

PLANNING COMMISSION

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

AGENDA - Amended

May 10, 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 April 26, 2016 work-session minutes
3. 6:00 p.m. – PUBLIC HEARING – Consider a request to amend the Zoning Code (section 1111 & Table 17-1) regarding the allowance of chickens/Rabbits within the Single-Family Residential Districts
4. Continuation – Consider a request for Preliminary Subdivision approval for Ward Estates subdivision phase 3 Amended, a two (2) lot residential subdivision located at 5050 S. 3500 W.
5. Continuation – Consider a request for Conditional Use approval for Builders Alliance a multi-family residential development located at 5629 S. 2700 W.
6. Consider a request for Architectural and Site Plan approval for Western States Ventures, for an existing building located at approximately 1952 W 5600 S
7. Commissioners Minute
8. Staff Update
9. 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 9th day of May 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 9th day of May 2016.

STEVE PARKINSON;
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2
3 April 26, 2016

4
5 Minutes of the Roy City Planning Commission Meeting held in the Administrative Conference
6 Room of the Roy City Municipal Building on April 26, 2016, 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 Lindsey Ohlin, Chairman Steve Parkinson, City Planner
15 Leland Karras Michelle Drago, Secretary
16 Gennie Kirch
17 Doug Nandell
18 Joe Paul
19 Claude Payne
20 Jason Sphar

21
22 Others present were: Cathy Spencer, Management Services Director; Luis Quintana; David
23 Webb; Amy Webb; Tristen Webb; Greg Sagen; and Jason Kunz.

24
25 Pledge of Allegiance: Jason Sphar

26
27 1. DECLARATIONS OF CONFLICT

28
29 There were none.

30
31 2. APPROVAL OF APRIL 12, 2016, MINUTES

32
33 **Commissioner Kirch moved to approve the April 26, 2016, minutes as corrected.**
34 **Commissioner Nandell seconded the motion. Commission members Karras, Kirch,**
35 **Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

36
37 3. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE ZONING CODE
38 REGARDING CHICKENS AND RABBITS

39
40 Steve Parkinson, Planner, stated that on February 23, 2016, the Planning Commission began
41 reviewing a proposed amendment to the Zoning Ordinance to allow chickens and rabbits in
42 residential zones as directed by the City Council. He provided the following clarifications to the
43 proposed ordinance (copy filed for record):

44
45 B(c) Inspection. Inspections related to a permit issued under this section must be permitted
46 as deemed necessary by the City. (Similar to bee regulations – the City inspects upon
47 application, upon renewal of license, and when there is a complaint)

48
49 B(f) Notice to Adjacent Neighbors. Upon receiving an application under this section, the
50 Zoning Administrator shall cause notice of the application to be sent by mail to all
51 owners of property immediately adjacent to the subject property. (Similar to bee

52 regulations – the neighbors are notified of the use. They may call but cannot supersede
53 the ordinance)

54
55 B(g) Site Plan. An application for a permit under this section must be
56 accompanied by a site plan indicating the lot, the primary residence, and the proposed
57 placement of the structures in compliance with the requirements of this section. (Similar
58 to bee regulations – it is to identify where the coop/run will be located on the property)

59
60 C(1-c-1) Structure. All animals kept under this section shall be housed within a covered,
61 predator proof and well ventilated coop or hutch. The structure must provide a minimum
62 of three square feet per animal, with a minimum of six (6) square feet of floor area per
63 chicken to allow for free movement inside the coop. No coop or hutch may exceed seven
64 (7) feet in height. Coops, hutches and enclosures shall have solid walls on all sides,
65 except for opening for access, must have a solid roof, and built to prevent intrusion,
66 including burrowing of all types of rodents, vermin, and predatory animals. (It was
67 discussed (The Planning Commission discussed requiring the coop to be two (2) square
68 feet per chicken and allowing a maximum 150 square foot run)

69
70 C(1-c-4) Screening – Hens shall not be permitted to roam outside the screened yard
71 area of the coop. (If it is required that chickens be within a coop/run this item would not
72 be an issue. It would only be an issue if chickens were allowed to roam around the yard,
73 outside of their coop)

74
75 Commissioner Kirch suggested that regulations for chicken runs be in their own paragraph.

76
77 Commissioner Paul asked if chicken should be allowed to range free if a run was not
78 utilized, or should the chickens be confined to a coop.

79
80 Chairman Ohlin liked the idea of allowing chickens to be free range. Commissioners Karras,
81 Nandell, and Sphar agreed. Commissioner Paul disagreed.

82
83 Commissioner Kirch felt there should be regulations for a run in case an owner chose to
84 have one. There needed to be a limit on the size of the structure

85
86 Steve Parkinson asked why an owner would have a run if his chickens were free range.

87
88 Commissioner Kirch said that if an owner used a run there needed to be a maximum size.
89 The regulations would give owners the option let their chickens free range or put them in a
90 run. She suggested a maximum run size of 200 square feet.

91
92 Steve Parkinson stated that if a run was 200 square feet, an owner would be required to
93 have a building permit. Commissioner Kirch reduced the maximum size to 150 square feet.

94
95 Chairman Ohlin asked where the 150 square feet came from. Mr. Parkinson said it came from
96 several other cities.
97

98 Steve Parkinson stated that chickens did fly. If the City allowed free range chickens, it would
99 have to add a regulations requiring owners to clip their chickens' wings on an annual basis and
100 to fence their yard with a 6-foot fence.

101 Chairman Ohlin stated that if a yard was not fenced, an owner had the option to put in a run.

102
103 Commissioner Payne felt a fence or run would protect chickens from neighboring animals.

104
105 Steve Parkinson polled the Commission members to determine who was in favor of free range
106 chickens. Five of the Commission members were in favor of free range chickens.

107
108 Steve Parkinson asked the Commission where a coop should be located. The proposed
109 ordinance said 30 feet from a neighboring dwelling, 10 feet from a property line, and 10 feet
110 from the dwelling on the same lot.

111
112 Chairman Ohlin felt 10 feet from a property line was too much. The coop would be too far out in
113 the yard. She agreed a coop should be a certain distance from a neighboring dwelling, but not
114 so far out in a yard.

115
116 Commissioner Kirch said the 10 feet was to provide a fire separation from the coop and the
117 house or nearby structures.

118
119 Chairman Ohlin suggested reducing the distance from a property line to five feet. Mr. Parkinson
120 said the minimum fire and building separation was six feet. The Planning Commission
121 compromised on six from a property line and six feet from a dwelling on the same lot. Four were
122 in favor of six feet; three were opposed.

123
124 The Planning Commission reduced the distance from a dwelling on an adjacent lot from 30 feet
125 to 25 feet, which was consistent with the Fire Code.

126
127 Steve Parkinson asked about maintenance of coops, which was covered in C(1-c-3). Chairman
128 Ohlin felt the wording regarding annual painting or staining should be removed. She felt wording
129 requiring coops to be maintained in good repair would be sufficient. Would there be an annual
130 inspection to make sure it was painted or stained?. Mr. Parkinson said the coops would be
131 inspected annually. She felt the requirement to paint or stain the coop annually was too
132 restrictive. The Planning Commission agreed to remove the annual painting and staining
133 requirement.

134
135 Steve Parkinson asked how the Planning Commission felt about the screening requirement in
136 C(1-c-4). Did the Planning Commission want a 6-foot fence? Did the fence need to be around
137 the yard or just an area?

138
139 Chairman Kirch asked if screening meant to keep chickens in or to block a view for aesthetics.
140 Mr. Parkinson said it meant fencing, not hiding. Commissioner Kirch felt 'screening' should be
141 replaced with 'fencing.' C(1-c-4) would read, "Hens shall not be permitted to roam outside the 6-
142 foot fenced yard area."

143
144 Chairman Kirch asked if there needed to be a regulation stipulating that chickens must be kept
145 in the backyard. Commissioner Payne said C(1-c) limited chickens to rear yards.

146 There was a discussion about the regulations for disposal of dead animals in C(1-c-7). Steve
147 Parkinson had left that section blank because the Planning Commission had talked about
148 disposal of dead animals on site and off site. What did the Planning Commission want to do?
149

150 Jason Sphar felt owners should be able to dispose of dead chickens on site, just as sportsmen
151 disposed game.
152

153 Commissioner Payne expressed concern about general sanitation. What if a chicken was
154 diseased?
155

156 Commissioner Kirch suggested that C(1-c-7) stated that deceased chickens should be disposed
157 of in a general sanitary method.
158

159 Chairman Ohlin asked how the City would regulate it.
160

161 Commissioner Karras said that unless someone complained the City would not know.
162

163 Commissioner Kirch said an owner could not leave dead animals in the street. They had to
164 dispose of them in a sanitary manner.
165

166 Commissioner Paul asked if an owner could kill a chicken on site.
167

168 Chairman Ohlin felt they should be able to.
169

170 Commissioner Kirch suggested wording similar to the rabbit regulations in 2(a) – No sale of any
171 kind or slaughter is permitted.
172

173 Commissioner Nandell felt the word slaughter should be omitted. A lot of people raised rabbits
174 and chickens for meat and eggs. It should read 'no sale of any kind is permitted.'
175

176 Steve Parkinson said C(1b) would have to be changed to read the same.
177

178 Commissioner Kirch asked about how young would be treated. How would an owner get rid of a
179 litter of rabbits or chicks if they could not sell them?
180

181 Commissioner Paul said that if sales were permitted, people would start breeding and selling
182 litters.
183

184 Steve Parkinson said the situation would be similar to dogs. Owners did not purchase dogs to
185 breed, but sometimes they had pups. He did not want to regulate that type of situation. The
186 ordinance said no sale of any kind to prevent a side business. Maybe the ordinance should
187 state 'no breeding sales of any kind' for rabbits. He didn't feel chickens would have the same
188 problems as only hens were permitted.
189

190 Commissioner Sphar said breeding rabbits would similar to a kennel license for dogs. Dog
191 kennels were allowed as a conditional use in the RE-20 Zone.
192

193 At 6:25 p.m. the Planning Commission moved from the Administrative Conference Room to the
194 Court Room to accommodate the size of the audience.

