



## AGENDA

**March 8, 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 February 23, 2016 minutes
3. 6:00 p.m. – PUBLIC HEARING – Consider a request for Preliminary Subdivision approval for Lee subdivision, a two (2) lot commercial subdivision located at 1770 W. Riverdale Rd. (5300 S.)
4. Continuation – PUBLIC HEARING – Consider a request for Conditional Use approval for Jamestown a multi-family residential development located at 5000 S. 1750 W.
5. Commissioners Minute
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](mailto: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 4<sup>th</sup> day of March 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 4<sup>th</sup> day of March 2016.

STEVE PARKINSON;  
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2  
3 February 23, 2016

4  
5  
6 Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy  
7 City Municipal Building on February 23, 2016, at 6:00 p.m.

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

12  
13 The following members were in attendance:

14  
15 Lindsey Ohlin, Chairman Steve Parkinson, Planner  
16 Leland Karras Michelle Drago, Secretary  
17 Gennie Kirch  
18 Doug Nandell  
19 Lindsey Ohlin  
20 Joe Paul  
21 Claude Payne  
22 Jason Sphar  
23

24 Others present were: Mayor Willard Cragun; Cathy Spencer, Management Services Director;  
25 Greg Sagen; Jason Kunzler; David Webb; Emma Raven; Amy Webb; Scott Jones; Emily Bati;  
26 and Dale Hansen.

27  
28 Pledge of Allegiance: Gennie Kirch  
29

30 Chairman Ohlin welcomed Jason Sphar, the newest member of the Planning Commission. He  
31 was from the Herefordshire area.

32  
33 1. DECLARATIONS OF CONFLICT

34  
35 There were none.

36  
37 2. APPROVAL OF FEBRUARY 9, 2016, MINUTES

38  
39 **Commissioner Kirch moved to approve the February 9, 2016, minutes as written.**  
40 **Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell,**  
41 **Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

42  
43 3. PUBLIC HEARING TO CONSIDER AMENDING THE ROY CITY MUNICIPAL CODE BY  
44 REMOVING SECTIONS OF THE CODE DEALING WITH THE SIGN ORDINANCE FROM  
45 TITLE 9, CHAPTER 4, AND TITLE 10, CHAPTER 20, AND CREATING A NEW TITLE 13  
46 – SIGN REGULATIONS

47  
48 Steve Parkinson stated that after several months of discussion and debate it was time for the  
49 Planning Commission to hold a public hearing to consider amending the Roy City Municipal Code  
50 by removing sections of the code dealing with the Sign Ordinance from Title 9, Chapter 4, and  
51 Title 10, Chapter 20, and creating a new Title 13. The staff felt the sign regulations were large

52 enough to have its own title. The staff had made all of the modifications the Planning Commission  
53 had previously discussed and recommended that the new Sign Ordinance be approved.

54  
55 **Commissioner Kirch moved to open the public hearing at 6:01 p.m. Commissioner Nandell**  
56 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne,**  
57 **and Sphar voted “aye.” The motion carried.**

58  
59 Chairman Ohlin opened the floor for public comments. There were none.

60  
61 **Commissioner Paul moved to close the public hearing at 6:02 p.m. Commissioner Karras**  
62 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne,**  
63 **and Sphar voted “aye.” The motion carried.**

64  
65 **Commissioner Paul moved to recommend that the City Council amend the Roy City**  
66 **Municipal Code by removing sections of the code dealing with the Sign Ordinance – Title**  
67 **9, Chapter 4, and Title 10, Chapter 20 – and creating a new Title 13 as presented by staff.**  
68 **Commissioner Payne seconded the motion. A roll call vote was taken: Commission**  
69 **members Karras, Nandell, Sphar, Ohlin, Kirch, Paul, and Payne voted “aye.” The motion**  
70 **carried.**

71  
72 Commissioner Kirch thanked Mr. Parkinson for his work on the Sign Ordinance. It was a beautiful  
73 document.

74  
75 4. PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE APPROVAL  
76 TO ALLOW A CAFÉ BUSINESS ON PROPERTY LOCATED AT APPROXIMATELY 2039  
77 WEST 4000 SOUTH

78  
79 Steve Parkinson stated that the Weber County Library was requesting that the City approve a  
80 conditional use for a café in the new library located at 2039 West 4000 South. The café was  
81 overlooked when the Weber County Library requested approval of a conditional use and site plan.  
82 The Planning Commission<sup>3</sup> considered the site plan and site improvements, but it did not consider  
83 internal uses other than the library itself. The Building Inspector and Fire Marshal knew about the  
84 proposed café, so all of the inspections had been conducted. The Weber County Library planned  
85 to have a small café where sandwiches would be sold. The sandwiches would not be prepared  
86 on site. The request met all aspects of the General Plan and Zoning Ordinance. The staff  
87 recommended that the conditional use be approved subject to the applicant obtaining and  
88 maintaining a Roy City business license and obtaining inspections from the Weber/Morgan Health  
89 Department, Roy City Fire Department, and the Roy City Building Department.

90  
91 **Commissioner Karras moved to open the public hearing at 6:05 p.m. Commissioner Sphar**  
92 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne,**  
93 **and Sphar voted “aye.” The motion carried.**

94  
95 Chairman Ohlin opened the floor for public comments.

96  
97 Scott Jones, Hooper, Assistant Library Director, invited the Planning Commission members to  
98 attend the open house for the new Southwest Branch of the Weber County Library on Saturday,

99 February 27<sup>th</sup>, from 3:00 to 6:00 p.m. The dedication would be held at 2:00 p.m. The first day of  
100 operation would be Monday, February 29<sup>th</sup>.

101  
102 Commissioner Kirch asked if the café would be similar to the one in the Ogden Region Branch.  
103 Mr. Jones said it would as the same proprietor had won the bid. The proprietor was anxious to  
104 obtain a business license. They wanted to be able to operate during Saturday's open house and  
105 dedication.

106  
107 Commissioner Kirch asked if the café at the Southwest Branch would be larger than the one in  
108 the Ogden Region Branch. Mr. Jones felt it would be larger as the Southwest Branch would have  
109 a larger clientele.

110  
111 Commissioner Kirch asked about the feature in the children's area. Mr. Jones said it was a secret.  
112 He invited Commissioner Kirch would have to come and see.

