

PLANNING COMMISSION

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

AGENDA

September 27, 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 September 13, 2016 regular meeting minutes
3. **6:00 p.m. – PUBLIC HEARING** – Consider a request for Conditional Use approval for Albion International Inc. for a “Manufacturing – Minor” business located at 1821 We 4000 So.; Ste A
4. Discussion on Table 17-1 & 17-2 regarding Conditional Uses.
5. Commissioners Comments
6. Staff Update
7. 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 19th day of August, 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 19th day of August, 2016.

STEVE PARKINSON;
PLANNING & ZONING ADMINISTRATOR



ROY CITY PLANNING COMMISSION

September 13, 2016

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on September 13, 2016, at 6:00 p.m.

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

The following members were in attendance:

Lindsey Ohlin, Chairman
Leland Karras
Gennie Kirch
Doug Nandell
Joe Paul
Claude Payne
Jason Sphar

Steve Parkinson, Planner
Trent Nelson, Assistant City Attorney
Michelle Drago, Secretary

Others present were: Mayor Willard Cragun; Cathy Spencer, Management Services Director; Todd Grandstaff; Robert Poirier; Brad Hunter; Tyson Hunter; Jacob Briggs; Jeremy McReynolds; Dak Maxfield; and Larry Bouwhuis.

Pledge of Allegiance:

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF AUGUST 23, 2016, MINUTES

Commissioner Karras moved to approve the August 23, 2106, minutes as corrected. Commissioner Kirch seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.

3. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND ROY CITY MUNICIPAL CODE; CHAPTER 17 – TABLE OF USES BY ADDING A PROVISION TO ALLOW DOMESTIC LIVESTOCK AND FOWL ALONG THE UTILITY CORRIDOR AS A CONDITIONAL USE WITHIN THREE (3) ZONES

Steve Parkinson stated that the City had received a request to amend Roy City's Zoning Code (Title 10, Chapter 17, Table of Uses) to allow domestic livestock and fowl along the utility corridor as a conditional use in the R-1-10, R-1-8, and R-1-7 Zones. In the west part of Roy, the Utah Power & Light (Rocky Mountain Power) corridor extended north and south the entire length of the community. There was open and unused land in the corridor. Prior to the adoption of the new Zoning Code in 2005, domestic livestock were allowed on physical geographical impediments as a conditional use under the same regulations found in the RE-20 Zone. The provision was removed when the new Zoning Code was adopted. Jacob Briggs was asking that the provision be reinstated along the power corridor only in the R-1-10, R-1-8, and R-1-7 Zones; the zones

found along the power corridor. The RE-20 Zone was also found along the corridor, but it already allowed domestic livestock and fowl. The Planning Commission had discussed the requested amendment in a few work sessions. Based on discussion and direction from the Planning Commission, the staff had prepared a text amendment to Table 17-1, Table of Uses):

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 and Prohibited in each of the zones R-1-7, R-1-8, and R-1-10. The asterisk would lead to the end 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.*

The staff recommended approval of a text amendment to Title 10, Chapter 17, Table of Uses as proposed.

Commissioner Nandell moved to open the public hearing at 6:04 p.m. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Chairman Ohlin opened the floor for public comments.

Jacob Briggs, Clinton, felt the text amendment would provide a great opportunity to put the land in the corridor to use. He wasn't sure how much livestock the land could support as it was not irrigated. He felt making the use conditional would give the Planning Commission the opportunity to address each parcel individually. He thanked the City staff for putting the material together.

Commission Paul moved to close the public hearing at 6:09 p.m. Commissioner Sphar seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Commissioner Kirch stated that the Planning Commission was currently reviewing conditional uses found in the Table of Uses to determine if any could actually be permitted. Was this a use that should be permitted? Steve Parkinson said the use could be permitted as long as language in the Zoning Ordinance contained all appropriate conditions. If the use was permitted, the caveat still needed to be in the ordinance.

Commissioner Kirch asked if the use would be open grazing or if there would be boundaries. Mr. Parkinson said there would be boundaries. Utah Power & Light did not own every parcel in the corridor.

Trent Nelson, Assistant City Attorney, asked if the Planning Commission could imagine a scenario where this use would need some flexibility. A conditional use would give the Planning Commission some flexibility.

Commissioner Kirch complimented the staff for the ordinance preparation.

Commissioner Kirch moved to recommend that the City Council approve a text

amendment to Title 10, Chapter 17, Table of Uses adding a provision to allow domestic livestock and fowl along the utility corridor as a conditional use within the R-1-10, R-1-8, and R-1-7 Zones. Commissioner Paul seconded the motion. A roll call vote was taken: Commission members Nandell, Kirch, Payne, Sphar, Ohlin, Karras, and Paul voted “aye.” The motion carried.

4. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE MASTER LAND USE MAP OF THE GENERAL PLAN AND THE ZONING MAP FOR PROPERTY LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST BY CHANGING A PORTION OF THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL TO MEDIUM DENSITY, SINGLE-FAMILY RESIDENTIAL AND THE ZONING DESIGNATION FROM RE-20 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) AND R-1-8 (SINGLE-FAMILY RESIDENTIAL)

Steve Parkinson stated that the City had received petitions to amend the General Plan's Future Land Use Map and the Zoning Map for property located at 5455 South 4300 West. The petitioners were requesting that the a portion of the property's future land use designation be changed from Commercial to Medium Density, Single-Family Residential and that the zoning designations be changed from RE-20 to Community Commercial and R-1-8.

