

ROY CITY

Roy City Council Agenda
September 20, 2016 – 6:00p.m.
Roy City Council Chambers
5051 South 1900 West

Moment of Silence and Pledge of Allegiance: Councilmember Dandoy

1. Approval of the September 6, 2016 City Council and Work Session Minutes
2. Swearing in of New Roy City Police Sergeant
3. Presentation by Utah Local Governments Trust
4. Presentation by Kirk Smith
5. Mayoral Proclamation Establishing the Day of September 26, 2016 as National Family Dinner Night
6. Consideration of Resolution No. 16-42 Announcing Roy City's Intent to Annex Unincorporated Peninsulas and Islands
7. Consideration of Resolution No. 16-43 Approving an Interlocal Agreement with Utah State Second District Juvenile Court for Graffiti Removal Services
8. **6:00 p.m. Public Hearing** – Consideration of a Request to Amend the General Plan (Future Land Use Map) for some of the Property from Commercial to Medium Density Single-Family Residential and the Zoning Map from RE-20 to CC and R-1-8 for Property Located at Approximately 5455 South 4300 West
9. Consideration of Ordinance No. 16-14 Establishing a Future Land Use Designation of Medium Density, Single-Family Residential on a Portion of a Properties Located at Approximately 5455 South 4300 West
10. Consideration of Ordinance No. 16-15 Establishing a Zoning Designation of CC and R-1-8 on Properties Located at Approximately 5455 South 4300 West
11. **6:00 p.m. Public Hearing** – Consideration of a Request to Amend the Zoning Ordinance to allow Domestic Livestock and Fowl within the R-1-7; R-1-8 and R-1-10 Single-Family Residential Zones that are along the Utah Power and Light Corridor (Approximately 3250 West)
12. Consideration of Ordinance No. 16-13 Amending Title 10 of the Roy City Municipal Code by Establishing Changes Regarding Domestic Livestock and Fowl along the Utility Corridor
13. Consideration of a Request for Preliminary Subdivision Approval for Royal Subdivision, a Two (2) Lot Residential Subdivision Located at 2235 W. 4800 S. (The Wash Factory)
14. Consideration of a Request for Conditional Use Approval for a Car Wash Located at 4148 South Midland Drive
15. City Managers Report
16. Public Comments
17. Mayor and Council Report



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18. 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) 774-1020 or by email: admin@royutah.org at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 16th day of September, 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 16th day of September, 2016.

Amy Mortenson
Roy City Recorder

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020

MINUTES OF THE SEPTEMBER 6, 2016, ROY CITY COUNCIL MEETING

1. Approval of August 16, 2016, minutes
2. Swearing in of City Manager
3. Swearing in of City Attorney
4. Consideration of Resolution No. 16-40 approving a contract with Marsh Construction for the 4975 South Curb, Gutter and Sidewalk Project
5. Consideration of Resolution No. 16-41 declaring certain property as surplus and authorizing its sale
6. City Manager's report
7. Public comments
8. Mayor and Council reports
9. Adjourn

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

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

The following members were in attendance:

Mayor Willard Cragun
Councilwoman Marge Becraft
Councilman Bob Dandoy
Councilman Brad Hilton
Councilman Dave Tafoya
Councilwoman Karlene Yeoman

City Manager Jay Baughman
City Attorney Andy Blackburn
Secretary Michelle Drago

Also present were: Amy Mortenson, City Recorder; Cathy Spencer, Management Services Director; Jason Poulsen, Fire Chief; Carl Merino, Police Chief; Ross Oliver, Public Works Director; Travis Flint, Parks and Recreation Director; Ed Sorensen, Street Superintendent; Trent Nelson, Assistant City Attorney; Aaron Perry, Deputy Police Chief; Ed Weakland; Susan Boyce; John Boyce; Glenn Olsen; David Klingronberg; Shauna Thomas; Jon Grove; Thomas Reed; Kazuko Reed; Jeff Jackson; Steve Wiberg; Samantha Tilton; Boy Scout Troop 560; Chad Moser; Brian Pakenham; Taylor Parish; Aubrey Chadwick; and Sierra Webb.

Moment of Silence: Councilwoman Becraft

Pledge of Allegiance: Councilwoman Becraft

1. APPROVAL OF AUGUST 16, 2016, MINUTES

Councilman Tafoya moved to approve the minutes of August 16, 2016, as written. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

2. SWEARING IN OF CITY MANAGER

Mayor Cragun stated that the City Council was looking forward to swearing in a new City Manager. After a nationwide search and interviews, the Council felt it had made an excellent selection. They welcomed him to the City staff.

Amy Mortenson, City Recorder, swore in Jay Baughman as the new City Manager.

Jay Baughman introduced his wife Kristen and their children - Hayden, Jonah, Sophie, and Savannah.

Mayor Cragun welcomed him to the family of Roy City employees. Councilman Tafoya was proud to have Jay as part of the Roy City team and his family as part of the Roy City family. Councilman Hilton said it was a pleasure to finally meet Jay. He welcomed both Jay and his wife. Councilman Dandoy welcomed Jay and his family.

3. SWEARING IN OF CITY ATTORNEY

Mayor Cragun stated that Andy Blackburn had been with the City for a long time. He had been wearing the hats of both City Manager and City Attorney. He had decided he just wanted to be the City Attorney.

Amy Mortenson swore in Andy Blackburn as the City Attorney.

Mayor Cragun thanked Mr. Blackburn for the work he had done while serving as the City Manager. He realized that at times it was almost unbearable. The City Council appreciated what he had done.

4. CONSIDERATION OF RESOLUTION NO. 16-40 APPROVING A CONTRACT WITH MARSH CONSTRUCTION FOR THE 4975 SOUTH CURB, GUTTER AND SIDEWALK PROJECT

Ross Oliver, Public Works Director, stated that bids for the 4975 South Curb, Gutter and Sidewalk Project were opened on August 30th. Two bids were received in the amount of \$98,815.50 and \$123,150. Both he and the City Engineer recommended that the Council award the contract for the 4975 South Curb, Gutter and Sidewalk Project to Marsh Construction for \$98,815.50.

Mayor Cragun asked if the City had worked with Marsh Construction before. Mr. Oliver said it had. Marsh Construction built the roundabout on Airport Road and 4400 South.

Councilwoman Yeoman stated that there wasn't curb, gutter, and sidewalk on many of the streets in the immediate neighborhood. Why was this street chosen to receive curb, gutter, and sidewalk? Mr. Oliver said the old-style curb needed to be replaced. This particular street had sidewalk, but it was in bad condition. This was a street school children used to access Lakeview Elementary School.