195
196 The Planning Commission discussed regulations for rabbits.

197
198 Steve Parkinson stated that most of the rabbit regulations were left blank because the
199 Commission did not have the time or the information needed to discuss them. He had forward
200 the research material regarding rabbits that had been submitted by Commissioners Karras and
201 Kirch. The Planning Commission needed to determine what the rabbit regulations should say.

202
203 Commissioner Nandell stated that 2(a) needed to restrict breeding sales and allow slaughter.

204
205 Commissioner Kirch stated that she had found the following language online and really liked it:
206 *"Wire cages of at least six square feet in area are preferable for breeding does and weaned*
207 *litters. Bucks' cages should have at least five square feet of floor space. Cage height should be*
208 *about 18 inches to allow animals to stretch upward. All changes should be cleaned on a regular*
209 *basis and those kept outside should be well protected from the weather."* She liked the cage
210 requirement provided by Commissioner Karras: *"...hutches should have ½" x ½" or ½" x 1"*
211 *galvanized wire mesh bottoms...to allow droppings to fall through...Hutches should be at least*
212 *18" high and...Hutches should not be larger than 3'x3'."* She was not sure how to put that into
213 an ordinance other than the height should be 18 inches and the size the space should be 0.75
214 square feet per pound of adult weight.

215
216 Commissioner Karras felt the America Rabbit Breeders Association seemed to have a pretty
217 good handle on what was needed to care for rabbits.

218
219 Commissioner Kirch suggested that a structure regulations be the same as those required for
220 chickens in C(1) with some adaptation.

221
222 Steve Parkinson said there could be a square footage requirement with a minimum height of 18
223 inches. Commissioner Kirch suggested a minimum of 2.25 square feet or adapted to the size of
224 rabbit but no larger than 9 square feet.

225
226 Commissioner Kirch felt hutches should be located 25 feet from an adjoining dwelling and six
227 feet from a property line. Mr. Parkinson said he would check with the Building Official. There
228 might be a separation requirement between a hutch and a home.

229
230 Steve Parkinson asked if maintenance requirements should be the same as chickens.
231 Commissioner Kirch said yes.

232
233 Steve Parkinson stated that in the case of rabbits screening would be screening, not fencing.
234 Could the screening be chain link fencing, or did it need to be opaque? The Commission felt
235 chain link would be fine. Mr. Parkinson asked if a yard had to be fenced.

236
237 Chairman Ohlin asked if the rabbits would be allowed to roam free. The Commission said no.

238
239 The Planning Commission did not feel a fenced yard would be necessary for rabbits.

240

241 Commissioner Kirch felt Feed, Wastewater, and Disposal of Animals should be the same as
242 chickens. The Commission agreed.

243
244 Commissioner Kirch stated that since the regulations for chickens and rabbits were similar the
245 ordinance could be in a table format. She asked if the regulations needed to include language
246 about how long an owner could have young. Steve Parkinson said the Animal Control
247 Ordinance stipulated how long an owner keep could young before it would be counted as an
248 adult. Chairman Ohlin thought it was until they were weaned.

249
250 Chairman Ohlin felt owners should only be required to apply for a one-time permit. She didn't
251 see the need for a yearly registration or inspection.

252
253 Commissioner Kirch felt a yearly inspection was needed. The Commission agreed.
254 Commissioner Nandell said the yearly license fee helped to cover the cost of the inspection.

255
256 Commissioner Kirch felt the ordinance should contain language about licensing and permits
257 from its inception. These were new uses in residential areas. The City would want to monitor
258 them closely. The City could make the ordinance less restrictive in the future, but it would be
259 difficult to make it more restrictive.

260
261 Commissioner Payne did not feel the City should wait for complaints to come in. It should be
262 checking problems. Commissioner Paul felt the City needed to be proactive not reactive. Being
263 proactive came with a cost.

264
265 The majority of the Planning Commission felt chickens and rabbits needed annual licenses and
266 inspections.

267
268 Steve Parkinson stated that he would make the changes suggested by the Planning
269 Commission and schedule a public hearing.

270
271 4. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE ZONING CODE
272 REGARDING BOARD OF ADJUSTMENTS

273
274 Steve Parkinson stated that the Zoning Ordinance provided for homeowners to seek variances
275 from zoning regulations by filing an appeal with the Board of Adjustment. The last variance
276 request was made eight to nine years ago. The Board had not convened since, and the
277 members' terms had expired. The Zoning Ordinance had to have some way for property owners
278 to seek variances. The Council had suggested that the Board of Adjustment be replaced with a
279 single hearing officer who would be a contracted employee. The Council would set the
280 parameters for the hearing officer – what knowledge was required, etc.

281
282 Mr. Parkinson stated that changing from a Board of Adjustment to a hearing officer would affect
283 Sections 304, 305, 307, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2501, 2504, 2505,
284 2506, and 2802 of the Zoning Ordinance. He provided the Commission members with copies of
285 those sections in which the words *Board of Adjustment* had been replaced with *hearing officer*.

286
287 Commissioner Nandell asked if a hearing officer have to live in Roy. Mr. Parkinson said that was
288 a stipulation the Planning Commission could recommend. The concern would be whether the

289 City could find someone who lived in Roy that had land use knowledge. The first criteria needed
290 to be land use knowledge.

291
292 Chairman Ohlin asked if Board of Adjustment members had to be citizens of Roy. Mr. Parkinson
293 said they did. Chairman Ohlin felt a hearing officer should be a Roy resident.

294
295 Commissioner Nandell felt the ordinance needed to be written to indicate that a resident of Roy
296 was preferred.

297
298 Chairman Ohlin asked if the Planning Commission needed to recommend qualifications. Mr.
299 Parkinson said the Council would determine the needed qualifications. He would let the Council
300 know the Commission preferred a Roy resident.

301
302 Commissioner Kirch felt the most important qualification was land use experience and an
303 understanding of Roy City ordinances and zones.

304
305 Steve Parkinson said there were a few places that the words *Board of Adjustment* were
306 replaced with *Zoning Administrator*. Commissioner Nandell asked who the Zoning Administrator
307 was. Mr. Parkinson said it was himself. Chairman Ohlin asked if the City Code specified that the
308 City Planner was also the Zoning Administrator. Mr. Parkinson said it did.

309
310 Chairman Ohlin asked if the hearing officer would be a paid employee. Mr. Parkinson said the
311 hearing officer would be a contract employee. Chairman Ohlin asked if the City would save
312 money by having a hearing officer versus a Board of Adjustment. Mr. Parkinson said it would.
313 The City would only have to pay one employee versus a board of five. The hearing officer would
314 only be paid when needed.

315
316 Commissioner Kirch liked the way the ordinance was written.

317
318 Steve Parkinson stated that he would get a clarification about the requirements for a hearing
319 officer and bring it back to the Planning Commission.

320
321 Chairman Ohlin asked if a public hearing would be needed. Mr. Parkinson said it would.

322
323 5. DISCUSSION REGARDING A PROPOSED AMENDMENT TO THE ZONING CODE
324 REGARDING THE ALLOWANCE OF FARM ANIMALS ON LARGE PARCELS ALONG
325 THE POWER CORRIDOR

326
327 Steve Parkinson stated that in January the Planning Commission discussed a proposed
328 amendment to the Zoning Ordinance to allow farms animals on large lots next to the power line
329 corridor between 3100 West and 3500 West. The Commission asked him to bring back
330 information about regulations in the Zoning Ordinance prior to 2005 that allowed farm animals
331 as a conditional use in residential zones in areas next to geographical impediments. The
332 regulations stated that if a property owner owned or leased adjoining property under the power
333 lines totaling 20,000 square feet, he could apply for a conditional use to use the property as
334 though it were zoned RE-20.

335

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

339
340 Steve Parkinson said the regulation only applied to single-family residential areas adjacent to
341 the power corridor.

342
343 Commissioner Kirch stated that this regulation was discussed when the General Plan was
344 updated. The reason for the conditional use was to help control weeds. It was determined that it
345 was more beneficial than negative to have this use in the power corridor. She did not know why
346 it was taken out.

347
348 Commissioner Paul asked if a property owner had to register a lease agreement with the City if
349 this was allowed. Steve Parkinson felt the City should have a copy of a lease agreement.

350
351 Steve Parkinson stated that Jacob Briggs was asking that the Zoning Ordinance be amended to
352 allow uses traditionally associated with larger acreage. Mr. Briggs felt the ordinance could be
353 amended by including an asterisk (*) next to the 'X' identifying certain uses in a zone as
354 Prohibited. The asterisk would lead to the end of Table 17-1 where it would state that use is
355 allowed on parcels located within the Corridor, e.g., **Conditional Use in parcels located within
356 the Utah Power & Light Corridor and which otherwise meet the requirements of the use.*

357
358 Mr. Parkinson said Mr. Briggs was asking how the Planning Commission wanted the ordinance
359 written. He would then submit a formal application.

360
361 Commissioner Kirch felt an amendment should include the language from the 2005 Zoning
362 Ordinance, that a copy of any lease agreement be provided to the City, and that the use be
363 limited to horses and cows. Table 17-1 need to indicate this use was conditional.

364
365 Commissioner Paul asked why this regulation was moved from the Zoning Ordinance. Mr.
366 Parkinson did not know.

