinson had noticed anything that would cause a hiccup or
166 hang up. Mr. Parkinson said everything he had noticed were things the Zoning Ordinance and
167 DRC would require anyway, such as landscaping. The Planning Commission needed to decide if
168 it was comfortable with the vertical siding.

169
170 Commissioner Nandell did not have a problem with the vertical siding as the new building would
171 be hidden from 1900 West.

172
173 Commissioner Kirch said that the ordinance required some kind of architectural relief if a building
174 was longer than 30 feet. Commissioner Nandell felt the vertical siding would provide the required
175 relief.

176
177 Commissioner Kirch asked about parking. Could the auto shop park cars for sale? Steve
178 Parkinson stated that the proposed building was for a mechanic and auto body shop. Cars for
179 sale would be parked on the sales lot. There was already sufficient parking on the site.

180
181 Commissioner Paul asked about screening for vehicles. Would there be a fenced compound?
182 Todd Johnson said the site already had a fenced parking area. Commissioner Kirch asked if there
183 would be a barrier between the auto shop and the car lot. Mr. Johnson said there would.
184 Commissioner Paul asked if the auto shop would look like a continuation of the car lot. Mr.
185 Johnson said it would not.

186
187 Commissioner Kirch wanted to be clear that this was an unusual circumstance. She did not want
188 this type of approval to become a precedent. Learning that the site had an existing fence eased
189 some of her concerns.

190
191 **Commissioner Kirch moved to approve a site plan for an auto body repair shop located at**
192 **3399 South 1900 West based on the staff's findings and subject to compliance with the**
193 **completed DRC review. She noted that that the exception to a completed DRC review was**
194 **due to the current Manufacturing Zone, the existing business and fencing, and the**

195 replacement of one empty hull with a new one. If there were any unusual DRC comments
196 or findings, the site plan was to be brought back to the Planning Commission.
197 Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell,
198 Ohlin, Paul, and Payne voted “aye.” The motion carried.
199

200 Commissioner Kirch moved to approve the architectural details for an auto body repair
201 shop located at 3399 South 1900 West noting that the proposed vertical corrugated siding
202 would provide the architectural relief required by the Zoning Ordinance. She further noted
203 that the exception to a completed DRC review was due to the current Manufacturing Zone,
204 the existing business and fencing, and the replacement of one empty hull with a new one.
205 If there were any unusual DRC comments or findings, the site plan was to be brought back
206 to the Planning Commission. Commissioner Paul seconded the motion. Commission
207 members Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted “aye.” The motion carried.
208

209 Steve Parkinson stated that the existing home on the site had been the subject of code and fire
210 violations. The former occupant was running an illegal paint shop and dealership which were shut
211 down by the Fire Department and Building Official.
212

213 8. COMMISSIONER’S COMMENTS

214
215 Commissioner Kirch asked if Walmart was still coming to West Haven. Mr. Parkinson said it was
216 according to West Haven.
217

218 Commissioner Paul asked about the widening of 5600 South. Mr. Parkinson said widening 5600
219 South was on UDOT’s long range plan. UDOT had completed an environmental study. It was a
220 matter of funding.
221

222 Commissioner Kirch asked about the status of the rezone on 2700 West. Mr. Parkinson said the
223 City Council held a public hearing on July 5th, but tabled consideration at the request of the
224 applicant. It would be on the August 2nd Council agenda. The Council tabled consideration of the
225 rezone on 4500 South 1900 West.
226

227 Commissioner Kirch asked if anyone at the City tracked what was happening at the Ogden Airport.
228 Mr. Parkinson there wasn’t. Ogden City had not consulted with Roy. Roy had received a grant to
229 correlate plans for 1900 West between Roy City, Weber County, and Ogden City. Ogden City
230 would really like to incorporate all of the properties in Roy City between 1900 West and the airport.
231

232 There was further discussion about the airport and eminent domain.
233

234 Commissioner Nandell asked about the status of the 4800 South Roundabout. Mr. Parkinson said
235 work on the roundabout would begin the Monday after Roy Days.
236