Councilman Tafoya asked Mr. Oliver to explain how streets were selected for improvement. Mr. Oliver said that the City's streets were rated A to F. The Streets division determined how much money it had to spend and started working on the worst streets. The 4975 South Project was being funded with Proposition One funds.

Councilwoman Becraft moved to approve Resolution No. 16-40 approving a contract with Marsh Construction for the 4975 South Curb, Gutter, and Sidewalk Project in the amount of \$98,815.50 and to authorize the Mayor to sign the Notice

of Award and Contract Agreement. Councilman Tafoya seconded the motion. A roll call vote was taken: Council members Yeoman, Dandoy, Tafoya, Becraft, and Hilton voted “aye.” The motion carried. (Copy filed for record).

5. CONSIDERATION OF RESOLUTION NO. 16-41 DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE

Travis Flint, Parks and Recreation Director, stated that the Parks Department was asking that the Council declare a 2005 flatbed trailer as surplus. Its value was literally nothing. The Parks Department wanted to trade in the old trailer for a new 21-foot landscape trailer with a grass dump. The remaining cost of \$3,000 would come from money saved on capital improvements.

Councilwoman Yeoman moved to approve Resolution No. 16-41 declaring certain property as surplus and authorizing its sale. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Hilton, Dandoy, Yeoman, Tafoya, and Becraft voted “aye.” The motion carried. (Copy filed for record).

6. CITY MANAGER’S REPORT

Jay Baughman, City Manager, reported that:

- With one day under his belt he felt his decision to come to Roy was a good one. He enjoyed lunch at the Burger Bar. He was impressed with staff and was excited to make great things happen.
- Andy Blackburn stated that the budget included \$100,000 to redo the basketball court at the Complex. If the City was going to complete the project, it was time to send out Requests for Proposals. Mr. Flint was seeking input from the Council on whether or not to move forward with the project. Councilwoman Yeoman wanted to wait until the Council could hold a work session to determine the future of the Complex. If the Council decided to close the Complex, the expense of a new floor would be wasted. Mayor Cragun stated that the Complex was included in the recent survey. The survey results would be finished this week. Councilman Dandoy said Weber State would present the results to him on Thursday. They would be ready to make a presentation to the Council at the next meeting. Mayor Cragun agreed a work session should be held after the Council received feedback from the citizens. He agreed the money should not be spent until the Council decided whether or not to close the Complex. The rest of the Council also felt the project should be postponed. Councilwoman Yeoman asked that Travis Flint make time for a work session.

7. PUBLIC COMMENTS

There were none.

8. MAYOR AND COUNCIL REPORTS

Mayor Cragun stated that it was great to have Jay Baughman here. It appeared all had gone well at the staff meeting earlier in the day. There was a lot of work to be done in the City. He was sure Mr. Baughman would be able to move the City forward.

Councilwoman Becraft stated that with the beginning of a new school year, it was time to select a new Youth City Council. Any youth in grades 9 through 12 could apply. Applications could be found on the City's website or by contacting her.

Councilwoman Becraft stated that the Arts Council would be holding an arts and craft show for community artists in conjunction with the Farmer's Market on September 24th. Information about booths could be found on the City's website.

Councilwoman Yeoman stated that she had attended the Farmer's Market and spoke with the vendors. They were excited about the location, the Little League football games, and the shade. She would like to see the market grow and get better. She felt the art show would add to it. She felt it was a great success.

Councilman Dandoy asked if anyone from the City planned to attend the Utah League of Cities and Towns in September. Mayor Cragun said that he planned to attend along with the City Manager and City Attorney. Councilman Dandoy said he would not be able to attend but was interested in receiving more information on a particular topic. He would get in touch with the staff.

Councilwoman Yeoman asked if there was an update on the Harmon's corner. Mr. Blackburn said he had not heard anything.

Councilman Tafoya reminded the Council that they were feeding the Roy High School football team on Wednesday, September 14th. He asked that they meet on the north side of the football field at 5:00 p.m.

9. ADJOURN

Councilwoman Tafoya moved to adjourn at 6:22 p.m. and convene a work session in the Administrative Conference Room. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted “aye”.

Attest:

Willard Cragun
Mayor

Amy Mortenson
Recorder

MINUTES OF THE SEPTEMBER 6, 2016, ROY CITY WORK SESSION

1. Discussion concerning City Council expectations
2. Adjourn

Minutes of the Roy City Council Work Session held September 6, 2016, at 6:26 p.m. in the Administrative Conference Room of the Roy City Municipal Building.

The meeting was a special meeting. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Willard Cragun
Councilwoman Marge Becraft
Councilman Bob Dandoy
Councilman Brad Hilton
Councilman Dave Tafoya
Councilwoman Karlene Yeoman

City Manager Jay Baughman
City Attorney Andy Blackburn
Secretary Michelle Drago

Councilwoman Becraft moved to convene the work session at 6:26 p.m. Councilman Tafoya seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

1. DISCUSSION CONCERNING CITY COUNCIL EXPECTATIONS

Councilwoman Yeoman felt it would be appropriate everyone to introduce themselves.

Jay Baughman provided the Council with a history of his educational background and work experience. He explained his management style. He would hold department heads accountable.

Councilman Dandoy stated that he had worked in management roles at Hill AFB. He could relate to Jay as a manager.

Mayor Cragun stated that after his military service he worked in law enforcement. His service on the City Council began in 1984. During Jay's interview he was impressed that Jay liked to mentor people.

Councilwoman Yeoman stated that she loved serving the community. She began by chairing the Roy Days celebration in the 1980's. She served on the Board of Adjustment and Planning Commission before being selected to fill a vacancy on the City Council. She felt government should make the community better. She hoped to move the City forward.

Councilwoman Becraft stated that she was a former teacher. Her favorite age was 4th grade because the students learned about government. She decided to run for Council because she cared about the youth in the community. Since she had been on the Council an annual Day of Service and the Youth City Council had been established.

Councilman Tafoya stated that he worked for the Utah Driver's License Division. He had been involved on the City Council for about 15 years.

Michelle Drago stated that she began working for Roy City in 1985 as the secretary in the Development Services Department. In 2007, she was offered a position working for the City's contract engineer, Wasatch Civil. She had taken the minutes for City meetings for 31 years.