367
368 Steve Parkinson stated that he would let Mr. Briggs know what clarifications the Planning
369 Commission had discussed.

370
371 6. COMMISSIONER'S COMMENTS

372
373 Commissioner Kirch suggested that the Planning Commission look at other sections that were
374 removed from the Zoning Ordinance in 2006. Maybe those regulations needed to be put back in
375 the Zoning Ordinance.

376
377 Commissioner Paul asked if the City had a current rendering of UDOT's plans for closing the
378 intersection of 3500 West at Midland Drive. It appeared the project had changed. Mr. Parkinson
379 said he would check.

380
381 Commissioner Karras asked about the status of the Barlow Medical Building on 3500 West. It
382 appeared construction had ceased. Did the City know why? Mr. Parkinson said he did not know
383 what the status of the project was.

384 7. STAFF UPDATE
385

386 Steve Parkinson reminded the Planning Commission that Wasatch Front Regional Council
387 would be holding an open house regarding the Regional Transportation Plan on Wednesday,
388 April 27th at 3:00 p.m. at the Clinton City offices. He encouraged the Planning Commission
389 members to attend to give their input regarding 5600 South. Commission Kirch felt attendance
390 was important in order to get 5600 South expedited.
391

392 8. ADJOURN
393

394 **Commissioner Nandell moved to adjourn at 7:16 p.m. Commissioner Karras seconded**
395 **the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar**
396 **voted "aye." The motion carried.**
397

398

399

400

401

Attest:

402

403

404

405

Michelle Drago

406

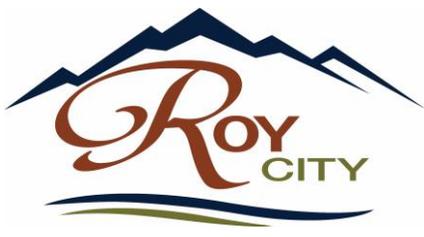
Secretary

407

408

dc:04-26-16

Lindsey Ohlin
Chairman



STAFF REPORT

Planning Commission

May 10, 2016

Agenda Item # 3

SYNOPSIS

Application Information

Applicant: Steve Parkinson
Request: To amend the Roy City Municipal Code; Title 10 regarding Chickens and Rabbits within all Single-Family Residential Districts.

Staff

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

APPLICABLE ORDINANCES

- Roy City Zoning Code; Title 10 chapter 11 – Supplemental Development Standards
- Roy City Zoning Code; Title 10 chapter 17 – Table of Uses

ANALYSIS

Background: This item was originally brought to the Planning Commission on July 25, 2012. The Commission held several meetings (July 25, 2012; August 14, 2012; August 28, 2012; September 11, 2012; September 25, 2012; October 9, 2012; December 4, 2012; and February 12, 2013) after eight (8) meetings the item was then forwarded to the City Council with a recommendation of approval from the Planning Commission. The Council heard this item on February 19, 2013 and denied the request.

Now jump ahead three years, and after several inquiries to the Council to reconsider, and an almost successful attempt to put the item on the ballot during the 2015 elections, the Planning Commission has again had a few more meetings (February 23, 2016 and April 26, 2016) on the topic of allowing chickens & rabbits in the Single-family residential zones.

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

Proposed changes: It is proposed to add the following language. Typically the language that is to be removed has been struck through and the language to be added is bolded. In this case nothing is being removed, and everything is being added, therefore the language to be added will not be bolded. See exhibit “A” for the proposed changes.

FINDINGS

- The proposed amendments of Title 9, chapter 4 and title 10, chapter 20 and the creation of Title 13 are consistent and in accordance to the discussions of the Planning Commission.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Roy City Municipal Code; Title 9 chapter 4 and the Roy City Zoning Code; Title 10 chapter 20, and the creation of a new Title 13 - Sign Regulations.

EXHIBITS

- A. Proposed Ordinance changes



EXHIBIT “A” – PROPOSED ORDINANCE CHANGES

Add

Section 1111 – Supplementary Regulations Allowing for the Keeping of Chickens (Hens) and Rabbits in the Single-Family Residential Zones

The purpose of this section is to provide supplementary regulations for the keeping of Chickens/Rabbits in the single family zoning districts of the city. It shall be unlawful to keep Chickens/Rabbits in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones except as provided in this section.

- A. Allowance- All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones that have a minimum of 8,000 square feet on their property, shall be allowed to have up to six (6) Chickens (excluding roosters and crowing hens), or six (6) rabbits, or a combination of Chickens or Rabbits not to exceed six (6). This would exclude dependent young.
- B. Permit required- A city permit is required for the keeping of any animal or animals under this section. Permits may only be issued to the property owner of record.
 1. Fee. The permit fee shall be set forth in the adopted Fee Schedule of the City.
 2. Renewal. All permits issued under this section are subject to annual inspection and renewal.
 3. Inspection. Inspections related to a permit issued under this section must be permitted as deemed necessary by the City.
 4. Revocation. A permit may be revoked by the City for any violation of this section at any time.
 5. Transfer of Permits. Permits under this section are issued to property owners of specific lots and may not be transferred or assigned to other persons or properties when ownership or residency changes.
 6. Notice to Adjacent Neighbors. Upon receiving an application under this section, the Zoning Administrator shall cause notice of the application to be sent by mail to all owners of property immediately adjacent to the subject property.
 7. Site Plan. An application for a permit under this section must be accompanied by a site plan indicating the lot, the primary residence, and the proposed placement of the structures in compliance with the requirements of this section.
 8. Zoning Administrator. The Zoning Administrator or his or her designee shall be responsible for the review of applications, issuance or denial of permits, inspections, renewals, investigation of complaints, and revocation of permits when necessary.
- C. Regulations for the keeping of Chickens and Rabbits –
 1. Chickens: The issuance of a permit for the keeping of non-crowing, egg-laying Hens under this section shall be predicated upon compliance with the following.
 - a. Roosters. Roosters and crowing hens of all kinds are prohibited
 - b. Personal Use Only. The keeping of hens is intended only for pleasure or family food production (eggs/meat). No sale of any kind is permitted.
 - c. Enclosure Standards. All animals must be contained within an enclosure or fenced area at all times. Such an area shall be entirely within the rear yard. No enclosures will be permitted in the front or side yards.
 2. Rabbits: The issuance of a permit for the keeping of Rabbits under this section shall be predicated upon compliance with the following.
 - a. Personal Use Only. The keeping of rabbits is intended only for pleasure or family food production (meat). No sale of any kind or slaughter is permitted.
 - b. Enclosure Standards. All animals must be contained within an enclosure at all times. Such an enclosure shall be entirely with the rear yard. No enclosures will be permitted in the front or side yards.

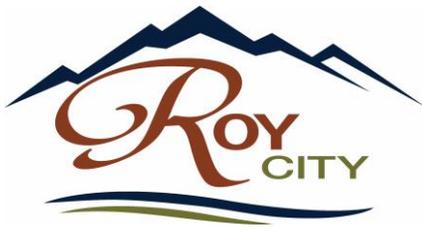
TABLE 11-1 – GENERAL STANDARDS

		Chickens	Rabbits
1.	Enclosures (Coop/Hutch)	All animals kept under this section shall be housed within a covered, predator proof and well ventilated coop. Must provide a minimum of two (2) square feet per animal, with a maximum of twelve (12) square feet of floor area per chicken to allow for free movement inside the coop. No coop or hutch may exceed seven (7) feet in height. Enclosures shall have solid walls on all sides, except for opening for access, must have a solid roof, and built to prevent intrusion, including burrowing of all types of rodents, vermin, and predatory animals.	All animals kept under this section shall be housed within a covered, predator proof and well ventilated hutch. The hutch must have a ½" X ½" OR ½" X 1" galvanized wire mesh bottom to allow droppings to fall through. Enclosures need to protect the animals from the sun, wind, rain and extreme hot & cold temperatures. Must provide a minimum of two & one quarter (2.25) square feet per animal with a maximum of nine (9) square feet. Do not put Rabbits together after they are 3 months of age.
	(Runs)	Not required, but if one is used, maximum size is 150 square-feet	Rabbits are not allowed to be out of their enclosures.
2.	Location	All structures provided under this section shall be located a minimum of twenty-five (25) feet from any dwelling on an adjacent lot, six (6) feet from any property line and six (6) feet from any dwelling on the same lot.	
3.	Maintenance	All Enclosures shall be cleaned and maintained as necessary to prevent detectable odor at the property line. All enclosures must be maintained in good repair.	
4.	Fencing	Hens shall not be permitted to roam outside the rear yard. There must be a six (6) foot fence surrounding the rear yard.	Rabbits are not allowed to roam. There must be a six (6) foot fence surrounding the rear yard.
5.	Feed	Feed for animals kept under this section must be stored and dispensed in rodent proof, predator-proof containers.	
6.	Wastewater	Wastewater from the use of the animals or related to the maintenance of the structure shall be retained or disposed of entirely on the property.	
7.	Disposal of Animals	Disposal of Animals should be taken care of in a general sanitary manner.	

Section 1701 – Table of Uses

Table 17-1

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
Limited Domestic Livestock and Fowl. Allowing the keeping of Chickens (Hens), Rabbits and Bees. Refer to Sections 1111 and 1112 for Regulations for the keeping of these animals.	X	P	P	P	P	P	X	X	X	X



SYNOPSIS

Application Information

Applicant: Kathleen Fladie
Request: Request for Preliminary Subdivision approval for Ward Estates Subdivision phase 3 Amended, a two (2) lot single-family residential subdivision.
Address: Approximately 5050 South 3500 West

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: Unincorporated Weber County

Staff

Report By: Steve Parkinson
Recommendation: Approve 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 Subdivision Ordinance Title 11, Chapter 3 (Preliminary Subdivision Application)
- Roy City Subdivision Ordinance Title 11, Chapter 9 (Subdivision Development Standards)

ANALYSIS

Background

This subdivision first came before the Commission on the 8th of September 2015, see exhibit "D" for PC minutes of that meeting. The request was tabled pending a letter from UDOT either approving an additional access OR denial of a second access. Staff received a letter from UDOT on April 11, 2016, indicating that they would not allow an additional access point onto 3500 West.