Mr. Parkinson said the property in question was located on the northwest corner of 5500 South 4300 West. The Planning Commission and City Council discussed the property in a joint work session. Both bodies felt the hard corner should be commercial and that the remainder of the property should have a single-family use similar to the adjacent subdivision in Hooper. The applicant was proposing to build a carwash on a portion of the commercial area. The remaining acre would be left for a convenience store.

Mr. Parkinson said the staff had found that the proposed rezone was the highest and best use of the land. The rezone supported Roy's economic development. The staff recommended approval of the requests to amend the Future Land Use Map and the Zoning Map.

Chairman Ohlin asked how many 8,000 square foot lots would fit on the property. Mr. Parkinson did not know. It would depend on how a subdivision was laid out. Any access onto 5500 South would have to be approved by UDOT because it was a state road.

Commissioner Nandell asked if the City had any plans to widen 4300 West now that Hooper and Clinton had built an extension. The road was now open clear to Antelope Drive. Mr. Parkinson said the City did not have any plans to widen 4300 West. He wasn't sure what plans Clinton, West Point and Syracuse had. He didn't think any of them had immediate plans to widen the road.

Commissioner Sphar moved to open the public hearing at 6:18 p.m. Commissioner Payne seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.

Chairman Ohlin opened the floor for public comments.

Jeremy McReynolds, 5494 South 4425 West, Hooper, stated that the property being considered was in his backyard. In the past few years, 45 new homes had been built by his home; now 5500

South was a mess. Drivers did not pay attention to the crosswalk at 4300 West. His neighborhood was so congested; he took the back way out. He did not feel this was the time to develop this property. The road could not handle the traffic that was there.

Commissioner Paul asked if UDOT had plans to put in a signal at 5500 South 4300 West. Mr. Parkinson was not aware of any plans.

Todd Grandstaff stated that he had an option to purchase and develop this property in question. He had completed extensive studies since the Planning Commission/City Council work session. The studies indicated that the only commercial the site would support was a convenience store and maybe a carwash. All of the commercial business was going to Syracuse, Clinton, and Riverdale. The subdivision would not have access from 5500 South. For the time being, the existing house would remain. The Howard Slough ran through the property. They could leave it alone or enclose it. They were waiting for study results to determine if a carwash was feasible.

In response to a question from Commissioner Paul, Mr. Grandstaff said they hoped to put in a carwash. They would let someone else do the convenience store.

Commissioner Karras asked if all access would be from 4300 West. Mr. Grandstaff said the subdivision access would be from 4300 West. The entrance to the carwash would be on 5500 South.

Commissioner Kirch asked if they planned to create something to prevent subdivision residents from using the carwash to access 5500 South. Mr. Grandstaff said they would put some kind of barrier in place.

Commissioner Paul asked if they owned the property to the north. Mr. Grandstaff said they did not. They had tried to purchase it, but the owner wasn't interested in selling.

Commissioner Paul asked what plans they had for the slough. Mr. Grandstaff said they planned to leave it 'as is.' If they were able to acquire the property to the north, they would put in a pathway to the City's nearby park. There was a spot along the slough for a bench.

Commissioner Paul asked if any of the land could be developed. Mr. Grandstaff said there was some buildable area. If they built a bridge across the slough and a turnaround for a fire engine, there was room for another two to three lots on the other side of the slough.

Commissioner Nandell moved to close the public hearing at 6:27 p.m. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Commissioner Kirch stated that prior to 2005, the City Council made a motion to not allow lots smaller than R-1-10; had that motion gone by the wayside? Mr. Parkinson felt the motion only applied to properties being annexed into the City. The adjacent lots in Hooper were 9,000 to 10,000 square feet in size. The lots on the east side of 4300 West were zoned R-1-7.

Chairman Ohlin stated that the Future Land Use Map showed the entire property with a commercial use. Mr. Parkinson said the applicant was requesting that a portion of the property be

changed to medium density, single-family residential. Chairman Ohlin asked if the City was concerned about losing this commercial space. Mr. Parkinson did not feel this location was viable for anything more than a convenience store.

Commissioner Paul moved to recommend that the City Council approve a request to amend the General Plan's Future Land Use map by changing the future land designation of a portion of the property located at 5455 South 4300 West from Commercial to Medium Density, Single-Family Residential based on the staff's findings. Commissioner Karras seconded the motion. A roll call vote was taken: Commission members Kirch, Paul, Payne, Ohlin, Sphar, and Karras voted "aye." Commissioner Nandell voted "nay." The motion carried.

Commissioner Paul moved to recommend that the City Council approve a request to amend Zoning Map by rezoning property located at 5455 South 4300 West from RE-20 (Residential Estate) to Community Commercial and R-1-8 (Single-Family Residential) based on the staff's findings. Commissioner Sphar seconded the motion. Commission members Karras, Payne, Sphar, Ohlin, Paul, and Kirch voted "aye." Commissioner Nandell voted "nay." The motion carried.