113  
114 **Commissioner Kirch moved to close the public hearing at 6:09 p.m. Commissioner Paul**  
115 **seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne,**  
116 **and Sphar voted "aye." The motion carried.**

117  
118 **Commissioner Kirch moved to recommend that the City Council approve a conditional use**  
119 **for a café to be located in the Southwest Branch of the Weber County Library located at**  
120 **2039 West 4000 South based on the staff's findings and subject to the conditions**  
121 **recommended by the staff. Commissioner Karras seconded the motion. Commission**  
122 **members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion**  
123 **carried.**

124  
125 Steve Parkinson stated that the City Council would hold a special meeting on Thursday, February  
126 25<sup>th</sup>, to approve the conditional use.

127  
128 5. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE ZONING CODE TO  
129 ALLOW CHICKENS AND RABBITS

130  
131 Commissioner Nandell asked about the history behind this issue. Commissioner Kirch stated that  
132 the Planning Commission originally considered a request to amend the Zoning Ordinance to allow  
133 chickens and bees in residential zones on October 26, 2010. At that time the Planning  
134 Commission recommended that the request be denied. The Planning Commission was asked to  
135 consider the issue again in 2012. The Planning Commission spent more time on the chicken issue  
136 than it had on the Sign Ordinance.

137  
138 Steve Parkinson stated that on February 2<sup>nd</sup> the City Council directed the staff to prepare an  
139 amendment to the Zoning Ordinance to allow chickens and rabbits in residential zones. The  
140 ordinance proposed by Councilman Hilton was similar to the one the Commission prepared in  
141 2012, except for the point system. It allowed six chickens or six rabbits or a combination of the  
142 two regardless of zone or lot size. The staff had researched and provided copies of ordinances  
143 regulating chickens from the cities surrounding Roy. Some allowed chickens; some did not.  
144 Clinton City provided an information packet to anyone who applied for a chicken permit. A copy  
145 of that packet was provided as well. If the Planning Commission liked the amendment prepared  
146 in 2012, it could direct the staff to place it on an agenda and schedule a public hearing.

147  
148 Commissioner Kirch asked if the Planning Commission would have to hold a public hearing. Mr.  
149 Parkinson said it would. This time the applicant was the City itself.  
150

151 Commissioner Kirch stated that when the Planning Commission received the first request to allow  
152 chickens in residential zones in 2010, there weren't a lot of cities that had similar uses. There  
153 wasn't anything like it. The Planning Commission was asked to write an ordinance about  
154 something so new other cities didn't have anything like it. She recently asked Roy's Code  
155 Enforcement Officer about problems with chickens. The Code Enforcement Officer said the  
156 problems with chickens were minimal compared to cats and dogs.  
157

158 Commissioner Kirch didn't have a problem with the proposed amendment. With all of the  
159 information now available she felt comfortable moving forward. She said Item 1 of the proposed  
160 amendment was different from the 2012 version. It removed the point system and set the  
161 maximum number of chickens at six. The Planning Commission had spent a lot of time on the  
162 point system, but the proposed amendment was simple. It would be easier to enforce. She felt  
163 the Planning Commission needed to consider the size of the structure stipulated in 3-C-1; whether  
164 chickens should be free roaming; how to dispose of dead animals; and how far a heated coop  
165 should be from an adjoining structure.  
166

167 Chairman Ohlin asked felt the language about inspections in 2-C was vague. She was uneasy  
168 about an inspection that would be conducted when the City 'deemed it necessary.' Steve  
169 Parkinson said an applicant would be required to submit a simple site plan with their application.  
170 If the City received a complaint about the chickens, an inspection would be conducted to  
171 determine if a change was needed. Chairman Ohlin felt 2-C should be clarified.  
172

173 Chairman Ohlin asked about 2-F – Notice adjacent neighbors. Was the City notifying the  
174 neighbors for their information only? Mr. Parkinson said it was. Commissioner Kirch said the  
175 notification would simply notify neighboring property owners about what was going on. Mr.  
176 Parkinson said the bee regulations had the same requirement.  
177

178 Chairman Ohlin felt the site plan required in 2-G was unnecessary as long as the regulations were  
179 clear. Mr. Parkinson said the site plan did not have to be to scale. It would have to have  
180 dimensions, and it could be hand-drawn. It was easier to erase a line on paper than to move a  
181 coop after a violation was discovered.  
182

183 Chairman Kirch said the Planning Commission felt a site plan was needed to make sure the  
184 applicant did not put a coop in the wrong place. The requirement was meant to help the applicants,  
185 not hinder them.  
186

187 Commissioner Karras stated that the intent of the site plan requirement was to make sure  
188 applicants knew what they could and could not do. Chairman Ohlin felt that could be handled with  
189 a clearly written permit.  
190

191 Commissioner Paul asked who would review and approve the site plan. Mr. Parkinson said as  
192 the Zoning Administrator he would.  
193

194 Chairman Ohlin asked where the size requirement for the coop came from. Commissioner Kirch  
195 said the Planning Commission had looked at size requirements for different cities and made a  
196 composite.

197  
198 Chairman Ohlin asked if a coop could be attached to a detached garage. Mr. Parkinson said it  
199 could as long as it was ten feet away from a property line.

200  
201 Chairman Ohlin asked about the square footage of the coop. Commissioner Kirch said it was  
202 three square feet per animal, which was what Utah State and the Department of Agriculture  
203 recommended.

204  
205 Commissioner Paul asked if an applicant could apply for a variance. Steve Parkinson said an  
206 applicant would have to prove something about his land prevented him from complying with the  
207 requirements of the ordinance. He felt it would be difficult for an applicant to prove such a  
208 hardship.

209  
210 Chairman Ohlin stated that 3-C-1 required a coop to have solid walls on all sides. Most coops had  
211 sides made of chicken wire. Commissioner Karras said the coop itself had to have solid walls. A  
212 run would be constructed of chicken wire.

213  
214 Chairman Ohlin questioned the use of the word 'screening' in 3-C-4. In other places in the Zoning  
215 Ordinance 'screening' meant making something non visible. She felt different wording should be  
216 used. She asked if a run had to be covered.

217  
218 Commissioner Paul felt the maximum size of a coop should be stipulated. If it wasn't, a  
219 homeowner could make his entire backyard a chicken run. Clinton City stated that the maximum  
220 size of a coop and run combined could not be larger than 150 square feet.