The property is located on the east of 3500 West in between 4800 South and 5600 South. There is an existing dwelling unit which has 141.67 feet of street frontage. It is fully surrounded by residential properties but those are on smaller lots. The proposed Lot 35, will be directly in front of the existing home, basically subdividing off the front yard.

Subdivision: The proposed subdivision is to subdivide .84 acres (36,571 square feet) of property into two (2) individual parcels. Lot 35 will house the existing dwelling and comprises 25,416 square-feet. The remaining 11,145 sq.-ft will be Lot 26

Zoning: The property is zoned R-1-8 and according to table 10-1 of the Roy City zoning ordinance the R-1-8 zone requires that for single-family lots to be a minimum of 8,000 sq.-ft. which each lot exceeds this requirement, the smallest being 11,145 sq.-ft. and each lot also meets the lot area requirements. Lot width (which is along a public street) is not being met, but the applicant is looking to use a "shared driveway". If approved then the width of each lot would be measured at setback, which each parcel could meet.

Access: The subdivision as proposed, is requesting to use a shared driveway to be used by both properties. In order to grant a "shared driveway" the Commission will need to review the following ordinance and then determine if it meets it:

Section 1102 – Shared Driveways

- 2) The creation of or the issuance of a building permit for a lot or parcel accessed from a shared driveway may be approved by the DRC under the following circumstances:
 - a) There exists certain unique circumstances that directly impact the lots or parcels to be accessed by the shared driveway as follows:
 - i) The lots or parcels are isolated from any presently existing public streets and will be isolated from any future public streets; and
 - ii) Certain physical barriers exist that isolate the proposed lots or parcels and preclude future expansion and development and deny through access to public streets bound the property. For purposes of this Section, physical barriers may include: existing canals with recorded easements and rights-of-way that prohibit public access and crossing; railroad rights-of-way; terrain that prevents conventional access by public streets; utility easements which prohibit street access and crossing; existing developments of improved real property contiguous to the subject property that prohibits extension of through public streets to or from the lots or parcels; existing or proposed drainage requirements which include storm drain channels, retention/detention ponds, or natural creek beds which prohibit public street access; or limited access roads which prohibit a public street connection.
 - iii) The shared driveway is not necessary to be dedicated as a public street to accomplish needed and logical street connections, to provide access to properties that may otherwise have no access or limited access to the detriment of the property.

Staffs review of the above ordinance is as follows:

- (i) *Parcels are isolated from existing/future public streets* – Each parcel will not have direct access onto 3500 West, UDOT will not allow another access point. Therefore because UDOT will not allow access the only way this subdivision can be approved is by allowing a shared access between the two properties.
- (ii) *Existing physical barriers* – There are no physical (topography) barriers as listed within the ordinance, but with UDOT not allowing an additional access point, this could be consider a barrier.
- (iii) *Street connectivity providing access to properties* – The use of a shared driveway is a limited access point.

Improvements / Utilities: Both lots are easily served by all utilities from 3500 West

DRC Review: The DRC has reviewed the development, (see exhibit “C”). There are many issues that need to be resolved, but none of them would deter the subdivision from occurring.

Summary: The proposed subdivision does meet the shared driveway requirements as explained above. UDOT didn’t not allow an additional access, therefore the only access for a second parcel would have to come through a shared driveway. Both of the proposed parcels can meet the requirements for the R-1-8 zoning.

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 OF APPROVAL

- I. Compliance to the requirements and recommendations as outline in the DRC memo dated 6 August 2015 (Attached) and additional comments that may come from additional DRC reviews.

FINDINGS

- I. The proposed subdivision does meet the shared driveway section of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Denial, Approval, Approve with conditions, or Table.

RECOMMENDATION

Staff recommends approval of the Preliminary Subdivision of Ward Estates Subdivision phase 3 Amended located at approximately 5050 South 3500 West with the conditions as discussed and as outlined within the staff report.

EXHIBITS

- A. Aerial Map
- B. Preliminary Subdivision plat
- C. DRC Memo dated 3 September 2015
- D. Planning Commission Sept. 8, 2015 meeting Minutes
- E. Letter from UDOT

EXHIBIT "A" – AERIAL MAP

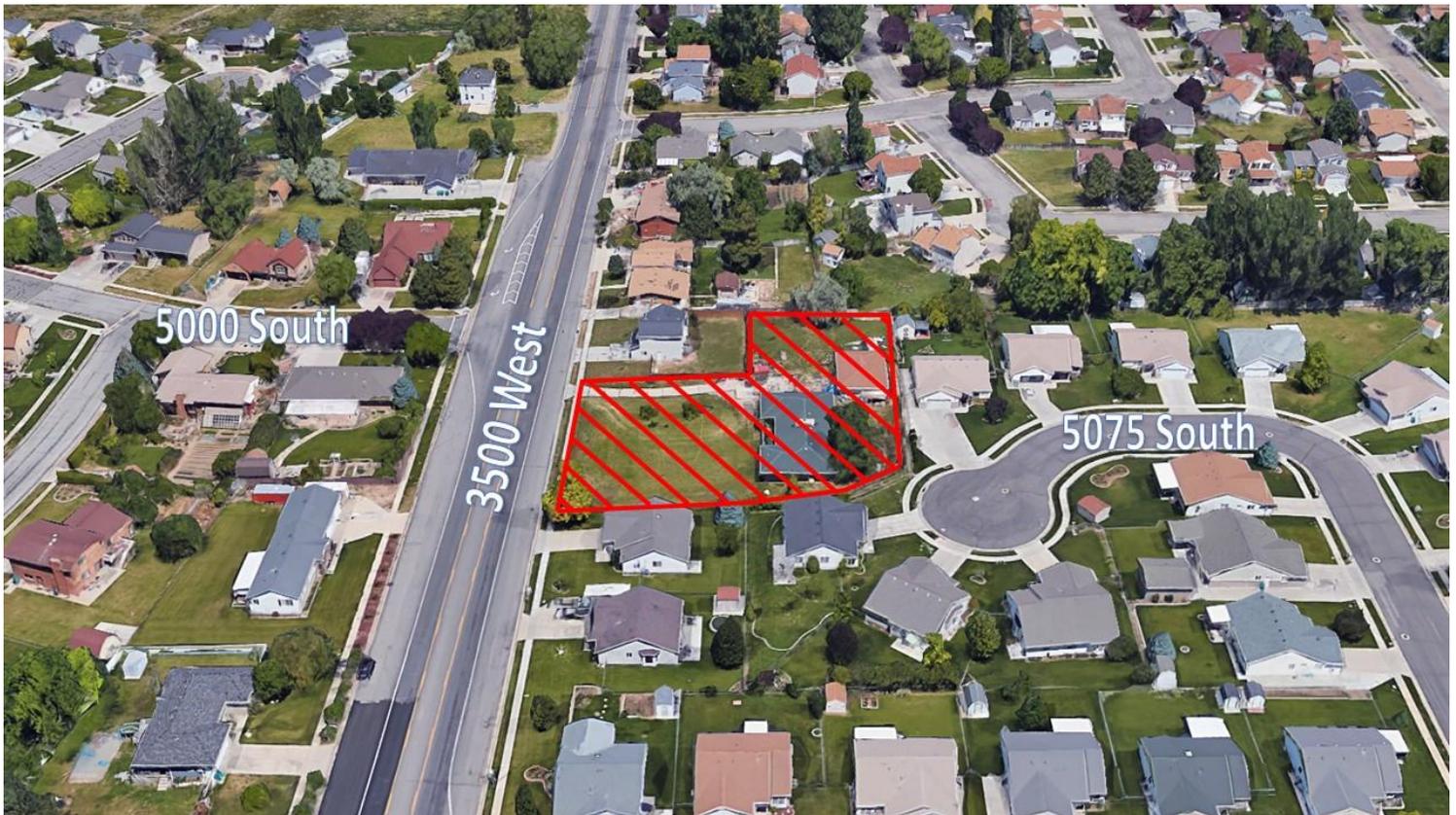
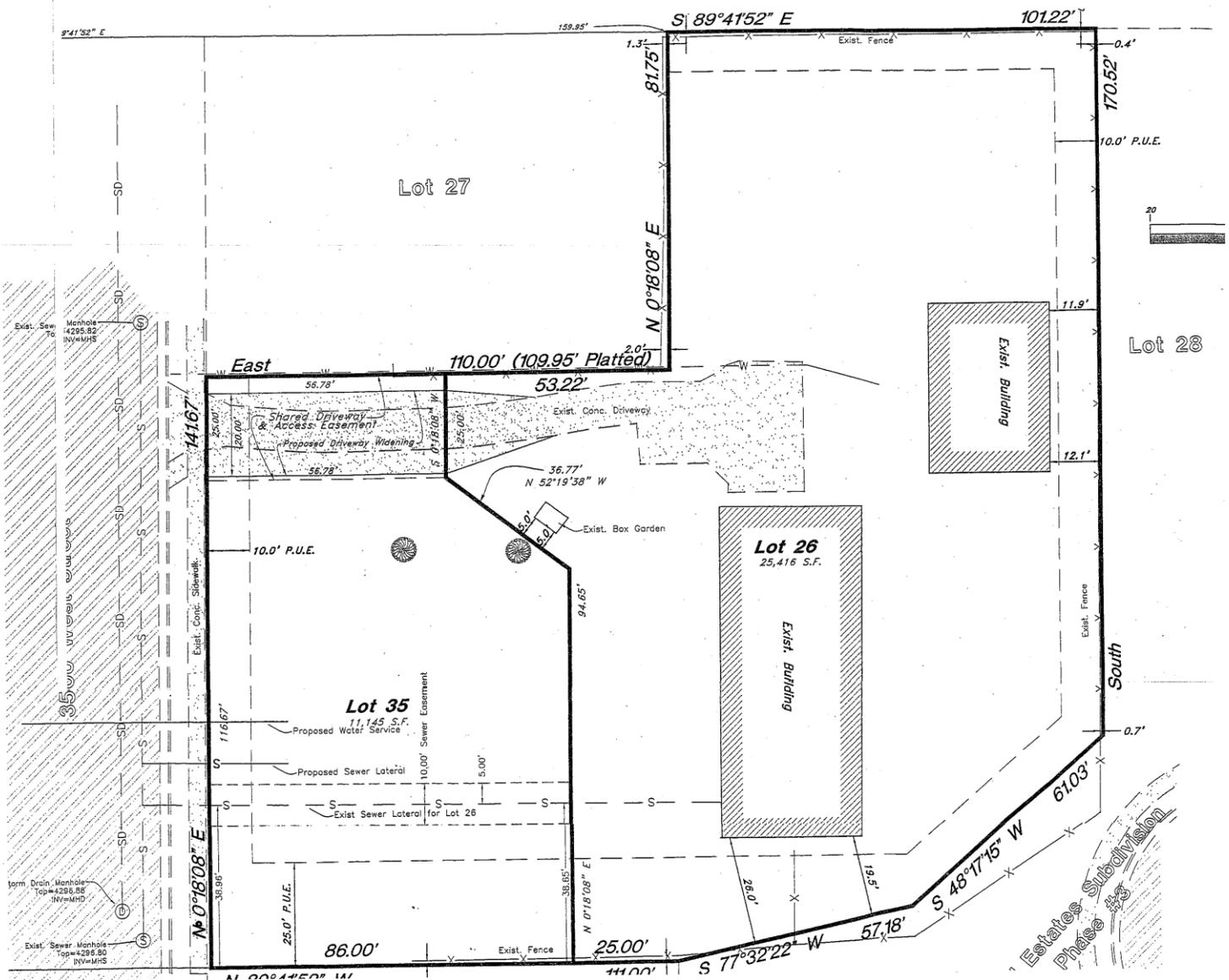