5. PUBLIC HEARING TO CONSIDER A REQUEST FOR PRELIMINARY APPROVAL OF THE ROYAL SUBDIVISION, A TWO (2) LOT SUBDIVISION, LOCATED AT 2235 WEST 4800 SOUTH

Steve Parkinson stated that the City had received a request for preliminary approval of the Royal Subdivision; a two-lot subdivision located at 2235 West 4800 South. The property owners were proposing to split an existing parcel into two lots. The property was zoned R-1-8 and contained 19,600 square feet. Each of the proposed lots would have 9,800 square feet. The existing home met the setback requirements. Each lot met the requirements of the Subdivision and Zoning Ordinances. The staff recommended of the subdivision subject to the conditions listed in the staff report.

Commissioner Paul asked if there would be a shared driveway. Mr. Parkinson said there would not.

Commissioner Paul moved to open the public hearing at 6:31 p.m. Commissioner Payne seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Chairman Ohlin opened the floor for public comments.

Larry Bouwhuis, 2350 West, stated that he was a realtor working with the property owners. They had reached the point in their lives where they wanted to sell half of their property for a building lot.

Commissioner Kirch moved to close the public hearing at 6:36 p.m. Commissioner Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Commissioner Paul moved to recommend that the City Council grant preliminary approval of the Royal Subdivision based on the staff's findings and subject to the conditions recommended by the staff. Commissioner Nandell seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

6. CONSIDERATION OF A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL AND A CONDITIONAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 4148 SOUTH MIDLAND DRIVE

Steve Parkinson stated that the Planning Commission considered a site plan for the Wash Factory located at 4148 South Midland Drive during the August 9th meeting. It tabled consideration until the DRC completed its review. The proponent was proposing to develop only a portion of the property at this time. The future development was just a concept at this time. The staff had found that the building elevations and proposed materials could meet the zoning standards. The site plan could meet all the requirements of the ordinance. The staff recommended approval of the site plan, architectural details, and conditional use subject to completion of the annexation of the property into Roy City and compliance with all the requirements of the Development Review Committee.

Commissioner Paul asked if the proposed building had enough architectural relief. Mr. Parkinson said the Planning Commission would have to determine if the change of materials would provide enough relief.

Commissioner Kirch asked if the City Council had considered the annexation. Mr. Parkinson said it had not. The newspaper did not publish the public notice correctly. The hearing would have to be rescheduled. Any recommendation from the Planning Commission should be subject to approval of the annexation and zoning.

Commissioner Kirch asked about the staff's geotechnical recommendation. Mr. Parkinson said all new construction was required to provide a geotechnical report. Commissioner Kirch asked about other staff recommendations. Mr. Parkinson said the staff had questioned whether the proposed location of the dumpster was accessible. Commissioner Kirch asked about exterior lighting. Mr. Parkinson said lighting was not shown on the site plan. The staff did not know what the proponent was proposing.

Robert Poirier, Sandy, stated that he was the engineer. The lighting would consist of wall-mounted wall packs with shielded down facing lights. He was not aware of any additional pole lights. If the Planning Commission felt pole lights would increase the safety of the site, the applicant would add them.

Commissioner Paul asked if the carwash would be open 24 hours a day. Mr. Poirier said it would not. It was a carwash and detailing business that would be open during business hours.

Commissioner Kirch asked if there would a light would be needed at the Midland Drive access. Steve Parkinson said lights were generally not required at ingress/egress points.

Commissioner Kirch asked about architectural relief along the 30 feet in the back of the building. Mr. Poirier said the developer intended to use different materials to provide visual relief. Commissioner Kirch recalled that the developer planned to bring the brick out a little. Mr. Poirier said it would be easy to make a small adjustment to the architectural details.

Commissioner Kirch moved to approve a site plan and architectural details for a carwash/commercial development located at 4148 South Midland Drive based on the staff's findings, subject to the conditions recommended by the staff, and subject to annexation and appropriate zoning. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Commissioner Nandell moved to recommend that the City Council approve a conditional use for a carwash located at 4148 South Midland Drive based on the staff's findings, subject to the conditions recommended by the staff, and subject to annexation appropriate zoning. Commission Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

7. CONSIDERATION OF ARCHITECTURAL APPROVAL FOR A BUILDING LOCATED AT 3531 WEST 5600 SOUTH

Steve Parkinson stated that there was an existing building located at 3531 West 5600 South west of the 7-11 and Weber State buildings. One of the current tenants was Southfork Hardware. The owner was seeking architectural approval for exterior changes to the building. A new entrance would be added to the west end. The interior would be modified to allow for another tenant. That staff had found that the proposed secondary entrance could meet the minimum building standards established by the Zoning Ordinance. The staff recommended approval of the exterior remodel subject to the conditions listed in the requirements and recommendations of the Building Official.

Brad Hunter, Ogden, stated that Southfork Hardware was still in business and would remain in the building. They just didn't need that much square footage. The building would be modified to allow 6,400 square feet for another tenant.

Commissioner Kirch moved to approve the architectural plan for the building located at 3531 West 5600 South based on the staff's findings and subject to the conditions recommended by the staff. Commissioner Sphar seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

8. COMMISSIONER'S COMMENTS

Commissioner Kirch asked if there was anything new regarding the property at 4500 South 1900 West. Mr. Parkinson said there hadn't been anything since the rezone.

Commissioner Paul asked about plans for the old library on 4800 South. Mr. Parkinson said it would be used for storage for a few years. He did not know what the City's long range plan was.