Councilman Hilton stated that he served on the Planning Commission for years before being elected to the City Council. He worked in hospital administration. He had a management style as well. He was big on planning. He did not feel the City knew where it was going right now. There was a need for the City to have goals.

Councilman Tafoya felt that he had overstepped his boundary as a Council member in the way the City was governed. He had been studying the rules and duties of City officials. He did not feel Roy City had been governed the way it should be. He felt the Council needed to make procedures clear. He expected Jay to run the City and make all administrative decisions. The City Council needed to stay out of his business. He asked how Jay planned to report back to Council members.

Councilwoman Yeoman stated that one of the questions she asked in Jay's interview was how he perceived the relationship between the City Council and the staff. She agreed the City Council had not been good at that. The Council had gotten in the way of the administration and the department heads. The Council needed to come up with a good flow. If the Council members learned about something that needed attention, how did Jay want to be informed?

Jay Baughman stated that he had read the minutes for the past year. He understood the Council members served on committees and served as department liaisons.

Councilman Tafoya asked how Jay wanted Council members to pass on information.

Jay Baughman asked that Council members send him an email when citizens brought issues to their attention which they wanted to pass on to him. An email would provide a written record of when the issue was submitted and what it was actually about; it would help avoid misunderstandings; help prevent things from falling through the cracks; and it would provide a paper trail. After receiving an email, he would pass it on to whoever needed to address it.

Councilman Tafoya asked what Jay's response to the Council would be. Would it be immediately, one day, or several days?

Jay Baughman said he would acknowledge receipt of the email; indicate who he planned to forward it to; and provide an estimate about when the Council could anticipate a response.

Councilman Tafoya asked if the Council was good with that. The Council members agreed they were.

Jay Baughman stated that he would pass on anything he felt would be politically sensitive so the Council members would not be blindsided.

Councilwoman Yeoman felt there were issues that could be decided by the City Manager. If the Council members would be contacted about a complaint, they needed to be aware of the issue.

Councilman Dandoy provided Jay Baughman with a three-page list of issues he felt were priorities, which included leadership, visiting with business leaders, preventing the loss of talented employees, updating City personnel policies and procedures, and conducting an employee wage survey.

Councilman Tafoya felt the City Council as a whole needed to decide what issues were priorities. He did not agree with some of the issues listed by Councilman Dandoy. Jay needed to take direction from the majority of the City Council.

Councilman Dandoy stated that a former City Attorney informed the Council that the City had a nepotism problem as he was leaving. Councilman Dandoy also stated he did not feel it was appropriate for City employees to drive City vehicles home or use shop facilities to work on personal vehicles. A good feedback forum was needed. There was an issue with the Municipal Building's HVAC infrastructure. Department heads needed to be engaged in the web design of the City's new website. Public Works needed to come up with a plan for implementing \$38 million in infrastructure improvements. Parks and Recreation needed to complete a modernization or replacement report on the Complex. The IT Department needed to be reorganized. A tenant for the Albertson's building and economic development was needed. The City needed to develop a five-year plan. These were big ticket items. The challenge would be to expedite them. Did the Council initiate them or did administration? If nothing was done, a problem would arise, and the Council would drive the issue down. When an issue was driven down, it was sometimes hard to swallow.

Councilman Hilton felt the City Council should act as the approval and advisory board for the City Manager.

Mayor Cragun had a hard time understanding why employees were allowed to drive vehicles home unless they were on call. He was concerned about the liability issue. Trent Nelson, the Assistant City Attorney, was in the process of revising the City's vehicle policy.

Councilman Tafoya said there were hundreds of issues. A majority of the Council needed to decide what direction to give Jay. How did the Council want to let Jay know he had a majority?

Councilman Dandoy asked what the Council felt was important for Jay to work on.

Councilman Tafoya felt the Council members had agreed they needed to set priorities.

Councilman Dandoy felt that if Jay heard the same issue from a majority of the Council members, he could focus on that issue. If the City had a five year plan, Jay could probably focus on two or three issues.

Councilman Hilton stated that in an effort to be transparent, issues should be brought to the Council where they could be discussed and agreed upon.

Jay Baughman planned to meet with each Council member individually and make a list of their concerns. If there were issues that overlapped, he would have an idea what the most important issues were. He would present that list to the Council for their consensus.

Councilwoman Becraft stated that there would be an annexation hearing at the next Council meeting. The Council needed to decide what to do with animals. Andy Blackburn said he had answers which he would forward that information to the Council members.

Councilwoman Becraft stated that the residents in the north part of the community were upset about the lack of progress on George Wahlen North Park. She suggested that a representative from the City present the information provided by Travis Flint at a PTA meeting. Councilman Dandoy stated that he had posted the packet of information from Travis Flint on Facebook. Councilwoman Becraft said the residents had told her they didn't have time to read a website. Councilman Dandoy felt a town hall meeting would be effective. Councilman Hilton agreed that town hall meetings were the best form of communication. Councilman Dandoy felt the City should schedule a town hall meeting. The City would be represented by the City Manager, key personnel, and a few Council members. They would tell the whole story.

Councilman Dandoy felt the City needed a five year plan.

Jay Baughman clarified that the Council could not send emails between themselves. Mr. Blackburn said they could not. Emails were discoverable.

Councilman Tafoya stated that he had reviewed the responsibilities of department heads and city manager. The City Council set the budget. The department heads and city manager were responsible for how it was administered. Did the Council want to step away and follow the policy?

Councilman Dandoy was concerned about language in the Personnel Policy about temporary positions. He felt there were areas where temporary positions were needed. The process could work well if the City had a clear policy on how to manage them. The City Manager and City Council were responsible to make sure the policy was clearly articulated. The policy had to be consistent throughout the City. Laws in Utah allowed unions. Unions could be avoided if the Personnel Policy contained clear guidelines.

Jay Baughman stated that as an employee and City Manager, he did not feel the Council could over communicate. He asked that Council members approach him so he could make sure he did what they wanted.

The Council asked that Jay Baughman schedule a Council work session before November 11th. During the work session they wanted to discuss the five year plan, economic development, the new capital improvement budget, and the employee salary survey.

Jay Baughman stated that he was excited to be in Roy. He wanted to make Roy an incredible place to live. He appreciated the Council members taking the time to meet with him. He planned to discuss SWOT (strength, weaknesses, opportunities, and threats) with each of them and the department heads.

2. ADJOURN

Councilwoman Dandoy moved to adjourn at 7:49 p.m. Councilman Hilton seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted “aye”.

