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## PLANNING COMMISSION

• Chair – Gennie Kirch • Vice Chair – Lindsey Ohlin • Members: • Bob Dandoy • Leland Karras • Douglas Nandell • Joe Paul • Claude Payne

# AGENDA

## December 8, 2015

### 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 November 24, 2015 work session meeting minutes
3. 6:00 p.m. – PUBLIC HEARING – Consider a request for Preliminary Subdivision approval for Watterson phase 2 subdivision, a three (3) lot residential subdivision located at 5950 S. 2700 W.
4. Commissioners Comments
5. Staff Update
6. Adjourn

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#### 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 December, 2015. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 4<sup>th</sup> day of December, 2015.

STEVE PARKINSON;  
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2  
3 November 24, 2015

4  
5 Minutes of the Roy City Planning Commission Meeting held in the Administrative Conference  
6 Room of the Roy City Municipal Building on November 24, 2015, at 6:00 p.m.

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

11  
12 The following members were in attendance:

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

20  
21 Excused: Joe Paul

22  
23 Others present were: Greg Sagen.

24  
25 Pledge of Allegiance: Gennie Kirch

26  
27 There were no declarations of conflict.

28  
29 1. APPROVAL OF NOVEMBER 10, 2015, MINUTES

30  
31 **Commissioner Karras moved to approve the November 10, 2015, minutes as written.**  
32 **Commissioner Payne seconded the motion. Commission members Dandoy, Karras,**  
33 **Kirch, Nandell, Ohlin, and Payne voted "aye." The motion carried.**

34  
35 2. CONTINUED DISCUSSION OF THE PROPOSED TITLE 13 – SIGN ORDINANCE

36  
37 Steve Parkinson stated the Planning Commission needed to discuss two aspects of the Sign  
38 Ordinance – window signs and temporary signs. The Planning Commission had received copies  
39 of window sign regulations for Clearfield, Clinton, Ogden, Riverdale, Layton, Bountiful, Woods  
40 Cross, Farmington, West Haven, Syracuse, and South Ogden. Most of the cities limited window  
41 signs to some percentage; some did not. Ogden City did not allow any window signs. Riverdale  
42 allowed some window signs even though their ordinance was the same as Ogden's.

43  
44 Chairman Kirch said the percentages ranged from 50% to 25%. She liked language from West  
45 Haven that said, "*Window signs...shall not be affixed as to block clear view of exits or entrances*  
46 *or to create a safety hazard.*" The Planning Commission needed to decide what percentage of  
47 window coverage should be allowed in Roy.

48  
49 Commissioner Nandell felt the percentage should be 25% with the language from West Haven.  
50 Roy City was between Clinton and West Haven, and both limited window signs to 25%.

51 Steve Parkinson did not care what the percentage was. He just wanted to keep a building a  
52 building. A large business could have 300 square footage of signs plus window signs. There  
53 would be a lot of signs.

54  
55 Commissioner Karras agreed with 25%, which was what the majority of the cities had.

56  
57 Steve Parkinson felt the Commission needed to consider window signs in conjunction with  
58 temporary signs. Should there be a smaller temporary sign if a business had a lot of windows,  
59 or vice versa. Both were temporary in nature, but one was on a window and one was not.  
60 Commissioner Dandoy stated the draft ordinance limited window signs to 25%. If the  
61 Commission didn't change the percentage, it was pretty safe. The debate was how to approach  
62 the discussion of correlating window signs and temporary signs.

63  
64 Steve Parkinson said they were different. The Commission just needed to set a percentage. The  
65 City would let the businesses know. Window signs could be limited to a few windows or spread  
66 over all of them. He didn't care if the sign was on a group of windows or an individual one.

67  
68 Commissioner Dandoy stated that windows signs were 'non permitted signs.' They were not  
69 regulated other than the limit of 25%. All the City would have to do was verify a business was  
70 not using more than 25% of its window space.