237 Commissioner Paul asked if Hooper Water planned to overlay 4800 South when they were done.
238 Michelle Drago reported that Ross Oliver told the Council that Hooper Water did plan to overlay
239 4800 South.
240

241 9. STAFF UPDATE

242

243 Steve Parkinson stated that in August the City Council would be considering the annexation of
244 nine unincorporated islands. The Planning Commission would be considering a site plan for one
245 of those areas at the next meeting. The site plan would be subject to approval of the annexation.
246

247 10. ADJOURN
248

249 **Commissioner Paul moved to adjourn at 6:43 p.m. Commissioner Kirch seconded the**
250 **motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted “aye.”**
251 **The motion carried.**
252

253
254

255

256 Attest:

257

258

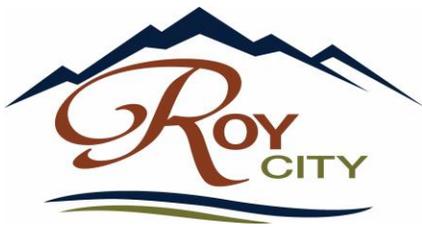
259

260 _____
Michelle Drago
261 Secretary

262

263 dc:07-26-16

Lindsey Ohlin
Chairman



STAFF REPORT

Planning Commission

August 9, 2016

Agenda Item # 3

SYNOPSIS

Application Information

Applicant: Jacob Briggs
Request: **6:00 p.m. – PUBLIC HEARING** – To amend the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones.

Staff

Report By: Steve Parkinson; Planning & Zoning Administrator 
Recommendation: Recommends approval

APPLICABLE ORDINANCES

- Roy City Zoning Code; Title 10 chapter 17 – Table of Uses

ANALYSIS

Background: This item was first brought to the Planning Commission during the January 26, 2016 work-session, it was again discussed during the April 26, 2016 meeting. The applicant wants to amend the Zoning Ordinance Text to allow Domestic Livestock & Fowl on properties along the Utah Power & Light Utility Corridor.

There are currently four residential zones along the corridor, RE-20, R-I-10, R-I-8 & R-I-7. The RE-20 zone already allows for Domestic Livestock & Fowl, the other three (3) zones do not. The applicant is looking to allow Domestic Livestock & Fowl allowed in these zones that are within the corridor as a Conditional Use.

Prior to the adoption of the currently Zoning Code in 2005, the Zoning Code allowed as a Conditional Use Domestic Livestock & Fowl below is the language that was used.

When it is determined by the city that physical or geographical impediments exist in an area which hamper the effective use of property, the city may approve a master site plan for that area, and upon approval of same, property owners may obtain ownership or lease rights to property adjoining that area owned by said owner and zoned for a building lot, and upon obtaining at least twenty thousand (20,000) square feet of total property, including the building lot, the owner of said lot may use said property, so far as keeping animals thereon is concerned, as though the property were in an RE-20 zone. If at any time the owner or his successor has legal control of less than the total amount of twenty thousand (20,000) square feet of property, the use rights revert to those of the established zone. All other uses and development shall be pursuant to the established zone for the property.

- Physical or geographical impediments shall include utility lines, open or piped waterways, streams and sloughs, water retention ponds, substantially large easements, and such similar conditions.*
- Master site plan shall be a plan for the geographical area impacted by the physical or geographical impediments which shall include a projected layout of streets and necessary improvements, the location of the impediments, and so far as reasonable, the lots and land use within the area.*

Process: Text amendments require public hearing at the Planning Commission. A recommendation will then be forwarded to the City Council for review and a final decision. If the Planning Commission approves language to be added or text to be changed, staff will put those recommended changes into a “Proposed Ordinance” format to be presented to the Council. That ordinance, if approved, can then be adopted, officially amending the text.



Proposed changes: It is proposed to add the following language. Typically the language that is to be removed has been struck through and the language to be added is bolded. See exhibit "A" for the proposed changes.