Commissioner Paul asked if UTA had any plans for a crosswalk on 4000 South to provide access for the senior housing. Mr. Parkinson said UTA had applied for and received a TIGER Grant. One of the projects to be funded by the grant was a crosswalk on 4000 South with flashing lights. Commissioner Paul asked if 4000 South would be widened. Mr. Parkinson said there weren't current plans to widen 4000 South, but plans could evolve over time. He felt 4800 South and 5600 South would be widened before 4000 South was.

9. STAFF UPDATE

Steve Parkinson stated that the biggest project right now was a study of the Front Runner Station and 1900 West in conjunction with the Ogden Airport and Hill AFB. The study was being funded by Roy City, Weber County, the Wasatch Front Regional Council, and UTA.

Commissioner Kirch asked if the study would look at the area between the railroad rights-of-way located between 4400 South and 4800 South. Mr. Parkinson hoped that area would be included in the study. She asked about the study's time line. Mr. Parkinson said it would take twelve to eighteen months. There would be two public open houses. The first one would gather background data. Commissioner Paul asked if UTA would make the final decision on property they owned. Mr. Parkinson said the study was to develop a long-range plan for Roy City. There were six entities working on the study. UTA only had a portion.

10. ADJOURN

Commissioner Kirch moved to adjourn at 7:01 p.m. Commissioner Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.

Attest:

Lindsey Ohlin
Chairman

Amy Mortenson
City Recorder

dc: 09-13-16



SYNOPSIS

Application Information

Applicant: Travis Larsen
Request: 6:00 p.m. – Public Hearing - Request for Conditional Use approval for Albion International Inc. for a “Manufacturing – Minor” business located at 1821 We. 4000 So.; Ste A
Address: Approximately 1821 West 4000 South

Land Use Information

Current Zoning: BP; Business Park
Adjacent Land Use: North: BP; Business Park South: BP; Business Park
East: BP; Business Park West: BP; Business Park

Staff

Report By: Steve Parkinson
Recommendation: Recommends approval

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 15 – Conditional Uses
- Roy City Zoning Ordinance Title 10, Chapter 17 – Table of Uses

ANALYSIS

Background:

The applicant is looking to operate a business within an existing building. No changes are proposed for the exterior of the building.

Description: The business will occupy a suite within the existing building. The business “Manufacturing – Minor” will run tests of products to ensure that the product complies with various specifications and other requirements.

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:

- Manufacturing - Minor is a listed Conditional Use.
- The business is going within an existing building.
- Use is 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.



CONDITIONS OF APPROVAL

- Receive Conditional Use approval from the Roy City Council.

FINDINGS

- I. All Conditional Use standards are met.

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends approving the Conditional Use approval for Albion International Inc. for a “Manufacturing – Minor” business, located at approximately 1821 West 4000 South; Ste. A

EXHIBITS

- A. Aerial Map
- B. Narrative of Business

EXHIBIT “A” – AERIAL MAP

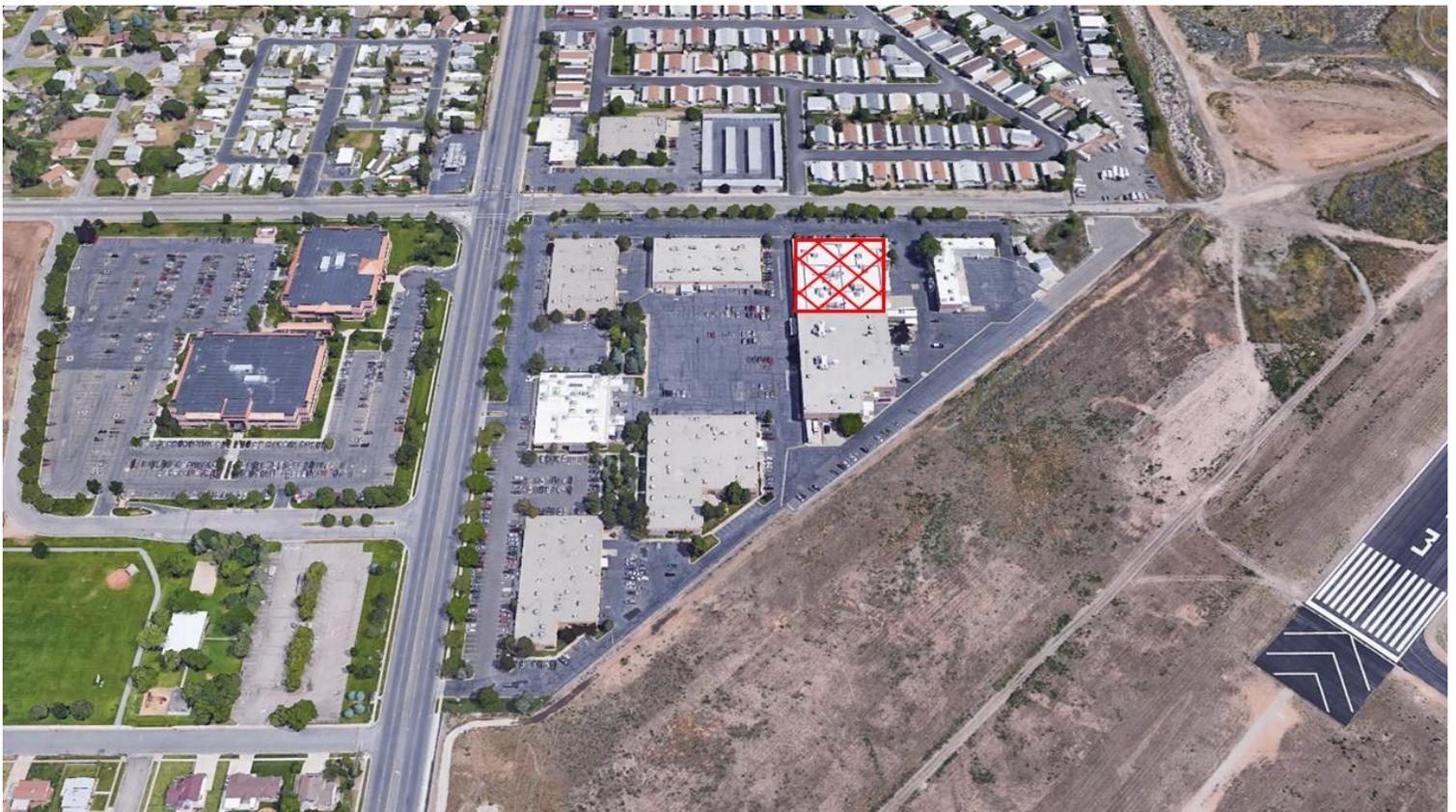
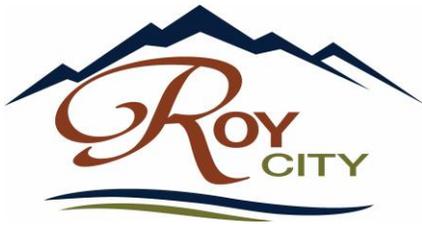