71  
72 Chairman Kirch pondered the window sign percentage. Roy City's 1900 West commercial  
73 corridor was different than West Haven's or Clinton's. It was accessible from the freeway. She  
74 suggested that businesses in the Regional Commercial Zone be allowed to cover 30% of their  
75 windows with signs. The remaining zones in Roy City would be limited to 25%. All zones would  
76 be subject to the language "...shall not be affixed as to block clear view of exits or entrances or  
77 to create a safety hazard."

78  
79 Commissioner Karras asked if 1900 West was defined differently. Chairman Kirch said it was  
80 the only Regional Commercial Zone.

81  
82 The Planning Commission agreed with Chairman Kirch's suggestion. Steve Parkinson said the  
83 Regional Commercial Zone was different. It could have pole signs that could be seen from the  
84 freeway.

85  
86 Steve Parkinson said the other aspect the Commission needed to discuss was temporary signs.  
87 Commissioner Dandoy had provided regulations regarding temporary signs from Bountiful,  
88 Layton, Riverdale, South Ogden, and Syracuse.

89  
90 Commissioner Dandoy felt there were a number of places in the draft ordinance that called out  
91 for clear definitions, such as 'incidental' and 'portable.' The definitions needed to be added to  
92 Chapter 2 to make it easier for readers. He could send a list of definitions he felt needed to be  
93 added.

94  
95 Steve Parkinson said the City Attorney had also noted some definitions that were needed. He  
96 would incorporate the changes from the City Attorney and the Planning Commission and give  
97 the draft back to the Commission to review.

98

99 Chairman Kirch really liked the temporary sign regulations from Syracuse City where temporary  
100 signs for all zones were listed. Their table was easy to read. Businesses were allowed one  
101 temporary sign per quarter not to exceed 30 days in duration. No approval was required if the  
102 sign was less than 16 square feet. Temporary signs with 100 square feet were minor conditional  
103 uses. She felt it would be wise to separate the Regional Commercial Zone from other zones.  
104

105 Commissioner Dandoy felt having different regulations for temporary signs based on the use  
106 would be more taxing on the code enforcement officer.  
107

108 Commissioner Dandoy felt Bountiful had done a good job of regulating temporary signs. *"For*  
109 *any single or two tenant property...Any tenant with less than ten thousand (10,000) square feet*  
110 *of building area shall not display more than one (1) temporary sign at any time. The maximum*  
111 *area of any temporary sign shall be thirty-two (32) square feet. Any tenant with greater than ten*  
112 *thousand (10,000) square feet of building area shall not display more than (2) temporary signs*  
113 *at any time. The maximum combined area of the two (2) signs shall be forty-eight (48) square*  
114 *feet. Where a property abuts two (2) streets, one (1) additional sign, oriented to the other*  
115 *abutting streets, shall be permitted. For any multi-tenant property....Any business with less than*  
116 *ten thousand (10,000) square feet of building area shall not display more than one temporary*  
117 *sign at a time. The maximum area of any sign shall be twenty-four (24) square feet. However, in*  
118 *no instance shall there be displayed more than three (3) temporary signs per one hundred (100)*  
119 *linear feet of frontage."* Any business with less than 10,000 square feet could have one sign.  
120 There were provisions about how far the sign had to be from the sidewalk and resident areas.  
121 He felt a similar regulation in Roy would create interesting challenges in areas where  
122 businesses were packed together. The City would have to decide how to provide fair and  
123 equitable treatment for businesses with less than 10,000 square feet that had less than 100  
124 linear feet of frontage.  
125

126 Steve Parkinson said strip malls were always the anomaly in a Sign Ordinance. It was worst  
127 case scenario; best case scenario. He pointed out that Bountiful had older commercial areas  
128 similar to Roy's.  
129

130 Commissioner Nandell said Bountiful also allowed A-frame signs. He felt there were areas that  
131 would benefit if Roy allowed A-frame signs.  
132

133 Commissioner Dandoy said Bountiful did not require a permit for an A-frame sign that was  
134 removed at the end of the day. He felt that would be an advantage to any business. It was not a  
135 permanent temporary sign.  
136

137 Steve Parkinson said if the Commission wanted to allow certain things, the Sign Ordinance  
138 could define what it was and under what circumstances it would be allowed.  
139