FINDINGS

- The proposed amendments of Title 10 of the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones, is consistent with:
 - Discussions of the Planning Commission and
 - Previous sections of the 2005 Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of the proposed amendments to Title 10 of the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones.

EXHIBITS

- A. Proposed Ordinance changes
- B. April 26, 2016 Planning Commission minutes
- C. Memo dated April 25, 2016

EXHIBIT “A” – PROPOSED ORDINANCE CHANGES

General Description of Proposed Text Amendment

This is an application to allow certain unused lands located in the Utah Power & Light Corridor (the Corridor") to be put to beneficial use.

The current Zoning Map, dated 3/3/15, has various zoning designations for the Corridor, including R-1-7, R-1-8, R-1-10, RE-20, and Unincorporated. A majority of these zoning designations, however, would not explicitly allow for the agricultural uses permissible in the RE-20 zone.

The Zoning Ordinance (Table 17-1, Table of Uses, (Residential Zoning Districts) identifies the permitted or conditional uses within the various residential zones. The proposed text amendment leaves the Zoning Map unchanged, but would include appropriate modifications to Table 17-1, as follows:

For the third and sixth uses of Table 17-1, Barn, Corral, Stable, Coop, Pen or Animal Run and Domestic Livestock and Fowl, include an asterisk (*) next to the "X" currently identifying these uses as Prohibited in each of the zones R-1-7, R-1-8, and R-1-10 (and/or others, if the Commission considers appropriate). The asterisk would lead to the end the paragraph for these uses, where the following statement would be found:

** Conditional Use in parcels located within the Utah Power & Light Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for conditional use.*

Section 1701 – Table of Uses

17-1 – Residential Zoning Districts

| USE | RE-20 | R-1-15 | R-1-10 | R-1-8 | R-1-7 | R-1-6 | R-2 | R-3 | R-4 | RMH-1 |
|---|-------|--------|--------|-------|-------|-------|-----|-----|-----|-------|
| <p><u>Barn, Corral, Stable, Coop, Pen or Animal Run</u>. A structure or fenced area, and its associated buildings and structures, for the feeding, housing, or confinement of domestic animals, as defined herein. Stable includes a building, or a portion thereof, used to shelter and feed horses and ponies.</p> <p><i>* Conditional Use on parcels located within the Utah Power & Light Utility Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for Conditional Use.</i></p> | P | X | X* | X* | X* | X | X | X | X | X |
| <p><u>Domestic Livestock and Fowl</u>. Limited to the following: (1) The keeping of not more than two (2) animals of the Equine family (Horses), or two (2) animals of the Bovine family (Cows), or two (2) animals of the Orvis family (Sheep), or two (2) animals of the Capra family (Goats) or twenty (20) rabbits, or fifty (50) chickens, or fifty (50) pheasants, or ten (10) turkeys, or ten (10) ducks, or ten (10) geese, or ten (10) pigeons, or five (5) beehives. Fractional combinations of domestic livestock and fowl may be kept in amounts that do not exceed a ratio of 1 (e.g. one (1) horse and ten (10) rabbits). The keeping of domestic livestock and fowl requires a minimum lot area of twenty thousand (20,000) square feet. Any offspring shall be included upon attaining the normal age of weaning. Additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl, identified above, for each one (1) acre of area in addition to the minimum area of twenty thousand (20,000) square feet.</p> <p>In the Country Acres and Venstra Subdivisions additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl identified above, for each one (1) acre of area, including the minimum area of twenty thousand (20,000) square feet Not more than five (5) times the allowable numbers listed above shall be permitted at any one time. (Ord. 1011, 5-5-2009)</p> <p><i>* Conditional Use on parcels located within the Utah Power & Light Utility Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for Conditional Use.</i></p> | P | X | X* | X* | X* | X | X | X | X | X |