EXHIBIT "B" – PRELIMINARY SUBDIVISION PLAT





DEVELOPMENT REVIEW COMMITTEE

REVIEW MEMO

Date: 3 September 2015

To: Kathleen Fladie
Andy Hubbard; Great Basin 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: Ward Estates Subdivision 1st Amendment (5050 S 3500 W) Preliminary Plat

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 –

1. Secondary Water laterals should be shown.
2. UDOT approval should be submitted.
3. This subdivision does not appear to comply with the current city ordinances for a shared driveway.
4. Cross access agreement should be submitted for City Attorney's review.

Building -

Subdivision

1. No comments.

Construction of future dwelling unit (if approved).

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

Fire / Public Works / Legal -

1. No comment at this time

Planning -

1. Application is incomplete, missing the following items:
 - a. Title Report,
 - b. Tax Clearance
2. Proposed shared driveway does not meet section 1102 of the Roy City Zoning Ordinance, which outlines criteria needed in order for a shared driveway to be approved.
3. Has UDOT been contacted? Have they denied a request for access onto 3500 West?
4. Need to change the date within every signature block of the city's including those for the surveyor and owner from 2012 to 2016.
5. Need to change the date in the title section from 2012 to 2016.
6. There are two scales on the plat, they are different than each other. (1"=40' and 1"=20')
7. All of the city signature blocks are incorrect (included in this memo). They are not needed on preliminary subdivision drawings only on the Final plat.
8. The following items significantly decrease the allowable building area for a future dwelling unit:
 - a. With the existing P.U.E. to the southern end of the proposed parcel # 35, the easement for the sewer lateral for Lot 26 significantly decreases the allowable building foot-print for a future dwelling unit.
 - b. The proposed property line between lots 26 & 35 heading NW after 94.65'!
9. There needs to be language for the shared access easement.
10. The existing "box garden" on Lot 26 is within the front yard setback.

Signature blocks

<p>PLANNING COMMISSION</p> <p>This is to certify that this subdivision plat was duly approved by the Roy City Planning Commission on the _____ day of _____, 20____.</p> <p>_____</p> <p>Chair, Roy City Planning Commission</p>
--

<p>ROY CITY ENGINEER</p> <p>I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to approval by the Engineer of the foregoing plat and dedications have been complied with. Signed this ____ day of _____, 20____.</p> <p>_____</p> <p>Roy City Engineer</p>

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

ROY CITY ATTORNEY

Approved as to form this ____ day of _____, A.D. 20____.

Roy City Attorney

EXHIBIT "D" – PLANNING COMMISSION SEPTEMBER 8, 2015 MINUTES

9. PUBLIC HEARING TO CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF WARD ESTATES PHASE 3 LOT 26 AMENDED, A TWO LOT SUBDIVISION, LOCATED AT 5050 SOUTH 3500 WEST

Steve Parkinson stated that the City had received a request for preliminary approval of a two lots subdivision located at 5050 South 3500 West. The Planning Commission and City Council reviewed the proposed subdivision several years ago, but any approval given had expired. The property in question was .84 acres in size with 141.67 feet of frontage on 3500 West. The existing home was located toward the back of the lot. The property owner wanted to divide the property and create a lot in front of the existing home. She was proposing that a shared driveway be used to access both lots.

Mr. Parkinson said the applicant currently did not meet the criteria for a shared driveway because both lots had frontage on a public street. However, if UDOT denied access for the new lot there might be enough reason to allow a shared driveway. He recommended that the Planning Commission table consideration of the subdivision until the City received an answer from UDOT.

Mr. Parkinson said the staff had found that the proposed subdivision did not meet the shared driveway section of the Zoning Ordinance. The staff recommended denial of the preliminary subdivision.

Commissioner Karras asked who would approach UDOT. Mr. Parkinson felt the applicant's engineer should submit a subdivision plan to UDOT.

Commissioner Nandell asked if UDOT would rule on the shared driveway. Mr. Parkinson said it would not. UDOT would simply determine whether it would allow the new lot to have access onto 3500 West.

Commissioner Nandell moved to open the public hearing at 7:28 p.m. Commissioner Karras seconded the motion. Commissioners Dandoy, Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted "aye." The motion carried.

Chairman Kirch opened the floor for public comments.

Kathleen Fladie, 5050 South 3500 West, stated that three years ago she received preliminary approval of this subdivision, but she never recorded it. She thought her engineer had talked to UDOT, and UDOT said no. She wanted to keep the home on the new lot one level so people did not look down on her. The lot to the north was allowed to build over her culinary water line. She now had to get an easement for it.

Commissioner Paul moved to close the public hearing at 7:31 p.m. Commissioner Karras seconded the motion. Commissioners Dandoy, Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted "aye."

Commissioner Dandoy asked if the City had already approved this subdivision. Mr. Parkinson said this subdivision received preliminary approval in 2012. It was never recorded, and the approval expired. There wasn't any correspondence from UDOT in the subdivision file. The new plat was slightly different from the plan approved in 2012. He wasn't sure how the City's previous planner made the subdivision work under the City's current ordinance.

Commissioner Dandoy moved to table consideration of Ward Estates Phase 3 Lot 26 Amended pending a response from UDOT regarding access for Lot 35. Commissioner Ohlin seconded the motion. Commissioners Dandoy, Karras, Kirch, Nandell, Ohlin, Paul, and Payne voted "aye." The motion carried.



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

April 11, 2016

Kathleen Fladie
5050 South 3500 West
Roy, Ut 84067

RE: SR-108; Kathleen Fladie Access Request Information

Dear Kathleen,

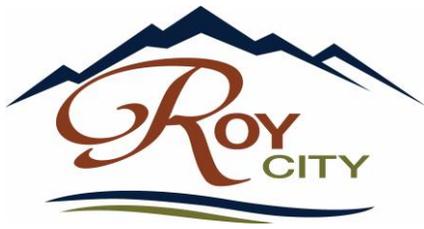
The UDOT Region One Permits Office met with Ms. Kathleen Fladie on April 7, 2016 to discuss access management regarding 3500 West (SR-108). Ms. Fladie was informed that each UDOT road is categorized and that an additional access along her frontage would not meet the current spacing requirement of 350 feet, according to the Utah Administrative Rule R930-6. The primary access for her proposed subdivision would best be served by a shared access. This might be done by sharing the existing access to her own home, but any increase of use of an existing access or creating a shared access with an adjacent property owner will require a UDOT Conditional Access Permit.

Please let me know if you have any questions or if I can be of further assistance.

Sincerely,

Keith Bladen
Region Right-of-Way Control Coordinator

CC: Kris Peterson, P.E.
David Adamson, P.E.
Darin K. Frstrup, P.E.
J. Brent DeYoung, P.E.
Gordon Young
Rodger (Jay) Genereux



SYNOPSIS

Application Information

Applicant: Kent Hill
Request: Conditional use to allow Multi-Family Housing
Address: 5629 South 2700 West

Land Use Information

Current Zoning: R-3; Multi-Family Residential
Adjacent Land Use: North: RE-20; Single-Family Residential and R-3; Multi-Family Residential
South: RE-20; Single-Family Residential
East: R-1-8; Single-Family Residential and R-3; Multi-Family Residential
West: R-1-6; Single Family Residential and R-3; Multi-Family Residential

Staff

Report By: Steve Parkinson
Staff Recommendation:

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 upon some property located on the SW corner of 5600 South and 2700 West. The property is currently zoned R-3, which allows, as a Conditional Use, multi-family dwellings.