140 Commissioner Nandell liked Bountiful' s A-frame regulations, *"An A-frame sign shall be*  
141 *designed, constructed, and installed such that it will lay flat if it is contacted by any object."* If it  
142 was hit by a car it would lie flat. The A-frame sign would have to be removed in every night.  
143

144 Steve Parkinson stated that A-frame signs could not be located in the public right-of-way.  
145

146 Commissioner Karras said Layton's ordinance said, "*A business could advertise special*  
147 *services and products with a temporary sign. A permit shall be obtained from Community and*  
148 *Economic Development and is valid for one year.*"  
149

150 There was a discussion about commercialism, speech, and free speech. Mr. Parkinson said  
151 they were different. A sign welcoming someone home was freedom of speech because it was  
152 not advertising a product.  
153

154 Commissioner Ohlin felt businesses had right to advertise. Commissioner Karras said the  
155 Supreme Court had ruled that cities could regulate signs. Commissioner Ohlin felt the City had  
156 to careful that it wasn't requiring permits for free speech. Commissioner Karras felt the only  
157 restriction on permits was not to make it too cumbersome.  
158

159 Steve Parkinson said a permit for a temporary sign was a no fee permit. He just needed to know  
160 when it would be put up, where it would be, and when it would be taken down.  
161

162 Commissioner Karras said every city treated temporary signs differently. None of the sample  
163 ordinances Commissioner Dandoy sent were the same.  
164

165 Commissioner Dandoy said some were more lenient. He wanted to make sure the Commission  
166 didn't get confused about the discussion of free speech. If a business wanted to have a sale and  
167 the City would not authorize a temporary sign, was the City telling the business it could not hold  
168 a sale?  
169

170 Commissioner Karras said the City wasn't telling the business it could not have a sign  
171 advertising the sale.  
172

173 Commissioner Dandoy asked if a business had the right to put a sign in front of their property.  
174

175 Steve Parkinson did not want to get into a constitutional battle. Constitutional rights of free  
176 speech were not the same as a constitutional right to have a business. He did not feel owning a  
177 business and the right to advertise that business fit into the realm of free speech. If it did the  
178 City could not regulate any signs, but it could.  
179

180 Commissioner Dandoy was concerned about 13-3-2(11D). He felt the way it was written  
181 infringed on the free speech rights of private property owners. He felt the City could be taken to  
182 court because of the way it was defined. The way a City employee interpreted it could infringe  
183 on someone's free speech.  
184

185 Steve Parkinson agreed the ordinance needed to be black and white. The better it was defined  
186 and outlined, the arbitrary and capricious issues there would be.  
187

188 Commissioner Dandoy felt the government entity could control free speech through permits. Mr.  
189 Parkinson said the State statue regulated how cities issued permits.  
190

191 Commissioner Dandoy said there was a comment in the draft ordinance that said a person  
192 could not put a sign on their property unless it was approved. It did not say whether it was public

193 or private, it just said a person could not have a sign (13-3-2{11 D} Prohibited Signs) visible  
194 from a public way.

195  
196 Steve Parkinson said the City Attorney had reviewed the current draft of the Sign Ordinance. He  
197 had not made any comments regarding that provision or restriction of free speech. He would  
198 ask the City Attorney to review the draft for any free speech concerns.

199  
200 Steve Parkinson asked what the Commission wanted the City to look like. Did it want to allow  
201 everyone to do anything and everything they wanted? Commissioner Dandoy felt the City had to  
202 balance aesthetics with free speech rights.

203  
204 Commissioner Nandell said it was private property versus business property standards.

205  
206 Chairman Kirch stated that some things did not have to be regulated in the Sign Ordinance  
207 because they fell under free speech.

208  
209 Steve Parkinson said the Planning Commission would need to define the difference between  
210 free speech and business signage. There was a difference. The City could not regulate free  
211 speech signage, but it could regulate business signage.

212  
213 Chairman Kirch did not feel the Planning Commission had to define what had already been  
214 defined in courts of law. Roy City was making a decision about what was good for Roy City. The  
215 ordinance did not need to cross the line into personal, private expressions on private property.  
216 The ordinance did not need to define that. It was a right given in the United States.