EXHIBIT "B" – APRIL 26, 2016 PLANNING COMMISSION MINUTES

5. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE ZONING CODE REGARDING THE ALLOWANCE OF FARM ANIMALS ON LARGE PARCELS ALONG THE POWER CORRIDOR

Steve Parkinson stated that in January the Planning Commission discussed a proposed amendment to the Zoning Ordinance to allow farms animals on large lots next to the power line corridor between 3100 West and 3500 West. The Commission asked him to bring back information about regulations in the Zoning Ordinance prior to 2005 that allowed farm animals as a conditional use in residential zones in areas next to geographical impediments. The regulations stated that if a property owner owned or leased adjoining property under the power lines totaling 20,000 square feet, he could apply for a conditional use to use the property as though it were zoned RE-20.

Commissioner Paul asked if the land in the power line corridor was owned by the Power Company or individual owners. Steve Parkinson said it was owned by both. Some was even owned by the West Jordan Water Conservancy District.

Steve Parkinson said the regulation only applied to single-family residential areas adjacent to the power corridor.

Commissioner Kirch stated that this regulation was discussed when the General Plan was updated. The reason for the conditional use was to help control weeds. It was determined that it was more beneficial than negative to have this use in the power corridor. She did not know why it was taken out.

Commissioner Paul asked if a property owner had to register a lease agreement with the City if this was allowed. Steve Parkinson felt the City should have a copy of a lease agreement.

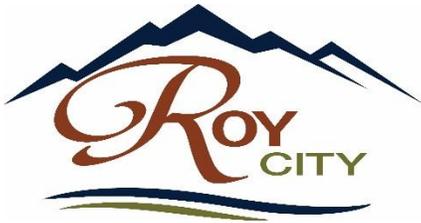
Steve Parkinson stated that Jacob Briggs was asking that the Zoning Ordinance be amended to allow uses traditionally associated with larger acreage. Mr. Briggs felt the ordinance could be amended by including an asterisk (*) next to the 'X' identifying certain uses in a zone as Prohibited. The asterisk would lead to the end of Table 17-1 where it would state that use is allowed on parcels located within the Corridor, e.g., **Conditional Use in parcels located within the Utah Power & Light Corridor and which otherwise meet the requirements of the use.*

Mr. Parkinson said Mr. Briggs was asking how the Planning Commission wanted the ordinance written. He would then submit a formal application.

Commissioner Kirch felt an amendment should include the language from the 2005 Zoning Ordinance, that a copy of any lease agreement be provided to the City, and that the use be limited to horses and cows. Table 17-1 need to indicate this use was conditional.

Commissioner Paul asked why this regulation was moved from the Zoning Ordinance. Mr. Parkinson did not know.

Steve Parkinson stated that he would let Mr. Briggs know what clarifications the Planning Commission had discussed



COMMUNITY DEVELOPMENT DEPARTMENT

MEMO

Date: 25 April 2016
To: Planning Commission
From: Steve Parkinson – Planning & Zoning Administrator 
Subject: Item # 5

Item # 5 – Discussion on a proposed amendment to the Zoning Code regarding allowance of Farm animals on large parcels along the Power Line Corridor between 3100 West and 3500 West.

I have attached to this memo the original proposed ordinance that Mr. Briggs wanted to get your feedback from on prior to making a formal applications.

I have also attached the minutes from the January 26, 2016 work-session where you had briefly discussed this proposal. Attached is also two other items that the Commission had requested to review.

1. Is the language that existed prior to 2005.
2. Is a map showing an Aerial of the area and the Zoning of the same area.

November 16, 2015

Roy City
Attn: Planning Commission

RE: Potential Ordinance

Dear Roy City Planning Commissioners,

There is an opportunity to put unused land to beneficial use in certain portions of the Utah Power & Light Power Corridor (the "Corridor"), areas which are currently vacant with grass and weeds being periodically mowed.