221  
222 Chairman Ohlin felt the requirement in 3-C-3 to paint or stain the coop annually should be  
223 removed. A lot of coops were constructed of material besides wood. Mr. Parkinson felt the first  
224 sentence about maintenance should be retained. He would take out the sentence about annual  
225 staining.

226  
227 Commissioner Sphar stated that chicks could be sold according to sex. A homeowner might  
228 purchase all hens, but occasionally one ended up being a rooster. How would a homeowner  
229 dispose of an unwanted animal, such as a rooster or older hen? The chicken regulations  
230 prohibited sales or slaughter. Commissioner Kirch pointed out that the City did not tell a  
231 homeowner how to dispose of dogs or cats. Why should the chickens be any different? It would  
232 be up to the homeowner. Commissioner Nandell said small animals were considered waste and  
233 could be placed in garbage cans.

234  
235 Chairman Ohlin asked about fees. Steve Parkinson said fees would be determined by the City  
236 Council. The Planning Commission could make recommendations if it wanted to.

237  
238 Chairman Ohlin asked about a onetime application. Was there really a need for a permit to be  
239 renewed annually? Commissioner Kirch said the Planning Commission felt the annual renewal  
240 fee should be less than the original permit fee. Commissioner Paul felt renewing the permit would  
241 help the City know who still had coops and who did not. He felt it was important for the City to

242 have current information. Consistent information was beneficial. It wouldn't be any different than  
243 renewing a dog or cat license.

244  
245 Commissioner Kirch stated that raising chickens wasn't cheap. Those who wanted to have  
246 chickens were dedicated to the lifestyle and the finances involved. It wasn't fair to those who  
247 wanted to have chickens to have others who purchased chicks for Easter, put them out, and did  
248 not follow the rules.

249  
250 Commissioner Sphar felt an annual renewal would give both the applicant and the City the  
251 opportunity to update numbers and site plans.

252  
253 Commissioner Kirch stated that the staff and Planning Commission spent a lot of time on this  
254 issue several years ago. Circumstances had changed since then. The use was more common.  
255 There was a lot of data available. Some of the Planning Commission's original concerns had been  
256 mitigated by evidence. Would this ordinance be fair to citizens who wanted to have fowl and those  
257 who did not want to be bothered? She felt the proposed ordinance would allow both to co-exist.

258  
259 There was a discussion about what size the coop and run should be.

260  
261 Chairman Ohlin asked members of the audience about the size of a typical run.

262  
263 David Wells, 6074 South 2900 West, stated that homeowners wanted their chickens to be free to  
264 roam all over their back yards. The run was only for use when a homeowner was not at home.  
265 Chickens reduced the amount of insects and field mice in a yard. He did not feel 150 square feet  
266 was large enough.

267  
268 Greg Sagen, 4027 West 4900 South, agreed that the run was for keeping chickens in when a  
269 homeowner wasn't home. Keeping chickens in a run was not normal for the animal. When  
270 chickens were cooped up, they became mean with each other.

271  
272 Jason Kunzler, 5446 South 4125 West, stated that he had been in contact with Utah State  
273 Department of Agriculture. They recommended eight square feet per bird for a healthy bird. Six  
274 chickens would mean 48 square feet of run. They recommended 1.5 square feet of coop space  
275 per bird, or a total of 9 square feet.

276  
277 Steve Parkinson stated that chickens did fly, which was the reason behind the requirement for a  
278 coop and covered run. Chairman Ohlin felt the chicken ordinance should require wings to be  
279 clipped.

280  
281 David Wells stated that more space was needed in the run than in the coop. If a coop as too large,  
282 chickens could not keep themselves warm.

283  
284 Commissioner Kirch felt the staff should research how much square footage was needed per bird.

285  
286 Steve Parkinson pointed out that the regulations needed to address rabbits as well. He did not  
287 know how much room a rabbit needed. He would have to do some research. He suggested that  
288 the regulations break out the requirements for chickens and rabbits.

289

290 Steve Parkinson stated that he would make the changes discussed and bring the proposed  
291 ordinance back for the Planning Commission to review. Commissioner Kirch said the Commission  
292 had concerns about 2-C, 2-G, 3-C-1, 3-C-3, and 3-C-4. She felt it would be easier to lessen  
293 restrictions in the proposed ordinance than make it more restrictive. She said the Planning  
294 Commission would have to discuss whether to allow chickens to roam free. She proposed that  
295 the square footage in the coop be changed to 2 square feet per animals. More research was  
296 needed to determine if that number was definitive.

297  
298 Commissioner Kirch asked if a coop needed to be ten feet away from another structure if it was  
299 heated. Mr. Parkinson said he would ask the building inspector.

300  
301 Commissioner Kirch felt Roy's proposed ordinance was simple and to the point. At the time it was  
302 written she wasn't sure about it. After reading ordinances from other cities, she realized that Roy's  
303 was well written.

304  
305 Commissioner Kirch knew that members of the audience had a special interest in this issue. It  
306 was uncommon for the public to be invited to make comments outside of a public hearing. The  
307 minutes of February 2013 reflected that the Planning Commission forwarded a proposed  
308 ordinance regulating chickens and bees to the City Council without a recommendation. At that  
309 time allowing fowl in residential areas had many unknowns. She felt it behooved the Commission  
310 members to conduct research to see if any municipalities had experienced negative impacts from  
311 fowl in residential areas.

312  
313 6. COMMISSIONER'S COMMENTS

314  
315 Commissioner Paul asked when the roundabout on 4800 South would be started. Cathy Spencer,  
316 Management Services Director, stated that construction would begin on the roundabout when the  
317 school year ended. Commissioner Paul asked if homes in the West Park Subdivision would be  
318 occupied before the roundabout was finished. Steve Parkinson stated that the subdivision had  
319 not been recorded yet. The City could not issue building permits until it was.

320  
321 7. STAFF UPDATE

322  
323 Steve Parkinson stated that he did not have information about the completion of Midland Drive.  
324 Commissioner Kirch stated that UDOT's website said they were supposed to start crack sealing  
325 on February 20<sup>th</sup>. Commissioner Nandell said UDOT had sealed Midland Drive and was currently  
326 striping it.

327  
328 Steve Parkinson stated that construction had started on Station Square.

329  
330 Commissioner Nandell asked if the meeting on March 22<sup>nd</sup> would be cancelled due to caucus  
331 meetings. Mr. Parkinson said it would.