217  
218 Commissioner Ohlin asked why that provision was in the ordinance. What was it saying?

219  
220 Commissioner Karras felt the intent was to prevent commercialism on private property.

221  
222 Commissioner Dandoy said the Supreme Court struck down an ordinance which prohibited  
223 homeowners from displaying any signs on their property except for residential identification  
224 signs, for sale signs, and sign warnings as unconstitutional violation of the property owners' free  
225 speech right. According to the court a total ban on signs posted on private property simply  
226 prohibited too much protected speech. The U.S. Supreme Court said communities could not  
227 prohibit private owners from posting signs on their property.

228  
229 Chairman Kirch felt adding a caveat to the 13-3-2(11D) saying this did not apply to free speech  
230 signs would resolve the problem.

231 Steve Parkinson said he would have to check with the City Attorney. He was not aware that  
232 constitutional rights were a concern.

233  
234 Commissioner Ohlin felt every ordinance was a constitutional issue.

235  
236 Commissioner Dandoy felt the Sign Ordinance draft needed to be reviewed line by line. The  
237 Commission could add to or take away from the current draft ordinance. The current draft  
238 prohibited A-frame signs. Yet there were businesses in Roy that used A-frame signs. The  
239 Planning Commission needed to make a recommendation to allow or to prohibit A-frames. He  
240 felt the Commission needed to walk through every stop and decide if it fit or not. When the

241 Commission was done with it, it would be a consensus to push to the Council. He liked what he  
242 saw in other ordinances. They read well. The Commission could extrapolate information from  
243 them and add to Roy's ordinance. The ordinance needed to be clear about what it meant or it  
244 could be misconstrued.

245  
246 Chairman Kirch said this was not the first meeting on the Sign Ordinance. The Planning  
247 Commission had been reviewing the Sign Ordinance. It had honed in on a lot of issues. This  
248 meeting was to review the two issues that were left - window signs and temporary signs. The  
249 City Attorney had reviewed the Sign Ordinance and didn't feel there was a problem with free  
250 speech. The Planning Commission could ask the City Attorney to look at it again to make sure it  
251 wording passed the constitutional issue. She didn't feel there was a way to write a Sign  
252 Ordinance that would encompass everything. The Commission could highlight this as an issue  
253 that needed to be resolved and move on. The Commission wasn't going to solve it there.

254  
255 Commissioner Dandoy said maybe the next step was for the Planning Commission to edit the  
256 draft. He had gone through the draft Sign Ordinance and extracted information from other  
257 communities. The Commissioners knew his opinion about holidays and temporary signs. There  
258 were only two others that restricted temporary signs to certain holidays – Clinton and Clearfield.  
259 Nobody else had restrictions about how many days a business could and could not have a sale.  
260 He suggested that each Commission member edit the draft ordinance.

261  
262 Chairman Kirch felt the Commission was already at the edit point. If the Commission felt the  
263 draft needed to be edited, it needed to send that information to Mr. Parkinson.

264  
265 Steve Parkinson stated that if the Commission members had problems with the way certain  
266 sections were worded, please let him know.

267  
268 Commissioner Dandoy felt the commercial and residential environments should be separated.

269  
270 Commissioner Nandell was still stuck on A-frame signs. He wanted to include them.

271  
272 Chairman Kirch asked how many Commission members felt A-frame signs should be included.  
273 Four commissioners raised their hands.

274  
275 Steve Parkinson asked if the Commission wanted portable signs and A-frame signs or one or  
276 the other. The Commission felt only A-frame signs should be allowed if they were removed  
277 nightly; they had to be designed, constructed, and installed such that they would lay flat if they  
278 were contacted by any object; and only one could be posted each business quarter for a  
279 maximum of thirty concurrent days. (See Bountiful City Ordinance 14-19-117 (11, 12, and 13).

280  
281 Steve Parkinson said Commissioner Dandoy did not like the holiday restrictions regarding  
282 temporary signs contained in the current draft. How did the rest of the Commission feel?