The current Zoning Map, dated 3/3/15, has various zoning designations for the Corridor, including R-1-7, R-1-8, R-1-10, RE-20, and Unincorporated. The Future Land Use map, adopted 12/29/14, identifies a large part of the Corridor as Utilities, with a significant portion Medium Density Single Family Residential, and one small parcel as Parks and Greenspace. The General Plan, at page 35, also mentions the Corridor as a possible future location for recreational sites.

While the current zoning of the Corridor includes medium density residential zones, many of the parcels within the Corridor are of a size and character as would facilitate uses traditionally associated with larger acreage. Conceptually, there are probably various ways to implement zoning that would provide additional uses for the Corridor. The main reason we have brought this issue to the Commission work session (rather than applying for a specific ordinance change) is that we respect the Commission's superior understanding of the ordinances.

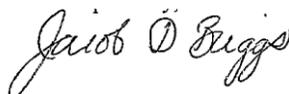
The Zoning Ordinance (Table 17-1, Table of Uses, Residential Zoning Districts) identifies the permitted or conditional uses within the various residential zones. One way to allow for additional uses within the Corridor would be to leave the Zoning Map unchanged, but include appropriate modifications to Table 17-1, specifying that the modifications are only applicable to parcels located within the Corridor.

This could be accomplished by including an asterisk (*) next to the "X" identifying certain uses in a zone as Prohibited. The asterisk would lead to the end of Table 17-1, where it would state that the use is allowed on parcels located within the Corridor, e.g., ** Conditional Use in parcels located within the Utah Power & Light Power Corridor and which otherwise meet the requirements of the use.*

Several of the uses in Table 17-1 which are currently not allowed in one or more of zones R-1-7, R-1-8, R-1-10, and RE-20 could appropriately be allowed uses in the Corridor. In particular, we would ask the Commission to consider the third and sixth uses of Table 17-1, Barn, Corral, Stable, Coop, Pen or Animal Run and Domestic Livestock and Fowl. Of course, allowance of these particular uses could also be facilitated by simply rezoning appropriate parcels to RE-20 on a case by case basis.

We believe beneficial use of vacant areas of the Corridor would be a substantial improvement for Roy City, and appreciate your willingness to consider this matter.

Respectfully,



January 26, 2016 Minutes

3. DISCUSSION REGARDING PROPOSED AMENDMENT TO THE ZONING ORDINANCE REGARDING ANIMAL RIGHTS ON THE POWER CORRIDOR

Steve Parkinson stated that Jacob Briggs was seeking feedback from the Planning Commission regarding the possibility of amending the Zoning Ordinance to allow animals on the power corridor between 3100 West and 3500 West.

Commissioner Paul asked who owned the power corridor. Mr. Parkinson stated that some of it was owned by Rocky Mountain Power. Other parcels were privately owned.

Commissioner Karras was concerned about how adjacent property owners would feel about the proposed amendment.

Commissioner Paul asked if there was access to the power corridor. Commissioner Karras said the power company had access.

Michelle Drago stated that prior to 2005 the Zoning Ordinance allowed animals on the power corridor and railroad rights-of-way as a conditional use. The applicant had to have a lease for 20,000 square feet and abide by all of the animal regulations contained in the RE-20 Zone.

Commissioner Paul stated that Steve Parkinson had worked for a city that had a power corridor. Did they allow animals on the power corridor? Mr. Parkinson stated that Clinton City did not allow animals in R-1-8 and R-1-10 Zones.

Commissioner Kirch wanted to see the zoning regulations referred to by Michelle Drago. She was amenable to allowing animals on the power corridor if an applicant could lease 20,000 square feet. There was quite a bit of land in the power corridor that was not being utilized. Another possible use for the Council to consider was a cemetery. The lack of horse property was becoming an issue. When Emma Russell Park was developed and the riding arena removed, it changed the dynamics for people who owned horses. She felt the Planning Commission should consider the request, but she wanted to study the issue before an application was filed.

Commissioners Karras and Paul agreed with Commissioner Kirch.