EXHIBIT "B" – NARRATIVE OF BUSINESS

Albion International, Inc. ("Albion") desires to lease space from IBP Funding LC located at 1821 W 4000 S, Building 3, Suite A, Roy, Utah 84067 (the "Space"). Albion proposes to use the Space to establish a quality control laboratory ("Lab"). Albion is a manufacturer and seller of high quality, specialty, mineral ingredients and products. Albion needs a Lab to test its products to ensure that the products comply with various specifications, and other requirements.

After Albion manufactures product, samples from its product would be brought into the Lab for testing. Any liquid emissions from the Lab would be water containing detergent and food particles, similar to a kitchen or restaurant. Any gas emissions would be inert argon and nitrogen gas, carbon dioxide, and water vapor. Small amounts of nitric acid vapor would be exhausted out the stack on the roof of the building through the fume hood. Any noise from the building would be from an air compressor and/or the HVAC system (fume hood), but none of these should be audible outside of the building; the compressor may be audible through the adjacent wall within the building.



COMMUNITY DEVELOPMENT DEPARTMENT

MEMO

Date: September 30, 2016
 To: Planning Commissioners
 From: Steve Parkinson – Planning & Zoning Administrator 
 Subject: Review of Conditional Uses

Last month during our work-session we had a training on Conditional Uses and after the training there was a discussion regarding Chapter 17 of the Roy City’s Zoning Code, and the listing of uses as Conditional Uses.

Each of you were to review over the tables found in chapter 17 and come ready to discuss concerns or issues with our current listing of some issues.

I have attached Table 17-1 & 17-2 for you review.

TABLE 17-1 - TABLE OF ALLOWED USES - RESIDENTIAL ZONING DISTRICTS

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone) A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

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
<u>Accessory Building</u> . A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P	P	P	P	P
<u>Accessory Use</u> . A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot as the primary use.	P	P	P	P	P	P	P	P	P	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. * 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.	P	X	X*	X*	X*	X	X	X	X	X
<u>Church</u> . A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	P	P	P	P	P	P	P	P	P	P



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
<u>Day Care Center/Assisted Care Center.</u> A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	X	X	X	X	X	X	X	C	C	X
<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. 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) * 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.	P	X	X*	X*	X*	X	X	X	X	X
<u>Dwelling Unit, Condominium.</u> An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which are typically maintained by an association of the owners. Must meet allowed Density Requirements of the applicable Zone.	X	X	X	X	X	X	X	C	C	X
<u>Dwelling Unit, Multiple-Family.</u> A building containing three (3) or more dwelling units.	X	X	X	X	X	X	X	C	C	X
<u>Dwelling Unit, Single-Family.</u> A building containing one (1) dwelling unit.	P	P	P	P	P	P	P	P	P	P
<u>Dwelling Unit, Two-Family.</u> A building containing two (2) attached dwelling units.	X	X	X	X	X	X	P	P	P	X
<u>Educational Facility.</u> Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.	P	P	P	P	P	P	P	P	P	P
<u>Home Day Care.</u> The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than five (5) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6). Home Day Care may use the entire residential living area and additionally may use yard space for play purposes. This use is required to comply with all business licensing requirements of Roy City.	P	P	P	P	P	P	P	C	C	C