Attest:

Willard Cragun
Mayor

Amy Mortenson
Recorder

OATH OF OFFICE
STATE OF UTAH

I, Matthew Gwynn, *having been appointed to the office of*
Print Name

Police Sergeant

*do solemnly swear or affirm that I will support, obey and defend the
Constitution of the United States and the Constitution of this State, and
that I will discharge the duties of my office with fidelity.*

Signature

State of Utah,
County of Weber

Subscribed and sworn to before me this 20th day of September, 2016

*Person Administering Oath

City Recorder

Title

*Utah Code § 78B-1-142: "Every court, every judge, clerk and deputy clerk of any court, every justice, every notary public, and every officer or person authorized to take testimony in any action or proceeding, or to decide upon evidence, has the power to administer oaths or affirmations."

File oath by sending to: Oath of Office, Utah State Archives, 346 Rio Grande, Salt Lake City, UT, 84101

MAYORAL PROCLAMATION

National Family Dinner Night SEPTEMBER 26, 2016

WHEREAS, the use of illegal drugs and the abuse of alcohol and nicotine constitute significant threats to the well-being of America's children; and

WHEREAS, surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families, the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

WHEREAS, parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers, and the correlation between family dinners and reduced risk for teen substance abuse is well documented; and

WHEREAS, Roy City citizens are encouraged to have dinner with their families on National Family Dinner Night and every day and to communicate with their children about the importance of leading substance-free lives.

NOW, THEREFORE, be it proclaimed that I Willard Cragun, Mayor of Roy City, do hereby proclaim September 26, 2016 to be "National Family Dinner Night" and invite all citizens in our community to participate.

DATED this 26th day of September, 2016

Mayor – Willard Cragun

Resolution No. 16-42
A Resolution of the Roy City Council Announcing Roy City's Intent to
Annex Unincorporated Islands and Peninsulas

WHEREAS, the City Council of Roy City, Utah, hereby desires to adopt a Resolution to formally indicate its intent to annex the area described in the attached Exhibit A, and

WHEREAS, Utah Code Section 10-2-418 allows Roy City to annex islands and peninsulas without a petition for annexation, and

WHEREAS, the area to be annexed consists of one or more unincorporated islands within or unincorporated peninsulas contiguous to the municipality, each of which has fewer than 800 residents and the municipality has provided one or more municipal-type services to the area for at least one year, and

WHEREAS, in adopting this resolution the City has determined that if required annexing part of the unincorporated islands or peninsulas is in the municipality's best interest so long as the entire island of unincorporated area, of which a portion is being annexed, complies with the requirement related to the required number of residents, and

WHEREAS, the city will publish a notice once a week for three consecutive weeks in the Standard Examiner, will publish notice for three weeks on the Utah Public Notice website, will send written notice to each special district that services the area, and will send written notice to the county, pursuant to Utah Code Section 10-2-418, and will hold a public hearing no earlier than thirty (30) days after the adoption of this Resolution to consider its adoption and the annexation of the areas described in Exhibit A,

NOW, THEREFORE, Be It Resolved that the City Council of Roy City, Utah, pursuant to Utah Code 10-2-418, intends to annex the area formally described in Exhibit A, subject to the requirements set by law.

PASSED AND APPROVED by the Roy City Council this 20th day of September, 2016

Councilmember Becraft
Councilmember Dandoy
Councilmember Hilton
Councilmember Tafoya
Councilmember Yeoman

Willard Cragun - Mayor

ATTEST:

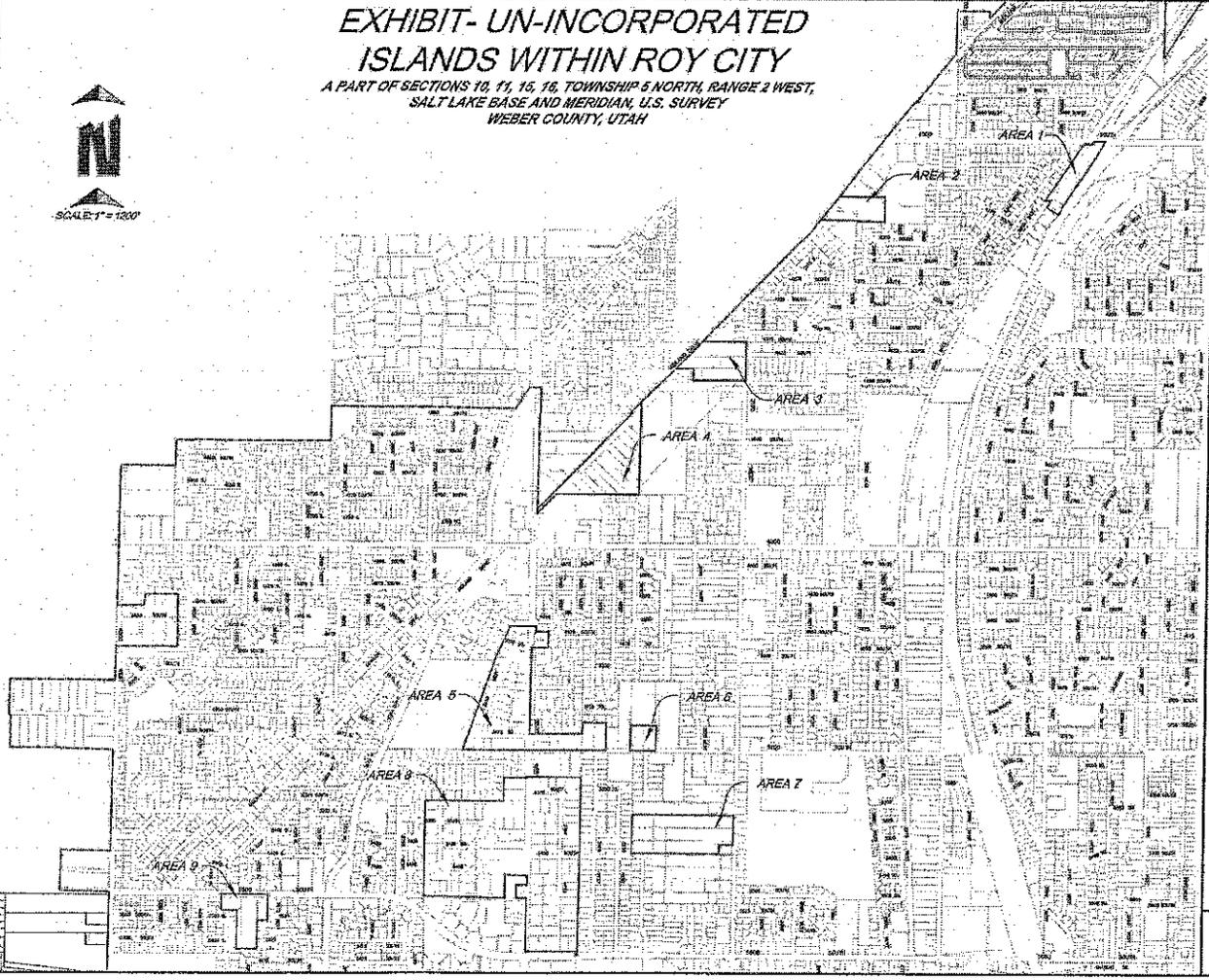
Amy Mortenson - City Recorder

EXHIBIT A

EXHIBIT A

**EXHIBIT- UN-INCORPORATED
ISLANDS WITHIN ROY CITY**

A PART OF SECTIONS 10, 11, 15, 16, TOWNSHIP 5 NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH



ROY CITY
CORPORATION

ANNEXATION
EXHIBIT

LEGEND

- PROPOSED ANNEXATION TO ROY CITY CORPORATION
- EXISTING ROY CITY CORPORATE LIMITS LINE



WASATCH CIVIL
Consulting Engineering
6144 SOUTH HARBURY PARK DRIVE
SALT LAKE CITY, UTAH 84121 (801) 452-9191

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ANNEXATION OF AREA 1 LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 11, WHICH POINT IS NORTH 89°53'27" WEST 895.62 FEET ALONG SAID NORTH LINE FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11, SAID POINT ALSO BEING ON SOUTHEASTERLY LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 38 AT PAGE 028; RUNNING THENCE SOUTH 89°53'27" EAST 155.04 FEET ALONG SAID NORTH LINE TO THE WESTERLY LINE OF A RAIL ROAD RIGHT-OF-WAY; THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID WESTERLY LINE; (1) SOUTH 31°33'31" WEST 571.89 FEET; (2) SOUTH 37°20'04" WEST 160.74 FEET; (3) SOUTH 34°34'32" WEST 254.56 FEET; (4) SOUTH 26°03'09" WEST 145.14 FEET TO THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 25 AT PAGE 051; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID EXISTING ROY CITY CORPORATE LIMITS LINE; (1) NORTH 56°28'00" WEST 183.37 FEET; (2) NORTH 33°32'00" EAST 102.38 FEET; (3) NORTH 89°53'27" WEST 79.83 FEET TO THE SOUTHEAST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 50 AT PAGE 005; THENCE NORTH 34°20'58" EAST 701.99 FEET ALONG THE SOUTHEAST LINE OF SAID ROY CITY CORPORATE LIMITS LINE TO THE SOUTH CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 58 AT PAGE 053; THENCE NORTH 35°07'32" EAST 191.07 FEET ALONG THE SOUTHEAST LINE OF SAID ROY CITY CORPORATE LIMITS LINE TO THE SAID EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 38 AT PAGE 028; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE: (1) SOUTH 89°53'27" EAST 97.53 FEET; (2) NORTH 34°21'30" EAST 39.92 FEET TO THE POINT OF BEGINNING.

CONTAINS ALL OF TAX PARCELS; 08-052-0016, 08-052-0023, AND 08-052-0068 AND 5.42 ACRES MORE OR LESS.

ANNEXATION OF AREA 2 LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE WESTERLY LINE OF MIDLAND DRIVE, WHICH POINT IS NORTH 89°25'05" WEST 887.78 FEET, AND SOUTH 38°35'32" WEST 942.30 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 10, SAID POINT ALSO BEING COMMON TO THE SOUTHEASTERLY LINE OF THE EXISTING WEST HAVEN CITY CORPORATE LIMITS LINE AND THE SOUTHWEST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 67 AT PAGE 059; RUNNING THENCE SOUTH 89°25'05" EAST 585.01 FEET ALONG THE SOUTH LINE OF SAID EXISTING ROY CITY CORPORATE LIMITS LINE AND ALONG THAT PORTION OF THE CORPORATE LIMITS LINE AS RECORDED IN BOOK 59 AT PAGE 010; THENCE SOUTH 00°34'32" WEST 322.23 FEET ALONG SAID EXISTING ROY CITY CORPORATE LIMITS LINE TO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 38 AT PAGE 011; THENCE NORTH 88°54'44" WEST 353.35 FEET TO THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 25 AT PAGE 051; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 01°07'46" EAST 8.54 FEET; (2) NORTH 89°36'44" WEST 14.78 FEET; (3) NORTH 89°09'44" WEST 458.20 FEET TO THE NORTHWEST CORNER OF SAID CORPORATE LIMITS LINE AND THE WESTERLY LINE OF MIDLAND DRIVE AND THE EXISTING WEST HAVEN CITY CORPORATE LIMITS LINE; THENCE NORTH 38°35'32" EAST 391.64 FEET ALONG SAID WESTERLY LINE OF MIDLAND DRIVE AND SAID WEST HAVEN CITY CORPORATE LIMITS LINE TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 08-051-00248, 08-051-0249, AND 08-051-0178 AND 5.11 ACRES MORE OR LESS.

ANNEXATION OF AREA 3 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT THE CENTER OF SAID SECTION 10, WHICH POINT IS ALSO ON THE EXISTING ROY CITY CORPORATE LIMITS LINE; RUNNING THENCE SOUTH 00°24'02" WEST 501.06 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 10 AND ALONG THE WEST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 31 AT PAGE 032 TO THE NORTHEAST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 34 AT PAGE 091; THENCE NORTH 89°35'58" WEST 463.30 FEET ALONG THE NORTH LINE OF SAID EXISTING ROY CITY CORPORATE LIMITS LINE TO THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 42 AT PAGE 055; THENCE THE FOLLOWING THREE COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 89°35'54" WEST 212.21 FEET; (2) NORTH 00°24'19" EAST 150.00 FEET; (3) NORTH 89°35'55" WEST 219.49 FEET TO THE WESTERLY LINE OF MIDLAND DRIVE AND THE EXISTING WEST HAVEN CITY CORPORATE LIMITS LINE; THENCE THE FOLLOWING TWO COURSES AND DISTANCES ALONG SAID LINE; (1) NORTH 43°46'58" EAST 206.38 FEET; (2) NORTH 43°47'02" EAST 276.65 FEET TO THE SOUTHWEST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 47 AT PAGE 024; THENCE SOUTH 89°35'58" EAST 563.21 FEET ALONG THE SOUTH LINE OF SAID CORPORATE LIMITS LINE TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 08-051-0157, 08-051-0040, 08-051-0032, 08-051-0085, 08-051-0131, 08-051-0241, AND 08-051-0031 AND 8.20 ACRES MORE OR LESS.