Commissioner Kirch stated that there were areas under the power lines that were not as open as others. She asked if the power corridor was a good nominee for an overlay zone.

Steve Parkinson stated that if the Planning Commission was interested, there were many ways to allow the use.

CHAPTER 5

RESIDENTIAL ZONES

ARTICLE A. RESIDENTIAL ESTATE ZONE (RE-20)

10-5A-2: **PERMITTED USES:** The following uses are permitted in the RE-20 zone:

Accessory building or use customarily incidental to a permitted use.

Agriculture.

Animals:

A. Equine animals; the keeping of not more than two (2) animals for private equestrian use only within any lot with a minimum of twenty thousand (20,000) square feet within the zone is permitted. In the event of reproduction, the offspring shall be counted upon attaining the normal age of weaning from the parent; or

B. Animals for family food production; the keeping of not more than two (2) pigs or two (2) sheep or two (2) cows or two (2) goats within any lot with a minimum of twenty thousand (20,000) square feet within the zone is permitted. In the event of reproduction, the offspring shall be counted upon attaining the normal age of weaning from the parent; or

C. Small animals and fowl for family food production; the keeping of not more than twenty (20) rabbits or fifty (50) chickens or fifty (50) pheasants or ten (10) turkeys or ten (10) ducks or ten (10) geese or ten (10) pigeons or five (5) beehives within any lot with a minimum of twenty thousand (20,000) square feet within the zone shall be permitted. Offspring shall be counted as adults.

D. Additional animals or fowl for larger lots; an additional number of animals or fowl equal to the numbers listed for each kind above may be kept for each one acre in the parcel over and above the minimum area of twenty thousand (20,000) square feet required for a single-family residential lot in the zone; however, not more than three (3) of the above listed kinds, i.e., pigs, rabbits, geese, etc., of animals and fowl may be permitted at any one time on any parcel smaller than one acre. Not more than five (5) times the allowable numbers listed above shall be permitted at any one time on any one parcel no matter how large.

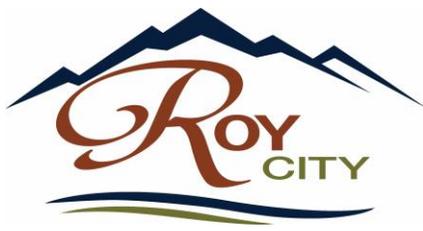
ARTICLE C. SINGLE-FAMILY RESIDENTIAL ZONES (R-1-10, R-1-8, R-1-7, R-1-6)

10-5C-3: **CONDITIONAL USES:** The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 13 of this title:

Animals. When it is determined by the city that physical or geographical impediments exist in an area which hamper the effective use of property, the city may approve a master site plan for that area, and upon approval of same, property owners may obtain ownership or lease rights to property adjoining that area owned by said owner and zoned for a building lot, and upon obtaining at least twenty thousand (20,000) square feet of total property, including the building lot, the owner of said lot may use said property, so far as keeping animals thereon is concerned, as though the property were in an RE-20 zone. If at any time the owner or his successor has legal control of less than the total amount of twenty thousand (20,000) square feet of property, the use rights revert to those of the established zone. All other uses and development shall be pursuant to the established zone for the property.

A. Physical or geographical impediments shall include utility lines, open or piped waterways, streams and sloughs, water retention ponds, substantially large easements, and such similar conditions.

B. Master site plan shall be a plan for the geographical area impacted by the physical or geographical impediments which shall include a projected layout of streets and necessary improvements, the location of the impediments, and so far as reasonable, the lots and land use within the area.