332  
333 8. ADJOURN

334  
335 **Commissioner Paul moved to adjourn at 7:11 p.m. Commissioner Nandell seconded the**  
336 **motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted**  
337 **“aye.” The motion carried.**

338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349

Attest:

---

Michelle Drago  
Secretary

dc:02-23-16

---

Lindsey Ohlin  
Chairman



**SYNOPSIS**

**Application Information**

Applicant: Long Song Lee  
Request: PUBLIC HEARING – 6:00 P.M. - for Preliminary Subdivision approval for Lee subdivision, a two (2) lot commercial subdivision.  
Address: Approximately 1770 W. Riverdale Rd. (5300 S.)

**Land Use Information**

Current Zoning: RC; Regional Commercial  
Adjacent Land Use: North: RC; Regional Commercial      South: RC; Regional Commercial  
East: RC; Regional Commercial      West: RC; Regional Commercial

**Staff**

Report By: Steve Parkinson  
Recommendation: Recommends approval with conditions

**APPLICABLE ORDINANCES**

- Roy City Zoning Ordinance Title 10, Chapter 10 (General Property Development Standards)
- Roy City Subdivision Ordinance Title 11, Chapter 3 (Preliminary Subdivision Application)
- Roy City Subdivision Ordinance Title 11, Chapter 9 (Subdivision Development Standards)

**BACKGROUND**

The property is located on the on the North side of Riverdale Road, North of Harmons. It sits on the edge of Roy prior to going into Riverdale City. About 10 months or so an Oriental market occupied the west side of what is proposed to be Lot 1 before it burned down and on Lot 2 is the Hi-Fi shop.

**Subdivision:** The proposed subdivision is to subdivide 1.33 acres (58,008 sq.-ft.) of property into two (2) individual parcels of 29,004 sq.-ft. each.

**Zoning:** The property is recently zoned RC and according to table 10-2 of the zoning ordinance the RC zone doesn't have a minimum requirement for Commercial lots.

**Access:** Both parcels have access to a public street, and will have a cross access easement on each lot to provide circulation throughout both properties.

**Improvements / Utilities:** Both lots are currently served by all utilities.

**DRC Review:** The DRC has reviewed the development, (see Exhibit "C"). There are a many items needing to be re-submitted prior to applying for final plat approval, but nothing that would cause the subdivision not to comply with all applicable codes.

**Summary:** This small two (2) lot subdivision can meet all aspects of the zoning and subdivision requirements for lot width and lot size.

## CONFORMANCE TO THE GENERAL PLAN

The future land use map shows and supports this area to be developed as RC; Regional Commercial

## CONDITIONS OF APPROVAL

1. Compliance to the requirements and recommendations as outline in the DRC memo dated 29 February 2016 (Attached).

## FINDINGS

1. The proposed subdivision meets all of the requirements of the Zoning Ordinance.
2. The proposed subdivision meets all of the requirements of the Subdivision Ordinance

## RECOMMENDATION

Staff recommends approving the Preliminary Subdivision of Lee subdivision, located at approximately 1770 W. Riverdale Rd. (5300 S.) with the conditions as discussed and as outlined within the staff report.

## EXHIBITS

- A. Aerial Map
- B. Preliminary Subdivision plat
- C. DRC Memo dated 29 February 2016

## EXHIBIT "A" – AERIAL MAP





DEVELOPMENT REVIEW COMMITTEE



established 1937

REVIEW MEMO

Date: 29 February 2016

To: Long-Song Lee  
Tzeng Feng Lee  
Ernest Rowley; Landmark Survey

From: Steve Parkinson – Planning & Zoning Administrator   
Mark Miller – City Engineer  
Jeff Comeau – Deputy Fire Chief  
Ed Pehrson – Building Official  
Ross Oliver – Public Works Director  
Clint Drake – City Attorney

Subject: Lee Commercial Subdivision - Preliminary Plat [submitted – Feb 8, 2016]

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

**Engineering -**

- I. We reviewed the proposed Lee Subdivision for conformance with the Roy City Subdivision Ordinance. The drawing provided to the City does not comply with the requirements of Section 302 (see attached) of said Ordinance. Enough information is missing (especially items listed in Subsection 5) that we suggest the plat be returned to the developer’s engineer to be revised before a formal review is completed. It may be helpful for the developer’s engineer to get a copy of Roy’s Ordinances to insure the new submittal is complete.

**Building / Fire / Public Works / Legal -**

- I. No comment at this time

**Planning -**

- I. As mentioned within the Engineering comments, the preliminary plat provided does not comply with Roy City’s ordinance, with aspects of what is to be on a preliminary plat. The submitted plat appears to be a combination of a preliminary plat and final plat. With that said there are issues with the signature blocks that are on the plans. (The signature blocks are for the Final plat not preliminary plat.
  - a. Remove the Community Development and Weber/Morgan Health signature blocks.
  - b. Replace the language for the Attorney, City Acceptance and Engineer with the following:

ROY CITY ENGINEER  
I hereby certify that the requirements of all applicable statues and ordinances prerequisite to approval by the Engineer of the foregoing plat and dedications have been complied with. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Roy City Engineer

ROY CITY ATTORNEY  
Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_\_.

\_\_\_\_\_

Roy City Attorney

### ROY CITY ACCEPTANCE

This is to certify that this subdivision plat was duly accepted by the City Council of Roy City and approved by the Mayor, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Roy City Mayor

\_\_\_\_\_  
Attest

### Section 302 — Preliminary Subdivision Application – Requirements:

All Preliminary Subdivision Applications, filed with the Zoning Administrator, shall provide the following information.