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
<u>Outside Storage of Recreational Vehicles (Limited)</u> . The storage and parking of not more than two (2) recreational vehicles, including motor homes, boats, caravans, trailers, or similar, for a period exceeding forty-eight (48) hours, and owned by the property owner.	P	P	P	P	P	P	P	P	P	P
<u>Personal Care Service</u> . An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	X	X	X	X	X	X	X	X	P	X
<u>Public Park-And-Ride Lots</u> . Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C	C	C	C	C	C	C
<u>Public Commuter and Light Rail Facilities and Station</u> . A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C	C	C	C	C
<p><u>Residential Facility for Elderly Persons</u>. A single-family or multiple-family dwelling unit that does not operate as a business and is owned by one of the residents, or an immediate family member of one of the residents, or the title is placed in trust for a resident, and that meets the requirements of Sec. 10- 9-103; Sec. 10- 9-501; and Sec. 10-9-502, Utah Code Annotated, as amended, meeting all applicable International Building Code, Zoning and Health Code requirements, and is occupied on a 24-hour-per-day basis by eight (8) or fewer elderly persons in a family-type arrangement. Adequate off-street parking shall be provided and the facility must be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character.</p> <p>No person being treated for alcoholism or drug abuse shall be placed in a residential facility for elderly persons; and placement in a residential facility for elderly persons is on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. Elderly Person means a person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently. Residential Facility for Elderly Persons does not include a health care facility as defined by §26-21-2, Utah Code Annotated, 1953, as amended.</p>	P	P	P	P	P	P	P	P	P	P
<p><u>Residential Facility for Persons with a Disability</u>. A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.</p>	P	P	P	P	P	P	P	P	P	P

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>Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School).</u> A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.</p>	C	C	C	C	C	C	C	C	C	C
<p><u>Swimming Pool.</u> An artificial body of water having a depth in excess of eighteen inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women or children, and located on a same lot or parcel as a dwelling, or dwellings.</p>	P	P	P	P	P	P	P	P	P	P
<p><u>Telecommunications Site/Facility.</u> A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but is required to meet location requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part 97. A facility may be located on any property owned by the City.</p>	X	X	X	X	X	X	X	X	X	X
<p><u>Temporary Use.</u> A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.</p>	T	T	T	T	T	T	T	T	T	T
<p><u>Tennis Court/Sports Court.</u> An improved area used for the playing of tennis or other sports activities, including, but not limited to, basketball and volleyball, and located on a same lot or parcel as a dwelling, or dwellings.</p>	P	P	P	P	P	P	P	P	P	P

TABLE 17-2 - TABLE OF ALLOWED USES - NON-RESIDENTIAL ZONING DISTRICTS

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone) A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

CC = Community Commercial
M = Manufacturing

RC = Regional Commercial
BP = Business Park

LM = Light Manufacturing
R = Recreational

USE	CC	RC	LM	M	BP	R
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P
<u>Accessory Caretaker Dwelling Unit.</u> An attached or detached dwelling unit for an employee or owner and incidental and clearly subordinate to an existing primary building or use and located on the same lot as the primary building or use.	X	C	C	C	C	C
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot or in the same building as the primary use.	P	P	P	P	P	P
<u>Adult Arcade.</u> Any place to which the public is permitted or invited wherein coin operated or slug operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas. An Adult Arcade shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Bookstore, Adult Novelty Store, Adult Video Store.</u> A commercial establishment which has significant or substantial portion of its stock in trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; B. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others. Adult Bookstores, Adult Novelty Stores, and Adult Video Stores shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Cabaret.</u> A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: A. Persons who appear seminude; B. Live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities; or C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas. An Adult Cabaret shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Adult Motel.</u> A motel, hotel or similar commercial establishment which: A. Offers public accommodations, for any form of consideration, and which regularly provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas and which regularly advertises the availability of such material by means of a sign visible from the public right of way, or by means of any off premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; and B. Offers a sleeping room for rent for a period of time less than ten (10) hours. An Adult Motel shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Motion Picture Theater.</u> A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration. An Adult Motion Picture Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Theater.</u> Theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in state of semi nudity or live performances which are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities. An Adult Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Animal Hospital (Veterinary Clinic), With Holding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities But which may include indoor holding and boarding facilities.	C	C	X	C	X	X
<u>Animal Hospital (Veterinary Clinic), Without Holding or Boarding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.	P	P	X	P	X	X
<u>Bank, Credit Union or other Financial Institution.</u> A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money. A bank, credit union or other financial institution proposing to provide drive-through service shall be required to secure a Conditional Use Permit approval for such drive through facility as provided herein.	P	P	X	X	P	X
<u>Billboard.</u> A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.	X	X	X	X	X	X
<u>Car Wash.</u> A structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.	C	C	X	C	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	C	C	X	X	C	X
<u>Class A Beer Licenses - Off Premises Consumption.</u> A Class A retail license shall entitle the licensee to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Class B Beer Licenses - On Premises Consumption, Restaurants.</u> 1. A Class B retail license shall entitle the licensee to sell beer in the original containers or on draft for consumption on the premises. 2. Only bona fide restaurants whose food sales constitute at least seventy percent (70%) of the gross dollar value of licensee's business shall be entitled to Class B licenses. (Utah Code Annotated section 32A-4-106(30)). A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Beer Licenses - On Premises Consumption, Taverns:</u> A Class C retail license shall entitle the licensee to sell on the premises beer on draft or in original container for consumption on the premises, and to all the privileges granted the holders of Class B retail licenses, all to be exercised in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of the City. A Class C retail license shall be issued only to an applicant engaged in good faith in the business of dispensing and selling beer at retail over a bar, and where such business is the principal business conducted on the licensed premises. A Class C License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class D Beer Licenses; Temporary.</u> A Class D retail license shall entitle the licensee to sell beer in the original containers only upon such premises during such times as the Council, upon application of the licensee, may designate from time to time by resolution. Such sales may be made for consumption on or off the designated premises. The Council shall designate only those premises upon which public fairs, stock and other animal shows, celebrations, fiestas, occasional athletic contests, and similar events occur. A copy of the Council's resolution designating the premises upon which sales may be made under a Class D license shall be posted and conspicuously displayed with the license at such premises. A Class D License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
<u>Class E Beer Licenses - On Premises Consumption, Private Club.</u> A Class E retail license shall entitle the licensee to all of the privileges of a Class C license upon any premises licensed as a club pursuant to the Utah Nonprofit Corporations Act and the Utah Alcoholic Beverage Control Act, and all authority to be exercised shall be pursuant to the same and the ordinances of the city. A Class E License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class A Liquor Licenses – Private Club.</u> A Class A liquor license shall entitle the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. All sales under a private club license shall be to bona fide members of the licensed club, guest members or their visitors accompanied by members or guest members, and not to the general public.. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class B Liquor Licenses - Restaurants.</u> 1. A Class B liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. Liquor is to be provided only in conjunction with a meal. A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Liquor Licenses - Temporary:</u> A Class C liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. A Class C liquor license shall be issued for a period not to exceed three (3) days, to be determined by the Council. No person under the age of twenty-one (21) years shall sell or serve liquor under a Class C liquor license and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T