STAFF REPORT

Planning Commission

August 9, 2016
Agenda Item # 4

SYNOPSIS

Application Information

Applicant: John Hammond
Request: Request for
1. Site Plan and Architectural Approval
2. Conditional Use approval
Address: 4148 South Midland Drive

Land Use Information

Current Zoning: A-1; Agricultural (Un-incorporated Weber County)
Adjacent Land Use: North: CC; Community Commercial South: RE-20; Residential Estates
East: CC; Community Commercial West: C-3; Regional Commercial

Staff

Report By: Steve Parkinson
Staff Recommendation: Tabling

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 15 – Conditional Uses
- Roy City Zoning Ordinance Title 10, Chapter 19 – Off-Street Parking and Loading

ANALYSIS

Background:

The applicant is looking to demo the existing home and out buildings and build a new building. The entire property will only be partially developed at this time (see exhibit “B”). The biggest issue is the fact that the property currently is not within Roy City proper. The City has begun the process of annexing in this property and is currently on the tail end of the process. There is a Public Hearing on the annexation scheduled to be on the September 6th Council agenda.

The overall property is 3.85 acres (167,706 sq.-ft.) and the proposed Carwash will use approximately 1.84 acres (80,150.4 sq.-ft.) of the property, leaving approximately 2 acres of undeveloped land, for a future building and development.

Zoning: As mentioned above the zoning for this site is A-1; Agricultural. The zoning is irrelevant due to the fact that the property isn’t within Roy City proper. It is anticipated that when the property is annexed in that the Zoning will be CC; Community Commercial. Within the CC; Community Commercial zone a carwash is a Conditional Use.

Elevations: The building will be visible mainly from Midland Drive. The Elevations of the proposed building are attached to this report as Exhibit “C”. It doesn’t appear that the elevations meet the minimum requirement of a relief or break in the wall surface every 30 feet.

Landscaping: The proposed site appears to meet the requirements.

Vehicle Access/Circulation: Midland Drive is a UDOT road and UDOT will need to approve all access points onto this property.

Conditional Use Standards: The general standards for granting any Conditional Use are summarized by the following:

1. The requested use must be listed as a Conditional Use.
2. The use must comply with setbacks and other zoning standards.
3. The use must be conducted in compliance with the ordinance and any other regulations.
4. The property must be of adequate size to allow the use in a manner that is not detrimental to the surrounding uses.
5. Must be consistent with the goals and policies of the City's General Plan.

Staffs overview of the above mentioned standards are as follows:

- Carwash is listed as a Conditional Use within the Community Commercial zone
- The business is going within a new building, which is a part of this request
- The use will be in accordance with the zoning ordinance.
- The property is adequately sized for such a use.
- The proposed is consistent with the goals & policies of the General Plan.

All of this is based as if the property was already within Roy City limits and the zone is in fact Community Commercial.

Summary: The DRC hasn't been able to finish their review of the project. To be able to provide any comments.

CONDITIONS OF APPROVAL

- Completion of the Annexation of the property into Roy City.
- Compliance to all requirements from the DRC.

FINDINGS

1. The Building elevations and proposed materials can meet the Zoning standards.
2. The site plan can meet all of the requirements of the ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can Approve, Approve with conditions, Table or Deny.

RECOMMENDATION

Staff recommends tabling the Site Plan and Architectural review for The Wash Factory located at approximately 4148 South Midland Drive, until the DRC has finished their review of the project.