1. Preliminary Subdivision Application Form. A Preliminary Subdivision Application Form, provided by the City, shall be completed and signed by all owner(s) with a fee interest in the Subject Property, as identified on the property assessment rolls of Weber County, or the authorized agent of the property owner(s).
2. If the Preliminary Subdivision Application Form is signed by an agent of the owner(s), the Preliminary Subdivision Application Form shall be accompanied by an original notarized affidavit by the owner(s) identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Preliminary Subdivision Application.
3. Preliminary Subdivision Application Fee. The Preliminary Subdivision Application Form shall be accompanied by the Preliminary Subdivision Application fee, as established by a Resolution of the Council.
4. Preliminary Subdivision Plat. A Preliminary Subdivision Plat, prepared by a licensed land surveyor, or engineer, shall be provided. The Preliminary Subdivision Plat shall be prepared in pen and all sheets shall be numbered. A minimum of one (1) 11 inch x 17 inch size and five (5) 24 inch x 36 inch size paper copies, and a digital copy in format acceptable to the City Engineer shall be provided. The Preliminary Subdivision Plat shall show the following:
  - a. A layout plan of the proposed subdivision for the entire Subject Property, at a scale of not more than 1" = 100', or as recommended by the Zoning Administrator and/or City Engineer.
  - b. The name of the proposed Subdivision and the section, City, range, principal median, and County of its location shall be located at the top and center of the Preliminary Subdivision Plat.
  - c. A title block, placed on the right hand side of the Plat showing:
    - i. Name and address of the Property Owner(s) of record and the name and address of the licensed surveyor or licensed engineer responsible for preparing the Preliminary Subdivision Plat.
    - ii. Date of preparation of the Preliminary Subdivision Plat, and all revision dates.
  - d. North arrow, graphic and written scale, and basis of bearings used.
  - e. All proposed lots, rights-of-way, and easements created by the proposed subdivision and their bearings, lengths, widths, name, number, or purpose.
  - f. A vicinity map of the Subject Property, at a minimum scale of 1" = 1000'.
  - g. Surveyed boundary of the proposed subdivision; accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. The location of the Subject Property with respect to surrounding properties and roads, and the names of all adjoining property owners of record.
  - h. The legal description of the entire Subject Property boundary.
  - i. The location of any common space or open space areas including the location of all property proposed to be set aside for public or private reservation, with the designation of the purpose of such set aside, and conditions, if any, of the dedication or reservation.
5. Required Subject Property Information.

The following information shall be provided for the Subject Property at the same scale as the Preliminary Subdivision Plat and on separate sheets, as applicable:

  - a. The identification of known natural features on a map including, but not limited to, jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, flood channels as identified by a Federal or State Agency, all water bodies and drainage ways, any sensitive lands, and any potential natural hazards such as ground shaking or liquefaction, and any other natural features for the Subject Property, including the total acres in each.
  - b. Existing site contours, at intervals of no greater than one (1) feet, unless otherwise approved by the City Engineer, overlaid with the proposed subdivision layout.
  - c. The location of any known man-made features on, or contiguous to the Subject Property, including existing platted lots, utility easements, railroads, power lines and power poles, bridges, culverts, drainage channels, road and street rights-of-way and easements, field drains, and well or spring protection areas.
  - d. The location and dimensions of all existing buildings, fence lines and property lines, overlaid with the proposed subdivision layout.
  - e. The layout of all existing and proposed overhead and underground utilities such as power, gas, cable, telephone,

- and other public and private utilities.
- f. All existing and proposed road and street locations and dimensions, with cross sections of all new roads and streets, proposed to be dedicated to the City, showing the grades of all proposed streets and roads, all proposed cuts and fills exceeding three (3) feet, and the proposed radius of all center line curves.
  - g. The location and size of existing and proposed culinary water and sanitary sewer lines, the location of all wells and springs, and/or the location of all existing and proposed secondary water system facilities as required by Roy Water Conservancy Subdistrict and City Engineer, as applicable, overlaid with the proposed subdivision layout.
  - h. The location and size of existing and proposed storm drainage and flood control facilities including pipe sizes, inlets, detention areas, and identifying all drainage arrows.
  - i. The location of all existing and proposed fire hydrants, including the sizes of all existing and proposed water lines serving all fire hydrants.
  - j. Each proposed lot shall identify required setback lines including identifying the required front, side, and rear yard areas, as required by the Zoning District in which the proposed subdivision is located.
  - k. The location of existing and proposed land drains systems.

~~6. Title Report.~~

~~A Title Report for the Subject Property, provided by a Title Company within thirty (30) calendar days of the date of the Preliminary Subdivision Application.~~

~~7. Tax Clearance~~

~~A tax clearance provided by the Weber County Treasurer within thirty (30) calendar days of the date of the Preliminary Subdivision Application indicating that all taxes, interest, and penalties owing for the Subject Property have been paid.~~

8. Evidence of Availability of Necessary Services.

The following information shall be provided to establish the availability of services to the proposed subdivision.

- a. Culinary Water. As required and provided by the Act, the Roy City Engineer, is hereby designated as the Culinary Water Authority for the City. It shall be the responsibility of the Applicant(s) to provide all information and materials required by the City Engineer necessary to review the proposed culinary water system and culinary water sources.
- b. Sanitary Sewer. As required and provided by the Act, the Roy City Engineer is hereby designated as the Sanitary Sewer Authority for the City. It shall be the responsibility of the Applicant(s) to provide all information and materials required by the City Engineer, necessary to review and provide a written approval of the feasibility of the proposed sanitary sewer system.
- c. Roads and Streets. The Preliminary Subdivision Application shall identify the proposed road and street layout. Proposed subdivision streets shall make provision for the continuation of existing streets. It shall be the responsibility of the Applicant (s) to provide all information and materials, required by the City Engineer, necessary to review and provide a written recommendation of the proposed road and street system and designs.
- d. Storm Drainage and Flood Control Facilities. The Preliminary Subdivision Application shall identify the proposed storm water management, storm drainage and flood control system. It shall be the responsibility of the Applicant(s) to provide all information and materials, required by the City Engineer, necessary to provide a written recommendation of the proposed storm drainage and flood control system and facilities.
- e. Fire Protection, Suppression, and Access Facilities. The Preliminary Subdivision Application shall identify the proposed fire protection, fire suppression, and fire access facilities. Proposed subdivision fire protection, fire suppression, and fire access facilities shall make provision for the continuation of existing facilities. All fire protection, fire suppression, and fire access facilities shall be designed as required by the City Engineer. It shall be the responsibility of the Applicant(s) to provide information and materials, as required by the City Fire Marshall and City Engineer, necessary to provide a written recommendation of the proposed fire protection, fire suppression, and fire access facilities.
- f. Special Service District or Special Service Area. If the Subject Property is located within the boundaries of a Special Service District or a Special Service Area, a written recommendation shall be provided from the governing board of such District or Area with the Preliminary Subdivision Application materials which may identify any potential impacts resulting from the proposed subdivision.