Description: Property is approximately 0.95 acres (41, 382 sq.-ft.), and it is currently vacant. The D&RG trail goes along the eastern property line.

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 within the zone.
- The project currently does not comply with all of the Zoning Standards but can eventually comply.
- 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

Coverage: The maximum coverage of impervious surfaces may not exceed a range between 40% and 55%. Currently his project has a 58% impervious coverage range, 3% more than allowed.

Section 1110 of the Zoning Code, mentions “Factors to consider in determining the appropriate impervious surface coverage allowed”, which include, but limited to the following (staff comments):

- Project size (.95 acres)
- Density (12 units per acre)
- Adjacent densities (South/North = 2 units/acre; West = 7 units/acre; East = 5 units/acre)
- The nature of amenities provided by the proposed development (Indoor Rec room)
- The use of pervious and semi-pervious concretes, pavers, permeable paving, and other technology that allows hard surfacing which is not fully impervious. (None proposed)

The Commission will need to determine the appropriate coverage of impervious surface for this project.

Open Space: Multi-family housing projects are required to provide open space. The minimum base open space is 20%, this space must consist of specifically planned, usable or preserved space, remnant, unused area may not be included in the calculation of the base open space.

Most if not all of the space that is open is either the required yard setbacks or the minimum distance required between buildings. The only area not described above is the storm water retention area.

Amenities: Multi-family housing projects are required to provide amenities. There is a proposed indoor Recreation/Exercise room with six (6) storage units within the southern lower level of the center building as well as seven more storage units within the parking area.

Pedestrian Access: The property has two street frontages with sidewalks on each street. The project provides two unique pedestrian access point into the project, one off of each street.

Access: The project has a single vehicular access from 2700 West.

Parking: Parking requirements for multi-family uses are 2.5 spaces per unit, one of which must be covered. The proposal provides the requisite parking of 28 stalls. Of those stalls, 11 stalls are covered, with 6 visitor stalls, meeting this requirement.

Lighting: 1 light post was identified, but no information as to the overall height of the fixture & pole.

Building Design: For the most part the proposed buildings meet the Zoning Code, however there is one aspect that the Planning Commission will need to determine if what is proposed meets the ordinance. Section 1508 A 3 talks about “Continuous building wall surfaces longer than thirty (30) feet shall be relieved with a variation of wall planes or overhangs.” The side elevations of each building has an area that is 41’ 8” long. The applicants are proposing to use a material to show “shadows & visual interest” rather than having the building have a relief to show “shadows & visual interest”. Staff does not believe that the proposed material meets the intent of the ordinance and is asking the Planning Commission to determine it.

Building Materials/Colors: The project proposes to use a brick (Clifton color) in the front of each building which will face 2700 West. Then on the sides and rear of each building the applicant is proposing to use a

vertical lap siding (Rocky Gray color) with a vertical 1" x 1" accent. The rest of the proposed materials will complement the rest of the building materials.

Signs: The project proposes one sign location along 5600 South, but no plans have been submitted. All signs must comply with Roy City sign ordinance and need to be submitted on a separate permit.

CONDITIONS OF APPROVAL

- Compliance to all requirements of the DRC.
- Receive Preliminary & Final Subdivision approval
- Receive approval from the Roy City Council.

FINDINGS

1. That the Architectural design can meet all aspects of the Zoning Code
2. That the Site Plan design can meet all aspects of the Zoning Code

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends that the Planning Commission approve the request of a Conditional Use to allow Multi-Family Housing at the property located at approximately 5629 S 2700 W; with the conditions as stated in the staff report.

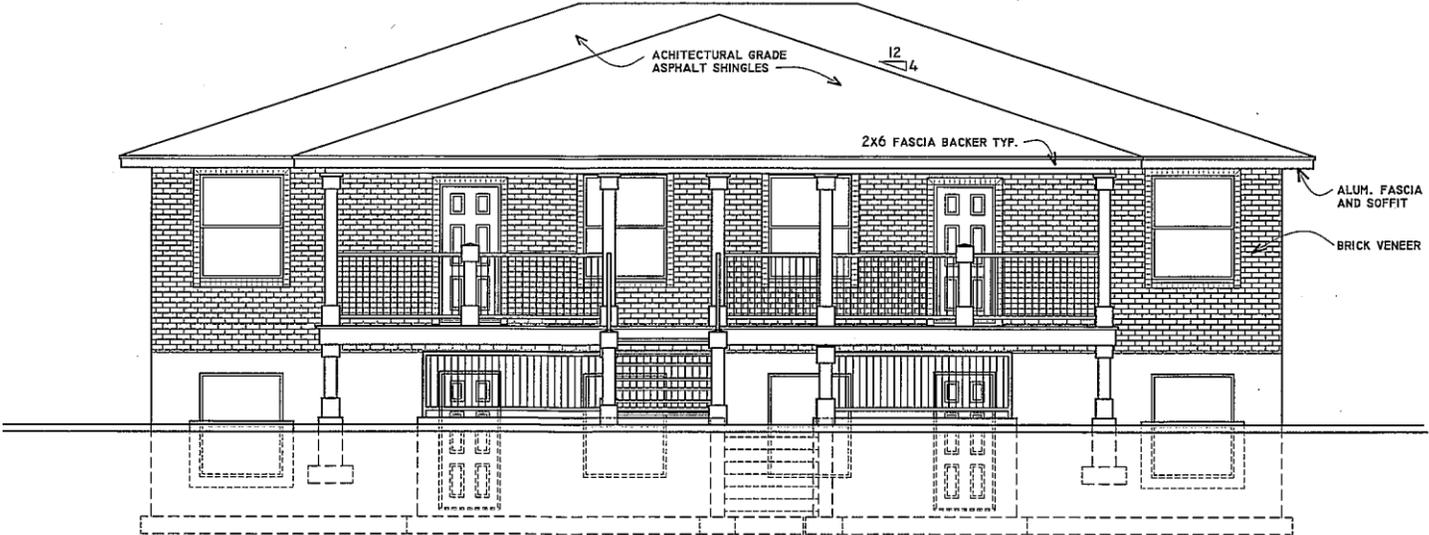
EXHIBITS

- A. Aerial Map
- B. Proposed Building Elevations
- C. Proposed Site Plan
- D. DRC memo dated 4 May 2016