283  
284 Chairman Kirch liked that holidays were not defined; that businesses were given the right to  
285 choose. Bountiful gave businesses the right to have a temporary sign for not more than thirty  
286 concurrent days, but not concurrent signs. A business could have one sign per quarter with a  
287 maximum of thirty days.

288

289 Steve Parkinson said that was still four promotional periods of thirty days. He liked  
290 Commissioner Dandoy's thinking. He suggested that a business have a temporary sign for thirty  
291 days take a break, and then put up another sign. The only concern was how to regulate it. He  
292 felt that would satisfy the Commission's desire to have signs, yet still have a break. Not  
293 everyone have signs all the time. He still felt grand opening and going out of business signs  
294 needed to be identified

295  
296 Commissioner Dandoy felt miscellaneous signs needed to be defined in a commercial  
297 environment so it was not misinterpreted in a residential one. There was a separation between  
298 commercial and residential application. The City could regulate the commercial environment.

299  
300 Steve Parkinson said the City could regulate signs for home occupations.

301  
302 Commissioner Dandoy felt if a homeowner had a business in the home it had to have a  
303 business license. The sign would be treated as commercial even though it was residential. The  
304 ordinance needed to say a homeowner was could have a sign if it was a certain size.

305  
306 The Commission felt such a restriction would cross the line.

307  
308 Commissioner Dandoy said there needed to be a distinction between what an owner could do  
309 on a residential property and what the City could control in a business.

310  
311 Commissioner Nandell said the ordinance needed to separate residential and business.

312  
313 Commissioner Dandoy felt there were several things in the draft Sign Ordinance that needed to  
314 be defined, such as 'holiday and event decorations' listed in Signs Not Requiring Permits - 13-4-  
315 1(H8). He felt the ordinance needed to indicate that if it was a holiday or event sign on a home,  
316 the City would stay away from it.

317  
318 The Planning Commission felt 'holiday and event decorations' should be removed.

319  
320 Commissioner Dandoy said he would send Mr. Parkinson and the Commission members his  
321 edited version of the Sign Ordinance. It would add some other things, such as definitions. Then  
322 when the Commission met again, it could decide what it did and didn't like. The Commission  
323 could then have an ordinance to recommend to the Council. He felt everything but the kitchen  
324 sink had been thrown into the ordinance. The Commission needed to decide what came out and  
325 what went in.

326  
327 Chairman Kirch said the current Sign Ordinance took a long time to write. The draft had taken a  
328 long time to write. If the Planning Commission members had specific changes, they should send  
329 them to Mr. Parkinson and all of the Commission members. She felt some of the issues brought  
330 up by Commission members were covered by state and federal laws and did not needed to be  
331 included in the municipal law. The Sign Ordinance did not have to be all inclusive.

332  
333 Commissioner Nandell wanted to make sure the City wasn't being set up for litigation. Mr.  
334 Parkinson said that was why the City Attorney was reviewing the ordinance.