## SYNOPSIS

### Application Information

Applicant: Jim Arrant  
Request: PUBLIC HEARING – continuation - for Conditional Use approval for Jamestown, a multi-family residential development.  
Address: Approximately 5000 South 1750 West

### Land Use Information

Current Zoning: R-4; Multi-Family Residential  
Adjacent Land Use: North: R-4; Multi-Family Residential      South: R-4; Multi-Family Residential  
East: Riverdale City; A-1      West: R-4; Multi-Family Residential

### Staff

Report By: Steve Parkinson  
Recommendation: Recommends approval with conditions

## APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 11 – Supplementary 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

## CONFORMANCE TO THE GENERAL PLAN

- Residential Development Goal 1; Policy D: *The City's policies should encourage the development of a diverse range of housing types, styles and price levels in all areas of the City.*
- Residential Development Goal 3; Policy G: *The housing needs for low and moderate income families and senior citizens in Roy City shall be determined by the City on a regular basis, or as the need arises.*

## ANALYSIS

### **Background:**

The applicant is looking to build 6 townhome units on a property that is within the R-4 zone. The property is located on the east side of Roy City, north of Stoney Brook Cottages and Cozydale retreat subdivision. Just north-west of the I-15 southbound on ramp. There is currently an existing single-family dwelling on the northern portion of the property.

The land recently was subdivided, which subdivision separated a single-family dwelling from the rest of the vacant land.

**Description:** Property is approximately 0.683 acres (29,756.4 sq.-ft.), and is currently vacant.

**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:

- Multi-Family residential is a listed Conditional Use.
- The project can eventually comply but currently does not.
- Use is in accordance with the zoning ordinance.
- The property is sized for around the number of units proposed.
- The proposed is consistent with the goals & policies of the General Plan.

**Open Space:** Multi-family housing projects are required to provide open space including an amenity. The open space of a project should be anywhere between 40% and 55%. This project provides 50% landscaping and 34% of open space.

**Amenities:** There are no proposed amenities within this development.

**Pedestrian Access:** The property has one street frontage with sidewalks on each street. The project does provide a pedestrian access into the project.

**Access:** The project has a single access onto 1750 West.

**Parking:** Parking requirements for multi-family uses are 2.5 spaces per unit, one of which must be covered. The proposal project has 12 units which requires 12 covered stalls, 12 uncovered stalls and 3 visitor stalls, with a total of 27 stalls. The project provides 28 stalls, 24 of which are covered (garage)

**Lighting:** Other than light fixtures attached to each dwelling as required per Building Code there are no light fixtures proposed.

**Other Aspects:** This issue was first brought up during the September 8, 2015 Planning Commission meeting. The Commission opened the Public hearing at 18:35 and received the following comments from the Public:

Frank Weymouth, 1768 West 5000 South, stated that he lived in one of the patio homes. He asked that the City provide him with a copy of the proposed site plan. He was concerned that the units would look down on the patio homes. If the agreement between Roy City and Ogden had expired, how did the developments just to the south of him get approved? Chairman Kirch said they connected directly onto North Davis Sewer's lines.

Commissioner Dandoy was more concerned about the capacity issue than an expired document. Steve Parkinson said there was capacity. The City was just discharging more sewer than was outlined in the agreement. He had never seen another interlocal agreement with an expiration date; most did not expire. This one was decades old. Ogden City approached Roy City about 1½ years ago about these issues. Both cities had dropped the ball. This time the City needed to determine how to solve the problem.

Mr. Weymouth stated that every year Roy Days used 1750 West as a staging area for the parade. He felt the City had not considered the convenience or safety of those who lived in his subdivision. Their access was blocked for two to three hours. Now this development was talking about adding more people on the same road. Airport Road was a major thoroughfare. There wasn't any sidewalk in this area. He was almost hit while turning into his subdivision. How far would the buildings be from the property line? Steve Parkinson said they would be a minimum of 20 feet from the property line.

Chairman Kirch asked if UDOT had looked at the intersection of 1750 West and Riverdale Road. Steve Parkinson said it had. UDOT put in an extended turning lane for safety.

Bert Visser, 4833 South 2500 West, asked why the City kept trying to put in multi-family housing instead of single-family homes. The traffic was terrible, but the City still kept pushing and pushing. This wouldn't

be a duplex; it would be eight to ten families. At the last meeting, the City wanted to put 120 families on ten acres. Mr. Parkinson asked him to restrict his comments to the item under consideration.

Mr. Visser felt the issue with the sewer was a major problem. Would Roy have to put in a new sewer when the rest of the land on the street developed? It was silly to even be talking about this project without answers.

Chairman Kirch stated that the City did not solicit development. It simply reviewed projects that were submitted.

There were no additional comments and the Commission tabled the Public Hearing at 18:45 until the City received answers from Ogden City

## **CONFORMANCE TO THE GENERAL PLAN**

The future land use map shows and supports this area to be developed as R-4; Multi-Family Density Residential.

## **CONDITIONS OF APPROVAL**

- Compliance to all requirements per DRC memo dated 2 March 2016, including any comments from future reviews.
- Receive Conditional Use approval from the Roy City Council.

## **FINDINGS**

1. All Conditional Use standards are met.
2. The Building elevations and proposed materials can meet the Zoning standards.
3. 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.