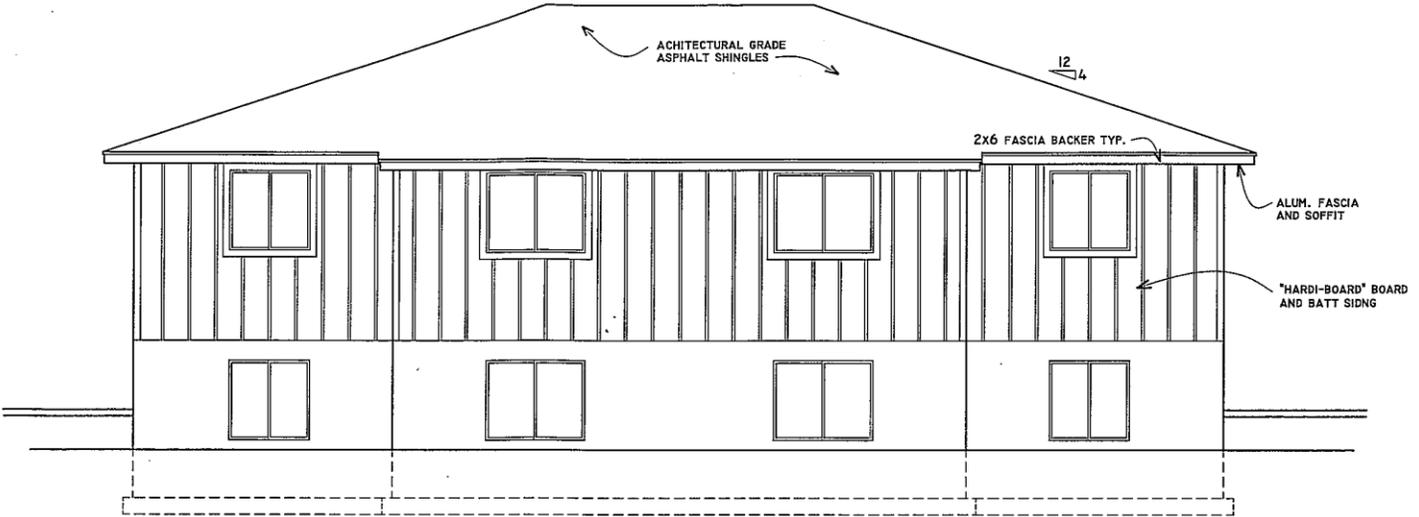
EXHIBIT "A" – AERIAL MAP



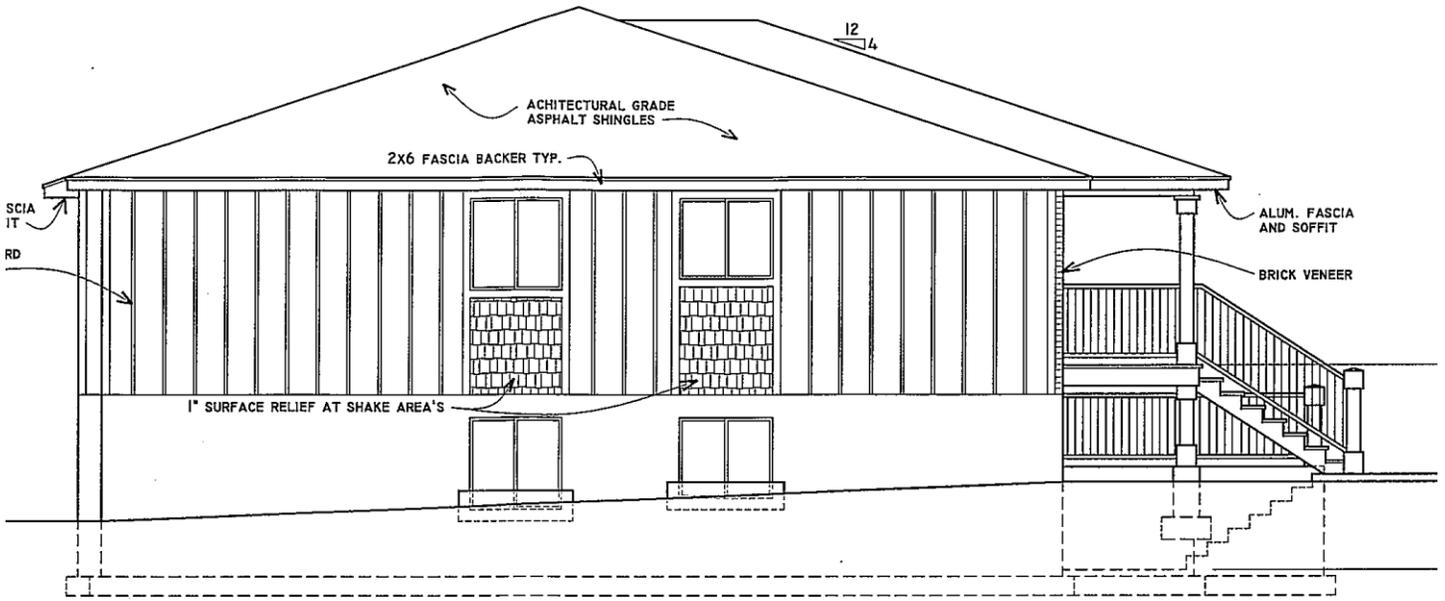
EXHIBIT "B" – PROPOSED BUILDING ELEVATIONS



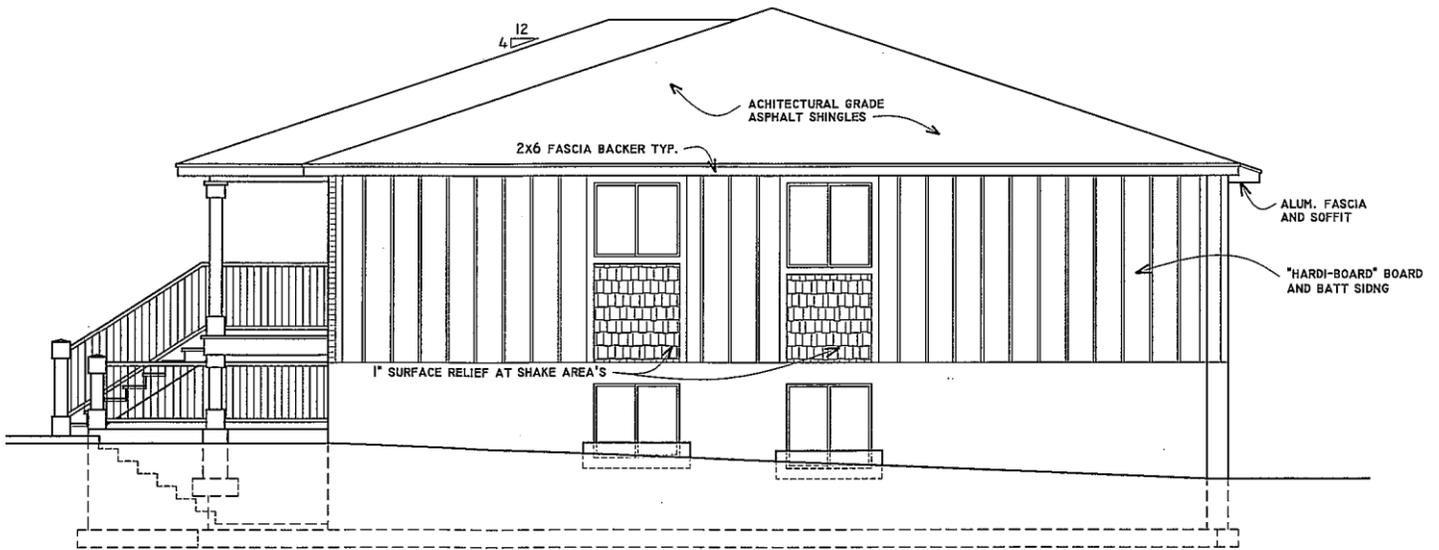
FRONT ELEVATION



REAR ELEVATION

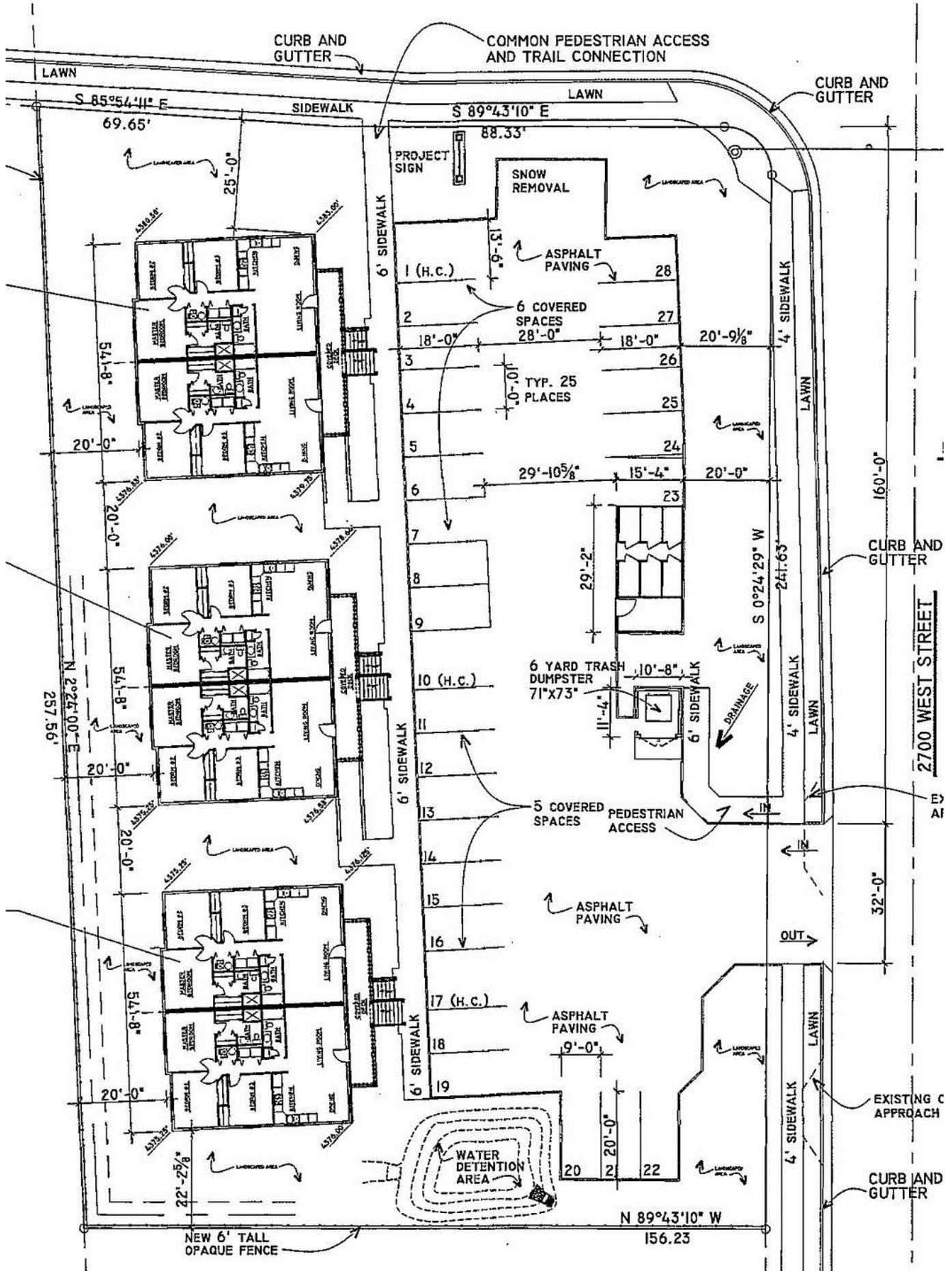


LEFT ELEVATION



RIGHT ELEVATION

EXHIBIT "C" - PROPOSED SITE PLAN





DEVELOPMENT REVIEW COMMITTEE

REVIEW MEMO

Date: 4 May 2016

To: Kent Hill

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

Subject: Builders Alliance Multi-Family Development (5629 S 2700 W) plans submitted March 23, 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 –

1. The site consists of three separate parcels which need to be combined into one. The proposed buildings cannot straddle property lines.
2. The storm drainage detention outlet connection to the existing storm drain in 2700 North should be detailed. It will need a manhole connection and the elevation should be verified and indicated on the drawings. Roy City Public Works may require a manhole at the lateral connection in 2700 North Street. The connection elevations on the sanitary sewer should be indicated, so we can verify adequate depth.
3. Parking stall and aisle widths appear to meet standards but should be dimensioned.
4. The proposed secondary water (Roy Water Conservancy District) should be sized and detailed per their requirements and an approval letter should be submitted from their office. Existing water service lines should be shown and noted to be abandoned at the corp. stop in the road. Any existing sanitary sewer laterals will need to be plugged and permanently capped (which should also be indicated).