335

336 Commissioner Dandoy said a municipality could not override a state law, and a state law could  
337 not override a federal law.  
338  
339 Chairman Kirch felt there had been a healthy discussion, but the Commission needed to finish  
340 temporary signs so that Mr. Parkinson had some direction.  
341  
342 The Planning Commission agreed to regulate temporary signs with a no fee permit in order to  
343 identify when a sign would be put up and when it would be taken down. Businesses could have  
344 one temporary sign for thirty concurrent days. Businesses could take a three to seven day break  
345 and put up another temporary sign. Businesses would follow Bountiful's temporary sign  
346 regulations 14-19-117(6, 7, 8, 11, 12, and 13).  
347  
348 Mr. Parkinson asked if a business allowed two temporary signs could have them staggering.  
349 The Commission said yes.  
350  
351 Chairman Kirch felt the ordinance should state that A-frame signs had to be taken in at night.  
352  
353 Chairman Kirch felt signs needed to be controlled. However, was there a way to allow one  
354 temporary sign without a permit?  
355  
356 Steve Parkinson said he needed to know when a business put up a temporary sign in order to  
357 know when it should be taken down. A permit gave him a chance to reiterate what the sign  
358 regulations were. He was still looking a stamps or stickers for the signs.  
359  
360 Commissioner Karras asked if it would be possible to obtain a temporary sign permit via email.  
361 Commissioner Dandoy said there was a software program that would do that. Steve Parkinson  
362 said he would eventually like the City to get to that point.  
363  
364 Steve Parkinson stated that he would send the draft Sign Ordinance to the Commission  
365 members in Word format. They could then edit it and send it to him and other Commission  
366 members. He would compile all of the changes.  
367  
368 Chairman Kirch liked Layton City's list of signs exempt from permit requirements – directional or  
369 instructional signs; memorial signs or tablets; public notices; public necessity signs; real estate  
370 signs; flags; symbols or insignias; interior signs; house numbers and name plates; and  
371 trespassing signs. The draft ordinance didn't have a similar list.  
372  
373 Chairman Kirch cautioned the Commission members about getting clogged down on specific  
374 words and issues. The Sign Ordinance did not have to be perfect. The draft Sign Ordinance was  
375 remarkably different and better than the City's current sign regulations. Sometimes compromise  
376 was the best thing. If needed, the Sign Ordinance could be adjusted and amended down the  
377 road.  
378  
379 Commissioner Ohlin didn't feel it had to be rushed.  
380  
381 Commissioner Dandoy felt the definitions needed to be clear so the reader didn't have to search  
382 the body of the Sign Ordinance. He felt 13-3-3 and 3-14-2 needed to be consolidated. Mr.  
383 Parkinson said one section referred to building permits; the other to uses.

384

385 Commissioner Dandoy reported that he had attended the last Council meeting where the  
386 Council discussed public hearing notification for Planning Commission hearings.

387

388 There was discussion about amending the Sign and Zoning Ordinances for public notification  
389 signs.

390

391 Steve Parkinson discussed changes that needed to be made to the Zoning Ordinance.

392

393 3. COMMISSIONER'S MINUTES

394

395 Chairman Kirch asked the Commission members to be considering who should be nominated  
396 as the next Chairman in January.

397

398 4. STAFF UPDATE

399

400 Steve Parkinson reminded the Planning Commission about the City Council/Planning  
401 Commission holiday dinner on December 22<sup>nd</sup>.

402

403 5. ADJOURN

404

405 **Commissioner Karras moved to adjourn at 7:25 p.m. Commissioner Nandell seconded**  
406 **the motion. Commission members Dandoy, Karras, Kirch, Nandell, Ohlin, and Payne**  
407 **voted "aye." The motion carried.**

408

409

410

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Gennie Kirch  
Chairman

411 Attest:

412

413

414

---

Michelle Drago  
Secretary

416

417

418 dc:pnov2415



# STAFF REPORT

Planning Commission

December 8, 2015

Agenda Item # 3

## SYNOPSIS

### Application Information

Applicant: Larry Forkner; Housing Management & Development Corp.  
 Request: Request for Preliminary Subdivision approval for Watterson, phase 2 Subdivision, a three (3) lot single-family residential subdivision.  
 Address: Approximately 2700 West 5950 South

### Land Use Information

Current Zoning: R-1-8; Single-Family Residential  
 Adjacent Land Use: North: R-1-8; Single-Family Residential      South: R-1-8; Single-Family Residential  
 East: R-1-8; Single-Family Residential      West: R-1-8; Single-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 Subdivision Ordinance Title 11, Chapter 3 (Preliminary Subdivision Application)
- Roy City Subdivision Ordinance Title 11, Chapter 9 (Subdivision Development Standards)

## BACKGROUND

This property is a large empty field that is located east the homes on the east side of 2700 West and north of the homes on the north side of 6000 South. Originally this area was a part of the Watterson subdivision that was approved in 2008, but the developer only recorded and developed three (3) lots that had existing frontage along 2700 South. Staff isn't sure why this section wasn't recorded or developed.

Subdivision: The proposed subdivision is to subdivide a single parcel into three (3) separate parcels. In total there is .82 acres (35,770 square feet) of property to be split into three (3) individual parcels.