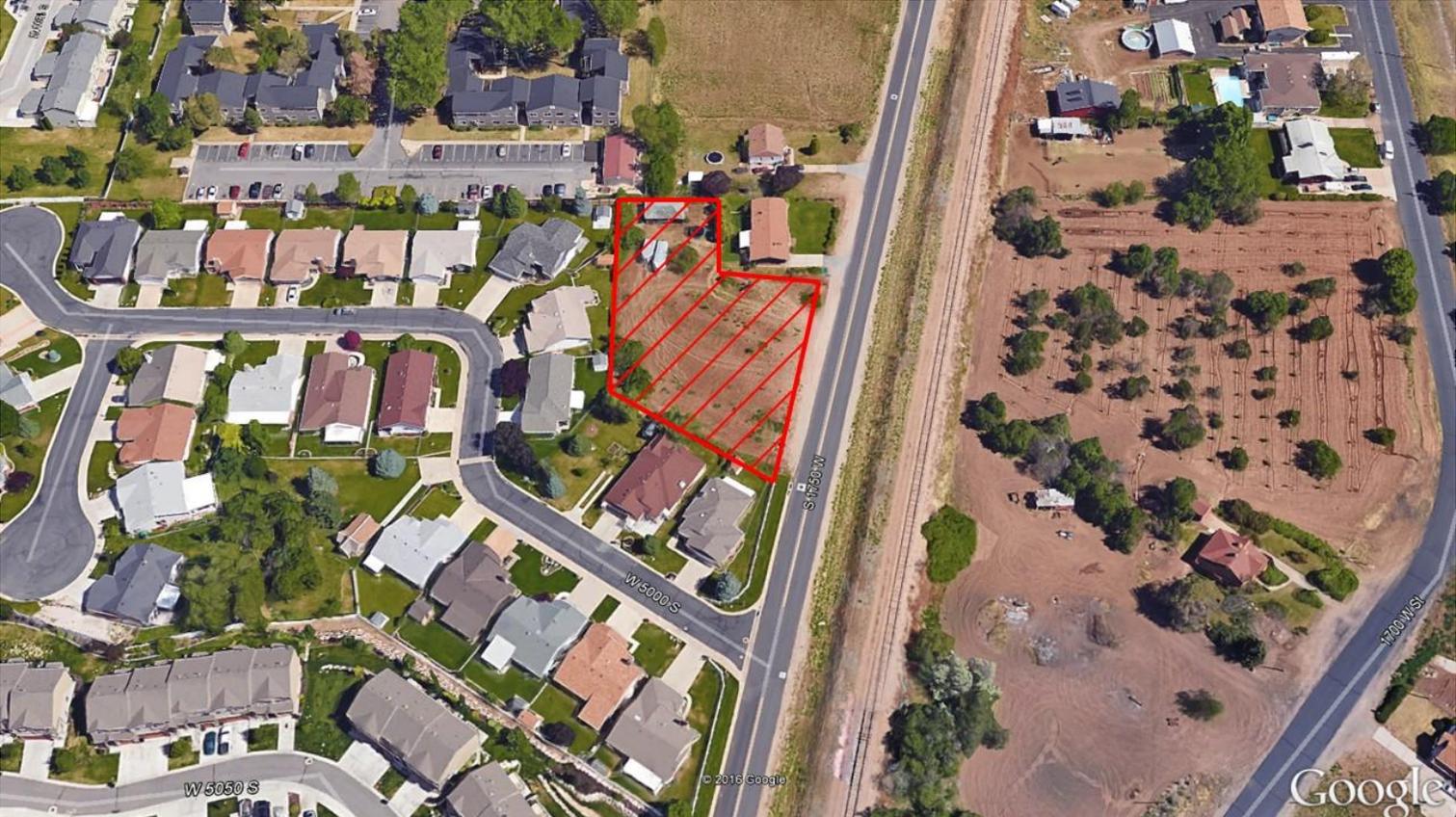
## **RECOMMENDATION**

Staff recommends approving the Conditional Use approval for Jamestown a multi-family residential development Subdivision located at approximately 5000 South 1750 West with the conditions as discussed and as outlined within the staff report.

## **EXHIBITS**

- A. Aerial Map
- B. Proposed Site Plan
- C. Proposed Elevations
- D. DRC Memo dated 2 March 2016

**EXHIBIT "A" – AERIAL MAP**

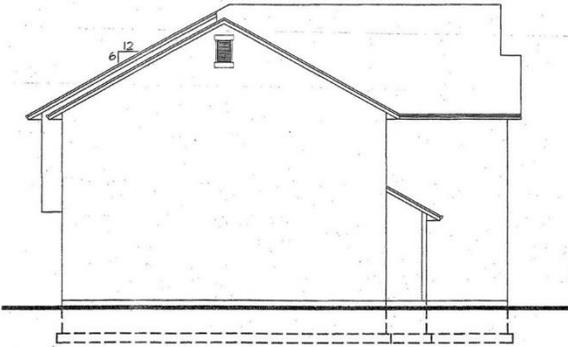




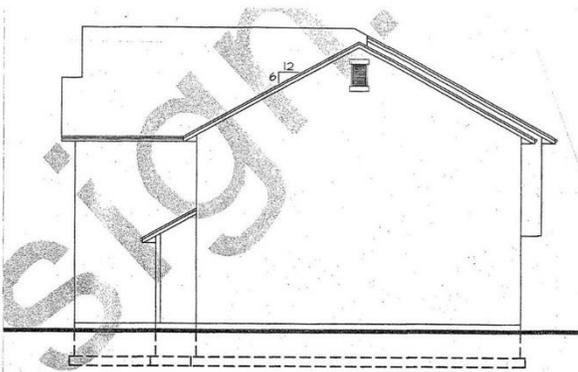
**EXHIBIT "C" – PROPOSED ELEVATIONS**



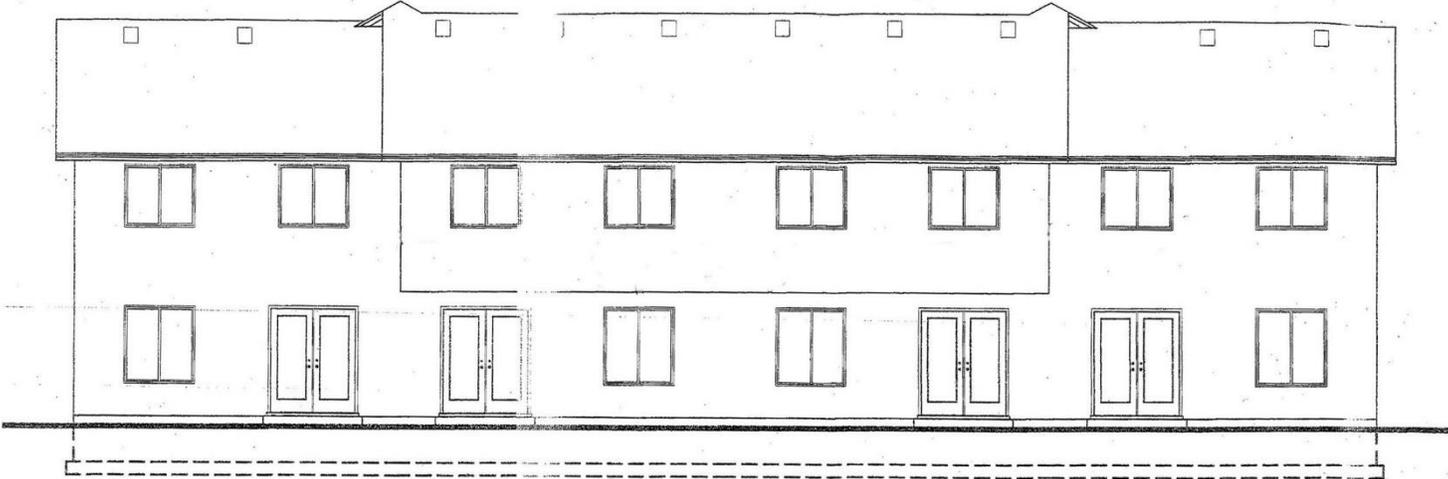
**Front Elevation**



**Left Elevation**



**Right Elevation**



**Rear Elevation**

DEVELOPMENT REVIEW COMMITTEE



REVIEW MEMO

Date: 2 March 2016

To: Jim Arrant  
Chris Cave; Reeve & Associates  
Emily Roche; Reeve & Associates