EXHIBITS

- A. Aerial Map
- B. Proposed Site Plan
- C. Proposed Elevations

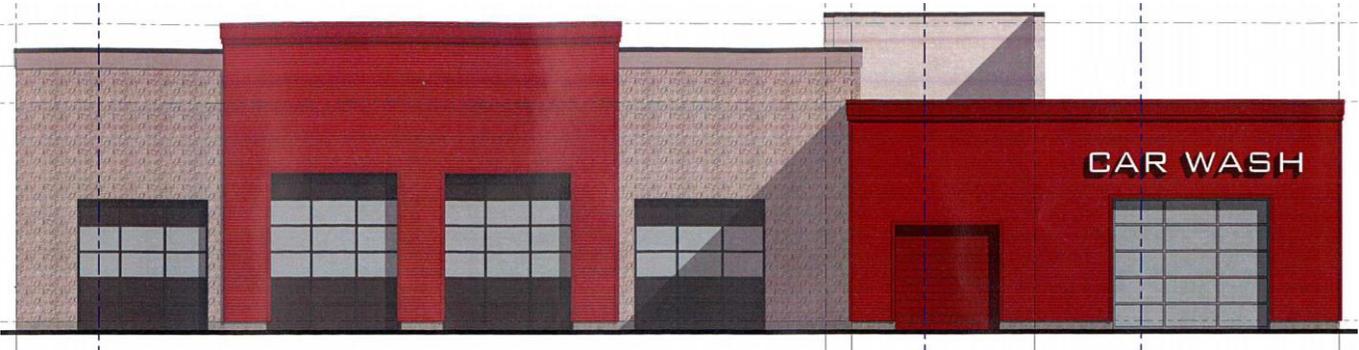
EXHIBIT "A" – AERIAL MAP



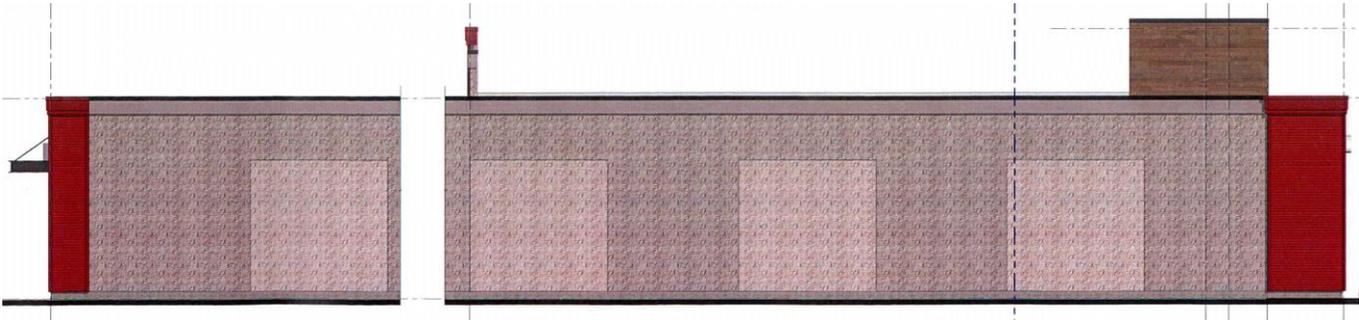
EXHIBIT "C" – PROPOSED BUILDING ELEVATIONS



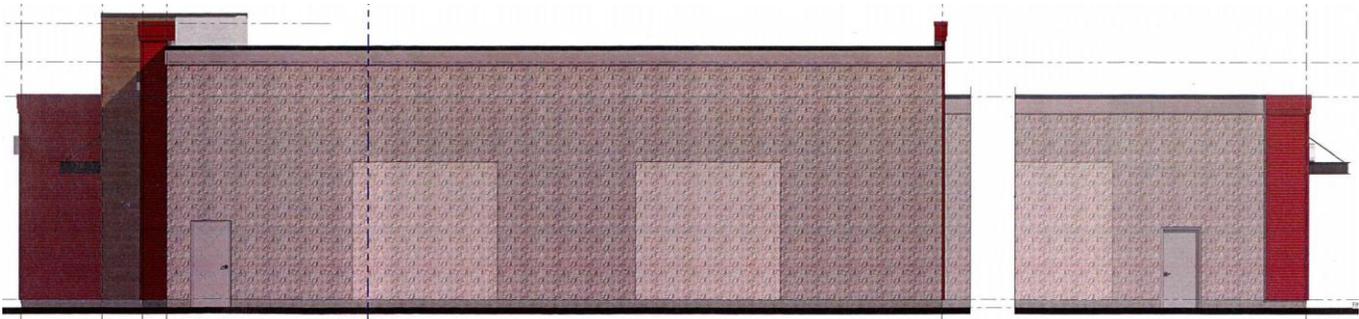
Western (Front) Elevation



Eastern (Rear) Elevation



Northern Elevation



Southern Elevation