Zoning: The property is currently zoned R-1-8 and according to table 10-1 of the zoning ordinance the R-1-8 zone requires that each single-family lots to be a minimum of 8,000 sq.-ft. which each lot meets or exceeds this requirement, the smallest being 8,000 sq.-ft. and the largest being 9,700 sq.-ft.

Access: All three (3) parcel will have access to the extension of Lloydene Ave (5950 S).

DRC Review: The DRC has reviewed the proposed subdivision, see attached memo. All three lots meet the minimum zoning requirements as to lot size and widths that are required per the R-1-8 zone.

Summary: This small three (3) lot subdivision meets the aspects of the zoning and subdivision requirements for lot size.

## CONFORMANCE TO THE GENERAL PLAN

The future land use map shows and supports this area to be developed as R-1-8; Single-Family Density Residential.

## CONDITIONS FOR APPROVAL

1. Compliance to the requirements and recommendations as outline in the DRC memo dated 4 December 2015 (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

## ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval with conditions, Table or Deny

## RECOMMENDATION

Staff recommends approval of the Preliminary Subdivision for Watterson phase 2 Subdivision located at approximately 2700 West 5950 South.

## EXHIBITS

- A. Aerial Map
- B. Preliminary Subdivision plat
- C. DRC Memo dated 4 December 2015

## EXHIBIT "A" – AERIAL MAP







established 1937

## DEVELOPMENT REVIEW COMMITTEE

## REVIEW MEMO

Date: 4 December 2015

To: Larry Forkner; Housing Management & Development Corp.  
Shauna; Pinnacle Engineering

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: Watterson Subdivision; Phase 2

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 plans for Waterson Subdivision – Phase 2. We have previously reviewed the Waterson Subdivision as whole (without the phasing) on November 7, 2007 and February 26, 2008. I have provided below the February 26, 2008 memo. The issues in that memo need to be addressed as they still pertain to phase 2. A soils report should also be submitted for our review. Inasmuch as nearly 7 years have passed since our last review, we would be willing to meet with the developer's engineer to discuss each of the items in our memo.

Please give me a call if you have any questions, or have the developer's engineer contact me directly.

## Comments from the February 26, 2008 memo:

1. The storm drain easement needs to be a minimum of 20 feet wide on lots 3 and 6. The plat should reference a restriction that no trees or buildings be constructed within the easement. The storm drain joints will need to be water tight and should be approved by our office prior to installation. Considering the shallow bury depth under the roadway, we would prefer that the pipe in the right-of-way be constructed of CI. III RCP. We would be willing to discuss this issue with the developer's engineer.
2. Our November 7, 2007 memo mentioned that the developer's engineer will need to analyze the storm water runoff contributing to the two inlet boxes in Lloydene Avenue to determine if inlet and pipe sizes are adequate for a 100 year storm event. We have not seen those calculations
3. Our November 7, 2007 memo also requested that final plans address grading and drainage issues for the existing and proposed ground surfaces on the development and with respect to neighboring properties to insure that runoff water is appropriately addressed. No information has been submitted for lot grading.
4. The culinary waterline needs to be an 8" C-900 pipe. Water laterals need to be constructed to the center of each lot. Sanitary sewer laterals should be located 5' downgrade of the water laterals.
5. The developer will need to submit a copy of the soils report for this development. Basement depths may need to be limited based on the findings in the report.
6. We understand that you will be reviewing the landscape plan so we have no comments on sheet 7.
7. We have completed an engineer's estimate for this development and will make revisions following the next plan submission. The estimate will serve as the basis for the Improvement Guarantee (bond,

escrow, or letter of credit).

**Fire/ Public Works / Legal / Planning -**

1. No comment at this time

**Building -**

1. There shall be a subsurface investigation completed on the proposed lots by an approved Certified Geotechnical Agency. A report shall be provided to the City. The subsurface investigation shall define and evaluate the sub surface soils, and groundwater conditions across the site. It shall also provide appropriate foundation, earthwork, and geoseismic information to be utilized in the design and construction of proposed structures within the development. A minimum of one boring shall be done on each lot. All findings shall be noted and all requirements shall be followed.
2. Section R405.1 of the 2012 IRC, 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 or perforation and covered with not less than 6 inches (152 mm) of the same material.