USE	CC	RC	LM	M	BP	R
<u>Commercial Day Care/Preschool Center</u> . A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Day Care/Preschool Center excludes the following: (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or (c) Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; (d) or clearly identified as an Accessory Use.	C	C	X	X	C	X
<u>Commercial Plant Nursery</u> . A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	C	P	X	C	X	X
<u>Commercial Recreation (Indoor)</u> . Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	C	C	X	C	X	X
<u>Commercial Recreation (Outdoor)</u> . An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	X	C	X	X	X	C
<u>Construction Sales and Service</u> . An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	C	C	X	C	X	X
<u>Contractor's Office/Contractor's Storage Yard</u> . A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	X	X	C	X	X
<u>Convenience Store</u> . A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	C	P	X	X	X	X
<u>Day Care Center/Assisted Care Center</u> . A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	C	C	X	X	X	X
<u>Drive through/Drive up Facility</u> . A facility where goods and services are provided to customers within a vehicle.	C	C	X	X	C	X
<u>Educational Facility</u> . Privately or publicly owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, and including Charter Schools. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction.	P	P	X	X	C	X
<u>Emergency Care Facility</u> . A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.	C	C	X	C	C	X

USE	CC	RC	LM	M	BP	R
<u>Golf Course</u> . A an area used for the purposes of playing golf, but which may include associated restaurant, commercial retail sales areas, staff offices and course maintenance facilities.	X	X	X	X	X	C
<u>Hospital</u> . A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.	C	C	X	X	C	X
<u>Hotel</u> . A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	C	P	X	X	X	X
<u>Kennel</u> . A commercial establishment having three (3) or more dogs for boarding, breeding, buying, letting for hire, training for profit, or selling. (Ord No. 16-10, 7-5-2016)	X	X	X	C	X	X
<u>Laundry, Self Serve or Dry Cleaning</u> . An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	C	P	X	X	X	X
<u>Liquor Store – State Owned</u> . An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.	X	C	X	X	X	X
<u>Manufacturing, Major</u> . Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	X	C	X	X
<u>Manufacturing, Minor</u> . Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	X	C	P	C	X
<u>Major Facility of a Public Utility</u> . Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	X	X	C	C	X	X
<u>Medical and Dental Clinic</u> . An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	P	P	X	X	C	X
<u>Medical or Dental Laboratory</u> . An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.	C	P	C	P	C	X
<u>Minor Facility of a Public Utility</u> . A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	C	C	C	C	C	C
<u>Mortuary, Funeral Home</u> . An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services.	C	P	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Motel.</u> A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.	C	P	X	X	X	X
<u>Nightclub.</u> A place of entertainment open at night usually serving food and liquor, having a floor show, and providing music and space for dancing. A Nightclub that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Nursing Home. Convalescent Care Center.</u> A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	C	X	X	X	X	X
<u>Office.</u> A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	P	P	X	X	P	X
<u>Pay-day Lending:</u> Lenders engaging primarily in the business of small, short term loans provided against a prearranged line of credit, post-dated check, deposits, vehicle titles or other instruments. The number of such facilities licensed within the City limits may not exceed one (1) per five thousand (5,000) or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. (Ord. 1018, 8-4-2009)	X	C	X	X	X	X
<u>Pawnshop.</u> Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; (c) Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or (d) Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property. The number of such facilities licensed within the city limits may not exceed one (1) per ten thousand (10,000), or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. Such facilities shall not be located closer than six hundred (600) feet to any residential zone or to another Pawn Shop. (Ord. No 1071; 11/18/14)	X	C	X	X	X	X
<u>Personal Care Service.</u> An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	C	P	X	X	X	X
<u>Personal Instruction Service.</u> An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	P	P	X	X	C	X
<u>Pet Grooming.</u> A commercial establishment for the grooming of pets. No boarding, breeding, buying, letting for hire, training or selling. (Ord No. 16-10, 7-5-2016)	C	P	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Private Club.</u> Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Public Park-And-Ride Lots.</u> Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C	C	C
<u>Public Commuter and Light Rail Facilities and Station.</u> A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C
<u>Reception Hall, Reception Center.</u> A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	C	P	X	X	X	X
<u>Recycling Collection Center.</u> A center for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged to not impede traffic flow. The operator of the collection enter shall remove products stored at the site at least once a week. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two (2) per site.	C	C	C	C	C	X