From: Steve Parkinson – Planning & Zoning Administrator *SP*  
Mark Miller – City Engineer  
Jeff Comeau – Deputy Fire Chief  
Ed Pehrson – Building Official  
Ross Oliver – Public Works Director  
Clint Drake – City Attorney

Subject: Jamestown Conditional Use (5000 South 1750 West) [plans received Feb 4, 2016]

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

**Engineering –**

We have reviewed the latest site plan and improvement drawings for Jamestown Subdivision Lot 2 Multi-Family. Our November 6, 2015, memo provided recommended additions and changes to the last set of drawings and serves as a basis for review on this set of plans.

1. A lighting plan should be submitted.
2. Details for the dumpster should be included.
3. A plan should be submitted for the waterline extension (in 1750 West) from Stoney Brook Cottages.
4. A blow-off should be indicated at the end of the water line in front of Unit I.
5. The storm water issues addressed in the November 6, 2015 memo should be addressed.
6. A letter should be submitted from Roy Water Conservancy indicating their approval of the proposed secondary water service connection.
7. The sanitary sewer for this project flows into an Ogden City sewer line. The Wheeling agreement between Ogden City and Roy City has expired. The Ogden City Engineer verbally approved the additional flow from the proposed units, but Clint would like written approval. The applicant should submit a letter from Ogden City's Engineer stating the connections are permitted.
8. The applicant should complete and submit a SVPPP checklist.
9. The revised drainage plan and calculations appear to meet Roy City standards.
10. The Roy City storm water management plan requires maintenance agreements for private storm drainage systems discharging to the City's facilities. This is a condition of permit compliance with the Utah Division of Water Quality. The maintenance agreement should specify that the property owner is responsible for maintenance of all private storm drainage facilities, so that the facilities and permanent best management practices function properly and minimize negative impacts to water quality. The agreement should specifically address maintenance of catch basins, pipes, the detention basin, outlet structure, and the "snout" oil separator. The agreement should also give Roy City authority to inspect these facilities, enforce maintenance requirements, and perform maintenance at the Owners expense if the Owner fails to correct deficiencies in a timely manner.

**Fire -**

The buildings are assumed to be built under the IRC. This will need be established per building code official. The following are items needed to be addressed per fire department review.

1. Fire flow based on IFC in appendix B. Contractor will need to prove flow. A greater size water line may be required to meet flow requirements.
2. No parking fire lane signs according to IFC appendix D will be required except for designated parking stalls.
3. 3 foot wide clearance is required around all fire hydrants and impact protect is required where hydrants are subject to impact by a motor vehicle.
4. 20 foot access roads required per IFC appendix D excluding shoulders will be required.
5. Fire apparatus access roads shall not exceed 10% in grade.
6. Fire hydrant required to meet Roy City Standard.

### **Public Works - Legal -**

1. No comments at this time

### **Building -**

Construction of future dwelling units.

1. The Geotech Engineer shall reference the original soils report for the subdivision. If no original soils report can be found, then there shall be a subsurface investigation completed on the proposed lot and a report provided to the City. All findings shall be noted and all requirements shall be followed. If the original soils report is available there shall be a Geotechnical Engineer inspection conducted once the excavation has been completed and prior to any fill or footings being placed. The Geotechnical Engineer shall provide a report to the contractor, which will then turn it into the City Building Official for review. All conditions present at the time of inspection shall be noted and any recommendations from the Geotechnical Engineer shall be followed. Soil type, ground water, and fill material are a few of the items to be checked for.
2. Section R405.1 Concrete or masonry foundations requires drains to be installed. Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below *grade*. Drainage tiles, gravel or crushed stone drains, perforated pipe or other *approved* systems or materials shall be installed at or below the area to be protected and shall discharge by gravity or mechanical means into an *approved* drainage system. Gravel or crushed stone drains shall extend at least 1 foot (305 mm) beyond the outside edge of the footing and 6 inches (152 mm) above the top of the footing and be covered with an *approved* filter membrane material. The top of open joints of drain tiles shall be protected with strips of building paper. Perforated drains shall be surrounded with an *approved* filter membrane or the filter membrane shall cover the washed gravel or crushed rock covering the drain. Drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or crushed rock at least one sieve size larger than the tile joint opening.

### **Planning -**

#### **A. *General Comments***

1. Because of the way on which the access to each unit's garage has been designed, (no separate driveways) signs will need to be posted no each garage door, that there is no parking allowed in front of the garages.

#### **B. *Building Design Standards***

1. Still need a Materials & Color board
2. All wall surfaces that are longer than thirty (30) feet shall be relieved. (Sides of buildings)
3. The Architectural plans show a two (2) foot cantilever. Cantilevers cannot be within the setbacks. If the cantilevers are to be removed will need new architectural plans.
4. The garages as shown (19' 8½" X 17' 10") do not comply with parking stall requirements. Parking stalls are to be no less than 9' X 20, in this case for a two (2) car garage 18' X 20'.

#### **C. *Site Design Standards***

1. No amenities have been proposed.

2. Dumpster enclosures are to be located to minimize the impact on adjacent property owners. Proposed dumpster enclosure is 2 feet from adjacent property. Will need to move the enclosure.
3. There were no details of how the dumpster enclosure will be constructed, what materials/colors are proposed? It needs to be of similar materials and colors as the proposed townhomes.

*D. Site Lighting Standards*

- I. Need a photometric drawing if there are any exterior lighting.
  - a. Need to know height of proposed pole & fixture
  - b. Need a photo of all light fixtures