ANNEXATION OF AREA 4 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE CENTERLINE OF MIDLAND DRIVE WHICH POINT IS NORTH 00°42'44" EAST 421.38 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 10, AND SOUTH 89°17'16" EAST 35.00 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 10, SAID POINT ALSO BEING A NORTHWEST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 41 AT PAGE 030; RUNNING THENCE NORTH 00°42'44" EAST 60.20 FEET ALONG SAID EXISTING ROY CITY CORPORATE LIMITS LINE TO THE SOUTH LINE OF SODENKAMP SUBDIVISION AS RECORDED IN BOOK 49 AT PAGE 099 WHICH POINT IS ALSO ON THE WEST HAVEN CITY CORPORATE LIMITS LINE; THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG SAID EXISTING WEST HAVEN CITY LIMITS LINE; (1) NORTH 44°12'43" EAST 1187.27 ALONG THE SOUTHEAST LINE TO THE NORTHEAST CORNER OF SAID SUBDIVISION; (2) SOUTH 89°39'16" EAST 0.07 FEET ALONG THE SOUTH LINE OF MIDLAND PLAZA SUBDIVISION AS RECORDED IN BOOK 58 AT PAGE 069; (3) NORTH 43°49'14" EAST 513.64 FEET ALONG THE SOUTHEAST LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION; (4) NORTH 89°36'24" WEST 30.34 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF STONE CREEK CANYON PHASE 3- 3RD AMENDMENT AS RECORDED IN BOOK 76 AT PAGE 099; (5) NORTH 43°49'14" EAST 213.86 FEET ALONG THE SOUTHEAST LINE OF SAID SUBDIVISION TO THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 42 AT PAGE 055; THENCE SOUTH 00°42'17" WEST 1201.19 FEET ALONG THE WEST LINE OF SAID CORPORATE LIMITS LINE AND THE EAST LINE OF PONY ACRES ESTATES NO. 2 AS RECORDED IN BOOK 17 AT PAGE 085, TO THE SAID EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 41 AT PAGE 030; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 89°25'01" WEST 1051.37 FEET TO THE CENTERLINE OF MIDLAND DRIVE; (2) SOUTH 43°49'30" WEST 340.84 FEET TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 08-130-0012, 08-130-0011, 08-130-0010, 08-130-0009, 08-130-0008, 08-130-0007, 08-130-0013, 08-130-0004, 08-130-0003, 08-130-0002, AND 08-130-0001 AND 15.16 ACRES MORE OR LESS.

ANNEXATION OF AREA 5 LEGAL DESCRIPTION

A PART OF NORTHEAST QUARTER OF SECTION 16, AND THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 16, SAID POINT ALSO BEING ON THE EXISTING ROY CITY CORPORATE LIMITS LINE AND THE SOUTHEAST CORNER OF COUNTRY MEADOWS SUBDIVISION AS RECORDED IN BOOK 21 AT PAGE 002; RUNNING THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID COUNTRY MEADOWS SUBDIVISION AND THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 58 AT PAGE 013 AND AS RECORDED IN BOOK 49 AT PAGE 007; (1) NORTH 89°49'06" WEST 858.36 FEET; (2) NORTH 19°00'08" EAST 1269.03 FEET; (3) NORTH 23°49'43" EAST 429.99 FEET; (4) SOUTH 89°41'52" EAST 329.85 FEET TO THE EAST RIGHT-OF-WAY LINE ON 3500 WEST STREET AS SHOWN IN SPRINGBROOK SUBDIVISION NO. 2 AS RECORDED IN BOOK 29 AT PAGE 088; THENCE SOUTH 00°18'08" WEST 68.67 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID SUBDIVISION AND THE EXISTING ROY CITY CORPORATE LIMITS LINE; (1) NORTH 89°58'33" EAST 158.71; (2) SOUTH 00°18'08" WEST 207.32 FEET TO THE EXISTING ROY CITY CORPORATE LIMIT LINE AS RECORDED IN BOOK 39 AT PAGE 065; THENCE NORTH 89°41'52" WEST 208.71 FEET ALONG THE NORTH LINE OF SAID CORPORATE LIMITS LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 00°18'08" WEST 1109.39 FEET ALONG SAID WEST LINE AND THE EXISTING ROY CITY CORPORATE LIMITS LINE OF THE WEST LINE OF SAID BOOK 39 AT PAGE 065 AND THOSE RECORDED IN BOOK 67 AT PAGE 068; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG THE EXISTING ROY CITY CORPORATE LIMITS LINE AS SAID IN BOOK 67 AT PAGE 068; (1) SOUTH 89°37'43" EAST 665.16 FEET; (2) NORTH 00°22'19" EAST 148.79 FEET TO THE SOUTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 31 AT PAGE 031; THENCE SOUTH 89°26'52" EAST 305.97 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 56 AT PAGE 20; THENCE SOUTH 00°22'19" WEST 357.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 15, WHICH IS ALSO ON THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 34 AT PAGE 027; THENCE NORTH 89°37'41" WEST 970.87 FEET ALONG SAID NORTH LINE AND ALSO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 69 AT PAGE 008 TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-198-0001, 09-198-0002, 09-198-0003, 09-198-0004, 09-198-0005, 09-198-0006, 09-198-0007, 09-198-0008, 09-198-0009, 09-198-0010, 09-198-0011, 09-198-0012, 09-198-0013, 09-199-0001, 09-199-0002, 09-199-0003, 09-199-0004, 09-199-0005, 09-199-0006, 09-199-0007, 09-199-0008, 09-199-0009, 09-199-0010, 09-200-0001, 09-200-0002, 09-200-0003, 09-200-0004, 09-200-0005, 09-200-0006, 09-200-0007, 09-201-0001, 09-201-0002, 09-201-0003, 09-201-0004, 09-201-0005, 09-201-0006, 09-201-0007, 09-202-0001, 09-202-0002, 09-202-0003, 09-202-0004, 09-202-0005, 09-202-0006, 09-071-0026, 09-071-0079, 09-447-0001, 09-447-0002, 09-447-0003, 09-071-0003, 09-071-0006, 09-071-0049, 09-071-0067, AND 09-071-0121 AND 28.16 ACRES MORE OR LESS.