<u>Restaurant.</u> A building or facility for the preparation, retail sale, and on- site consumption of food and beverages, sells food and beverages over a counter, packages its food in wrappers, boxes or cartons regardless if the food is consumed on or off the restaurant premises; and may provide a drive through/drive up facility.	C	P	X	X	C	X
<u>Retail Sales and Services.</u> Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.	P	P	X	X	X	X
<u>Salvage yard.</u> The use of any lot, portion of a lot, or land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery and/or the storage and sale of dismantled or damaged vehicles or their parts.	X	X	X	X	X	X
<u>Seasonal Use.</u> A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots. This use and requirements to establish this use by Chapter 16, herein, shall become effective on January 01, 2006. All other seasonal uses not listed above are prohibited.	T	T	X	X	X	X
<u>Seminude Model Studio.</u> Any place where a person, who regularly appears in a state of semi nudity, is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons, except as may be allowed by Title 3-7 et. seq. Roy City Municipal Code.	X	C	X	X	X	X
<u>Tattoo & Body Art.</u> Establishments engaged primarily in the practice of physical body adornment or modification, including but not limited to body piercing, tattooing, branding or scarification. All Tattoo & Body Art establishments shall obtain and maintain in good standing a proper license from the Weber-Morgan Health Department. Tattoo & Body Art establishments may not be located closer than six hundred (600) feet to any other such establishment as defined, or to any church, school or other community gathering place. The number of such facilities licensed within the city limits may not exceed one per every ten thousand (10,000) or portion thereof of the most recent United States Census Bureau estimated population of Roy City. The hours of operation are limited to between 10:00 a.m. and 10:00 p.m. No minors shall be allowed on the premises without an accompanying adult guardian. (Ord. 1060, 11-19-2013)	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Tavern</u> : An establishment licensed by the Utah Alcoholic Beverage Control Commission for serving beer by the drink to the general public.	X	C	X	X	X	X
<u>Telecommunications Site/Facility</u> . An unmanned structure consisting of antennas, antenna support structures, or other equipment used to provide personal wireless services as set forth in Section 704 of the Telecommunications Act of 1996, as amended. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located but is required to meet the locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or amateur radio service adopted under 47 C.F.R. Part97. A facility may be located on any property owned by the City.	X	X	X	C	X	C
<u>Temporary Use</u> . A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.	T	T	T	T	T	T
<u>Theater, Indoor Picture</u> . A building or part of a building devoted to the showing of moving pictures on a paid admission basis.	X	P	X	X	X	X
<u>Tobacco Oriented Retail</u> . A commercial establishment with less than 10,000 square feet of total sales area, where the sale and/or display of tobacco and/or tobacco related products accounts for greater than 10% of the sales floor and display areas, or where the sale of tobacco and/or tobacco related products accounts for more than 30% of gross sales receipts, or any commercial establishment of any size declaring itself through name or advertising to be oriented specifically to the selling of tobacco and/or tobacco related products. Tobacco Oriented Retail uses may not be located within 600 feet of one another as measured at the closest property lines. (Ord. 1032, 9-7-2010)	X	C	X	X	X	X
<u>Trailer Camp Or Trailer Court</u> . Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.	X	X	X	X	X	C
<u>Vehicle and Equipment Rental or Sale, New or Used, Major</u> . An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used heavy truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental. [also see § 1109]	X	C	X	P	X	X
<u>Vehicle and Equipment Rental or Sale, New or Used, Minor</u> . An establishment engaged in the retail sale or rental, from the premises, of new or used motorcycles, automobiles, and/or light trucks, with a Manufacturer’s Gross Vehicle Weight Rating not to exceed 14,000 pounds, with incidental service or maintenance. Typical uses include dealers of motorcycles, automobiles, and light trucks. [also see § 1109]	X	P	X	P	X	X
<u>Vehicle and Equipment Repair, Major</u> . An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	C	X	P	X	X
<u>Vehicle and Equipment Repair, Minor</u> . An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings, but not including paint and body shops or other general vehicle repair services. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.	C	P	X	P	X	X

USE	CC	RC	LM	M	BP	R
<u>Warehouse, Self-Service Storage.</u> An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property. (Ord. 1063, 4-1-2014)	X	X	C	P	X	X
<u>Wholesale and Warehousing, Major.</u> An establishment that is primarily engaged in the storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major mail distribution centers, frozen food lockers, moving and storage firms, and warehousing and storage facilities.	X	X	X	C	X	X
<u>Wholesale and Warehousing, Minor.</u> An establishment that is engaged in the small scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms and similar high volume, high turnover facilities. Limited wholesale and warehouse area will generally be less than 30,000 square feet in area and operate during conventional business hours.	X	X	C	P	C	X