Once all changes and verifications have been made, an Engineer's Estimate should be submitted for our review. The estimate (once approved) will serve as the basis of the Improvement Guarantee.

Fire – Public Works - Legal –

1. No comments at this time

Building -

1. The buildings will be classified as an R-2 Occupancy according to the 2012 IBC.
2. Code requirements for type A and B units will apply, chapter 11 of the IBC.
3. The buildings will be required to be designed and constructed as per the applicable sections of the IBC, IECC, NEC, IPC, IMC, IFGC, ICC A117.1 and all other applicable codes as currently adopted by the State of Utah at the time of application for a Building Permit.
4. There shall be a geotechnical sub surface investigation performed on the site. 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 geo-seismic information to be utilized in the design and construction of proposed structures within the development. All findings shall be noted and all requirements shall be followed.

5. Each building will be permitted separately, including the storage building.
6. Buildings will be required to have a NFPA 13R fire sprinkler system and fire alarm systems as per code.
7. Code requirements for accessible parking will apply, chapter 11 of the IBC.
8. Provide information on how the units will be owned.
 - a. Will each unit be individually owned or rented out?
 - b. How will the buildings be maintained?

Planning -

A. General Comments

1. The site consists of three (3) separate parcels, which need to be combined into one. The proposed buildings cannot straddle property lines. Subdivision approved is required and plat recorded prior to building permits being issued.

B. Building Design Standards

1. Any wall surface longer than thirty (30) feet in length must have a surface relieve. (1508 A 3).

C. Site Design Standards

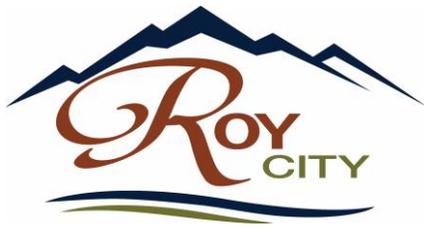
1. The front yard setback is 25' and the setback for a side yard facing a street is 20'. Currently parking stall #1 is within the setback along 5600 South
2. Impervious surface ratio should be no greater 55%, currently the project has an impervious surface percentage of 58% (24,140.32 sq.-ft). Which is above the maximum allowance.
3. Are the ADA parking stalls going to be associated to specific units?
4. What type of fencing is being proposed for the southern property line?
5. On the landscaping plan, there are areas that simply state "landscaped area" but the plans give no explanation as to what that is.

D. Site Lighting Standards

1. Sheet C-6 shows a lighting plan.
 - a. Need to know height of proposed pole & fixture. (1508 C 1)
 - b. Need a photo of all light fixtures (1508 C 3)

E. Site and Building Sign Standards

1. A separate permit is required for all signage.



SYNOPSIS

Application Information

Applicant: Nate Brock
Request: Permitted use to modify the exterior of an existing building
Address: 1952 West 5600 South

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
Staff Recommendation: approve with conditions

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 14 – Permitted
- Roy City Zoning Ordinance Title 10, Chapter 19 – Off-Street Parking and Loading

ANALYSIS

Background:

The applicant is looking to modify the exterior of an existing building, currently the portion of the building that fronts onto 5600 south has a gabled roof line. The applicant would like to modify it and square it up.

Description: There are two (2) parcels for this proposed project, both parcels are approximately 0.38 acres (16,552.8 sq.-ft.), and there is currently an existing building on the western parcel and a parking area on the eastern parcel.

Building Design: For the most part the proposed modifications to the building will occur on the southern façade (portion of the building facing the street) which will meet the Zoning Code. The western façade will have a few changes (mainly adding windows and a few awnings) but will remain relatively the same. The eastern façade there again are some changes (removal of a CMU wall or wainscot and replace with glass window or doors). The northern façade will have no changes whatsoever

Building Materials/Colors: The project proposes to use change the southern façade materials to a hardy-plank type material and then paint the entire building a “Grizzle Gray

Parking: The parking area is proposed to remain as it currently exists, however the applicant is proposing to add new landscaping within the Landscape Islands along 5600 South.

Pedestrian Access: The property can be accessed from 5600 South.

Access: The project has two (2) vehicular access points from 5600 South.

Lighting: There is currently a single light pole and fixture on property

Signs: The project proposes one sign location along 5600 South, but no plans have been submitted. All signs must comply with Roy City sign ordinance and need to be submitted on a separate permit.

CONDITIONS OF APPROVAL

- Compliance to all requirements of the DRC.
- Receive Preliminary & Final Subdivision approval.

FINDINGS

- I. The project can meet all applicable Zoning Code

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends that the Planning Commission approve the request to modify the exterior of an existing building along with the site plan at the property located at approximately 1952 W 5600 S; with the conditions as stated in the staff report.

EXHIBITS

- A. Aerial Map
- B. Proposed Building Elevations
- C. Proposed Site Plan
- D. DRC memo dated 9 May 2016

EXHIBIT "A" – AERIAL MAP

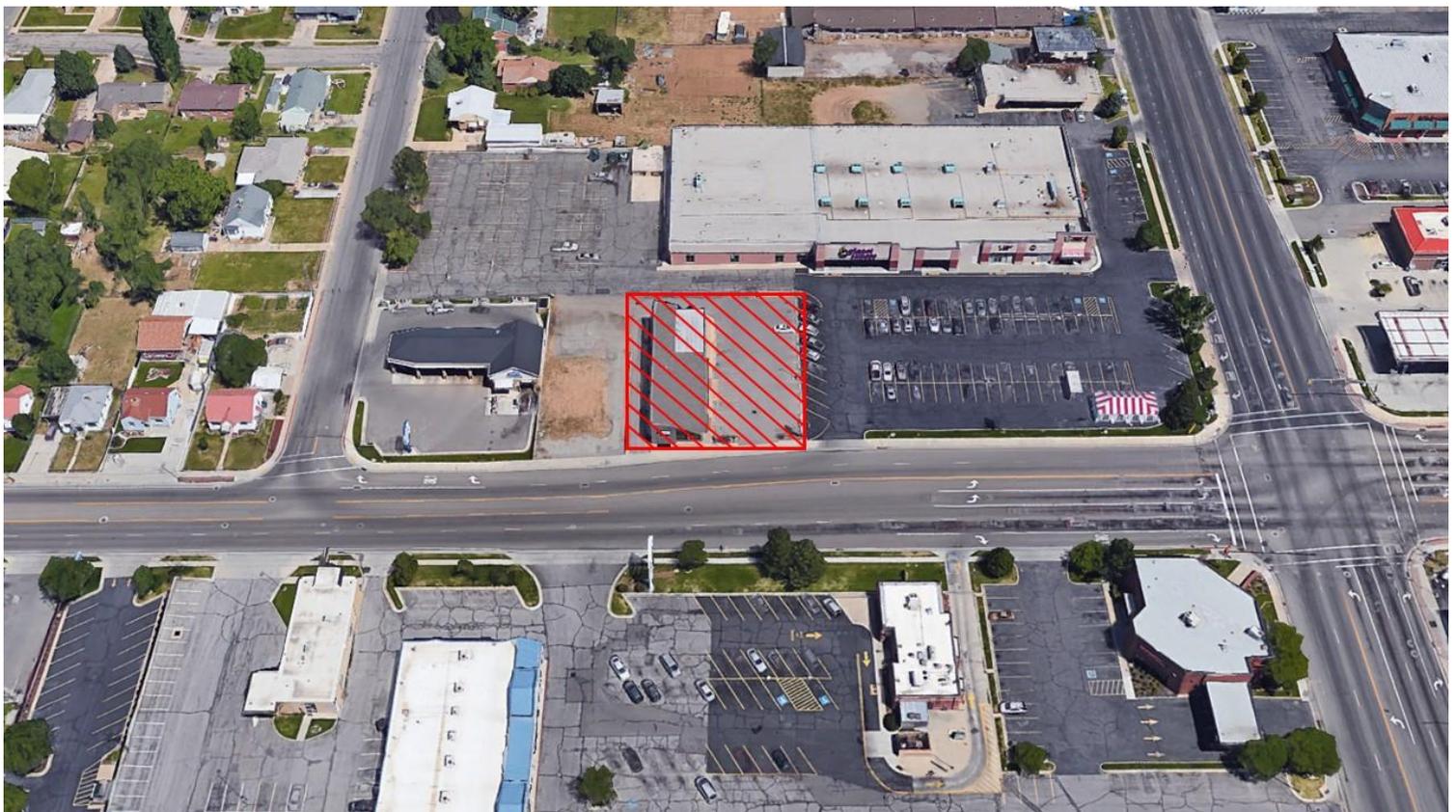


EXHIBIT "B" – PROPOSED BUILDING ELEVATIONS



2 RENDER



1 South East



3 South West



DEVELOPMENT REVIEW COMMITTEE

REVIEW MEMO

Date: 9 May 2016

To: Nate Brock; Western States Ventures
Tom Demita

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

Subject: Western States Ventures Site Plan (dated 4 April 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 –

1. Need storm water drainage calcs.
2. Site plan needs to show storm water detention areas

Fire / Building / Public Works / Legal -

1. No comments at this time on the site plan

Planning -

A. General Comments

- a. There are two (2) existing parcels, they need to be combined.

B. Building Design Standards

- a.

C. Site Design Standards

- a. Parking stalls are to be 9' x 20', only exception is if they abut a 6' wide walkway.
- b. Need to identify all ADA stalls with appropriate symbols and signage.
- c. Will the dumpster enclosure have gates?
- d. Parking stall labeled #19 has a light pole in the stall, how will the pole be protected from being hit? The stall either needs to have a "Compact Parking sign OR stripped as no parking.
- e. Will any new landscaping occur within the northern most landscape island?