ANNEXATION OF AREA 6 LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 15, WHICH IS NORTH 89°37'41" WEST 1049.56 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 15, SAID POINT ALSO BEING ON THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 45 AT PAGE 049; RUNNING THENCE NORTH 89°37'41" WEST 321.58 FEET ALONG SAID CORPORATE LIMITS LINE AND THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 34 AT PAGE 027 TO THE SOUTHEAST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 56 AT PAGE 20; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 00°43'36" EAST 323.40 FEET; (2) SOUTH 89°37'41" EAST 321.66 FEET TO THE WEST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 52 AT PAGE 036; THENCE SOUTH 00°44'22" WEST 323.40 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-071-0003, 09-071-0033, 09-071-0060 AND 2.39 ACRES MORE OR LESS.

ANNEXATION OF AREA 7 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF 3100 WEST STREET WHICH IS SOUTH 00°23'42" WEST 825.00 FEET, AND NORTH 89°39'43" WEST 30.00 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 15, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 34 AT PAGE 027; RUNNING THENCE SOUTH 00°23'42" WEST 379.97 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 18 AT PAGE 073; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 89°36'18" WEST 175.00 FEET; (2) SOUTH 00°23'42" WEST 119.54 FEET TO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 62 AT PAGE 085; THENCE NORTH 89°43'07" WEST 1121.94 ALONG SAID CORPORATE LIMITS LINE AND THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 58 AT PAGE 054 TO THE EAST ROY CITY CORPORATE LIMITS LINE AS RECORDED IN SAID BOOK 34 AT PAGE 027; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 00°20'45" EAST 500.44 FEET; (2) SOUTH 89°39'43" EAST 1297.37 FEET TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-064-0021, 09-064-0039, 09-064-0040, 09-064-0041, 09-064-0045, 09-064-0049, 09-064-0058, 09-064-0072 AND 14.40 ACRES MORE OR LESS.

ANNEXATION OF AREA 8 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF SECTION 15 AND THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE CENTERLINE OF 3500 WEST STREET AND THE NORTH LINE OF 5600 SOUTH STREET WHICH IS NORTH 00°17'49" EAST 50.00 FEET FROM THE SOUTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF SECTION 16, WHICH POINT IS ALSO ON THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 22 AT PAGE 042; CONTINUING THENCE NORTH 00°17'49" EAST 692.82 FEET ALONG THE CENTERLINE OF SAID 3500 WEST STREET AND THE EXISTING ROY CITY CORPORATE LIMITS LINE; THENCE NORTH 89°16'03" WEST 133.90 FEET ALONG SAID CORPORATE LIMITS LINE TO THE SOUTHEAST CORNER OF THE EXISTING ROY CITY CORPORATE LIMIT LINES AS RECORDED IN BOOK 68 AT PAGE 076; THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 00°35'33" EAST 165.83 FEET; (2) SOUTH 89°49'28" EAST 133.04 FEET; (3) NORTH 00°17'49" EAST 123.66 FEET; (4) NORTH 88°33'34" WEST 284.12 FEET; (5) SOUTH 00°33'05" WEST 296.62 FEET TO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 51 AT PAGE 023; THENCE NORTH 89°08'17" WEST 1033.83 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 28 AT PAGE 005; THENCE NORTH 00°07'49" EAST 1234.04 FEET TO THE SOUTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 58 AT PAGE 013; THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) SOUTH 89°52'11" EAST 99.36 FEET; (2) NORTH 00°17'49" EAST 300.03 FEET; (3) SOUTH 89°52'11" EAST 290.40 FEET; (4) NORTH 00°17'49" EAST 12.53 FEET TO THE SOUTHWEST CORNER OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 69 AT PAGE 008; THENCE SOUTH 89°37'45" EAST 692.34 FEET ALONG THE SOUTH LINE OF SAID CORPORATE LIMITS LINE TO THE WEST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 34 AT PAGE 027; THENCE SOUTH 00°17'49" WEST 2301.62 FEET TO THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 67 AT PAGE 094; THENCE NORTH 89°45'47" WEST 26.34 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN SAID BOOK 22 AT PAGE 042; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 52.62 FEET; (2) WEST 632.74 FEET TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-177-0001, 09-177-0002, 09-177-0003, 09-177-0004, 09-177-0005, 09-177-0006, 09-177-0007, 09-177-0007, 09-177-0007, 09-177-0008, 09-177-0009, 09-177-0010, 09-177-0011, 09-177-0012, 09-177-0013, 09-177-0014, 09-177-0015, 09-177-0016, 09-177-0017, 09-177-0018, 09-178-0001, 09-178-0002, 09-178-0003, 09-178-0004, 09-178-0005, 09-178-0006, 09-178-0007, 09-178-0008, 09-178-0009, 09-178-0010, 09-178-0011, 09-178-0012, 09-178-0013, 09-178-0014, 09-178-0015, 09-178-0016, 09-178-0017, 09-178-0018, 09-179-0001, 09-179-0002, 09-179-0003, 09-179-0004, 09-179-0005, 09-179-0006, 09-179-0007, 09-179-0008, 09-179-0009, 09-179-0010, 09-179-0011, 09-179-0012, 09-179-0013, 09-179-0014, 09-179-0015, 09-179-0016, 09-179-0017, 09-179-0018, 09-193-0001, 09-193-0002, 09-193-0003, 09-193-0004, 09-193-0005, 09-193-0006, 09-193-0006, 09-193-0007, 09-193-0008, 09-193-0009, 09-193-0010, 09-193-0011, 09-193-0012, 09-193-0013, 09-193-0014, 09-194-0001, 09-194-0002, 09-194-0003, 09-194-0004, 09-194-0005, 09-194-0006, 09-194-0007, 09-194-0008, 09-194-0009, 09-194-0010, 09-194-0011, 09-194-0012, 09-194-0013, 09-194-0014, 09-194-0015, 09-194-0016, 09-194-0017, 09-073-0004, 09-073-0005, 09-073-0006, 09-073-0009, 09-073-0011, 09-073-0012, 09-073-0013, 09-073-0014, 09-073-0015, 09-073-0019, 09-073-0035, 09-073-0036, 09-073-0039, 09-073-0044, 09-073-0045, 09-073-0046, 09-073-0047, 09-073-0048, 09-073-0049, 09-073-0050, 09-073-0051, 09-073-0052, 09-073-0053, 09-073-0054, 09-073-0059, AND 09-073-0076 AND 72.60 ACRES MORE OR LESS.

ANNEXATION OF AREA 9 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE NORTH LINE OF ALAND OF HONEY SUBDIVISION NO. 1 AS RECORDED IN BOOK 21 AT PAGE 091 WHICH IS SOUTH 89°43'38" EAST 1637.87 FEET AND NORTH 00°30'22" EAST 70.15 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 16, SAID POINT ALSO BEING ON THE NORTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 46 AT PAGE 080; RUNNING THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) NORTH 89°E29'38" WEST 60.20 FEET; (2) NORTH 00°34'18" EAST 493.79 FEET; (3) NORTH 89°07'46" WEST 200.54 FEET; (4) NORTH 00°16'22" EAST 211.39 FEET TO THE SOUTH LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 41 AT PAGE 042; THENCE SOUTH 89°07'46" EAST 606.48 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EXISTING ROY CITY CORPORATE LIMITS LINE AS RECORDED IN BOOK 22 AT PAGE 090; THENCE THE FOLLOWING FOUR COURSES AND DISTANCES ALONG SAID CORPORATE LIMITS LINE; (1) SOUTH 00°49'30" WEST 338.28 FEET; (2) NORTH 89°29'38" WEST 137.45 FEET; (3) SOUTH 00°41'12" WEST 364.32 FEET; (4) NORTH 89°29'43" WEST 204.95 FEET TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-074-0003, 09-074-0004, 09-074-0005, 09-074-0022, 09-074-0017, AND 09-236-0004 AND 6.35 ACRES MORE OR LESS.

Resolution No. 16-43

**A Resolution of the Roy City Council
Approving an Agreement between Roy City Corporation and Utah State
Second District Juvenile Court for Graffiti Removal Services**

WHEREAS, Utah Code Ann. §11-13-101 et. seq., permits governmental entities to enter into cooperation agreements with each other; and

WHEREAS, Roy City recognizes the importance and need for joint cooperation with local entities to provide and receive services from neighboring communities which is a necessary and needed service to the City and surrounding communities; and

WHEREAS, Roy City wishes to, and recognizes the importance of, participating in any efforts designed to jointly help each other; and

WHEREAS, the Roy City Council has fully reviewed the attached Interlocal Agreement between Utah State Second District Juvenile Court and Roy City and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Roy City Council hereby approves the attached Interlocal Agreement (attached hereto and incorporated by this reference) as written and authorizes the Mayor of Roy City to execute this Agreement on behalf of the City.

Passed this 20th day of September, 2016.

Willard Cragun
Mayor

Attest:

Amy Mortenson
City Recorder

Voting:

| | Aye | Nay | Absent | Excused |
|------------------------------|-------|-------|--------|---------|
| Councilmember Marge Becraft | _____ | _____ | _____ | _____ |
| Councilmember Robert Dandoy | _____ | _____ | _____ | _____ |
| Councilmember Brad Hilton | _____ | _____ | _____ | _____ |
| Councilmember Dave Tafoya | _____ | _____ | _____ | _____ |
| Councilmember Karlene Yeoman | _____ | _____ | _____ | _____ |

COMMUNITY PARTNER COOPERATIVE AGREEMENT

This agreement is dated as of July 1, 2016, and is between ROY CITY (the "City") and the UTAH STATE SECOND DISTRICT JUVENILE COURT (the "Court").

This contract is made in reference to the following facts:

The Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code 1953 as amended authorizes public agencies of the State of Utah, including courts, counties, and cities to enter into agreements with one another in order to exercise their powers, privileges, and authority on a joint, cooperative basis.

The City is authorized to assist in the protection of persons and property, to remove nuisances existing in public places, and to enforce laws relating to the suppression of offenses.

The City has noticed the existence of vandalism, graffiti, and a need for upkeep of public places, and is aware that timely remediation of these situations is an effective deterrent to crimes and nuisances.

The City wishes to contract with and authorize the Court to remove graffiti, repair vandalism, and to perform other public service activities for the City and the City property owners.

The Court has an established community service work program, administered and staffed by Court personnel and by volunteer and Court-ordered community service workers.

The Court and the City both wish to provide effective graffiti removal, vandalism repair, and public space improvement services to the City and to its property owners without either being subordinate to the other, without substantial additional program infrastructure cost or investment, and without removing the City's responsibility of investigation, documentation, and prosecution of any criminal offenses.

The parties therefore agree as follows:

1. Period and Termination

- (a) Period. This agreement is for the time period from the agreement date above through June 30, 2017, when the agreement will automatically terminate.
- (b) Voluntary Termination. Either party may, upon written notice to the other party, terminate the agreement at any time. The City shall pay the Court for all services rendered prior to the termination date.

(c) Completion Termination. If the Court has provided, and the City has paid for, service that has reached the period cost limit designated in paragraph 3(e) and the parties do not increase the period cost limit in accordance with paragraph 3(e), this agreement is terminated by completion.

2. Duties of the Court

(a) Tasks. The Court agrees to provide graffiti removal, vandalism repair, or other public-service activity for the City and on behalf of the City for owners of property within the City. The Court will provide this work until termination of the agreement in accordance with paragraph 1 of this agreement.

(b) Beginning a Task. The Court agrees to begin a graffiti removal, vandalism repair, or other public service activity within one week of the City submitting a Service Needed Report to the Court's service work crew program supervisors. The Court begins a project by seeking waivers of liability, creating an estimate of cost if one is requested by the City, or any other substantive action towards the completion of the project. A blank copy of the Service Needed Report is attached to this agreement as **Exhibit A**. If the Court is unable to begin service within one week of receiving the Service Needed Report, the Court agrees to inform the City of the delay at the earliest opportunity.

(c) Waiver of Liability Required. The Court requires owners of property within the City to agree to and sign a Waiver of Liability prior to the Court performing any graffiti removal, vandalism repair, or other activity under this agreement that is performed upon the personal or real property of the property owner. A copy of the signed waiver will be kept by the Court and available to the City upon request. The Court agrees to work with the City, if needed, to obtain the signed waiver. The Court will not perform any work unless and until the waiver is fully executed. A blank copy of the Waiver of Liability is attached to this agreement as **Exhibit B**.

(d) Notification of Completion. The Court agrees to notify the City through the service work crew program staff or supervisors by email or telephone within one week when a graffiti removal, vandalism repair, or public space service activity has been completed under this agreement.

(e) Billing Statement. The Court agrees to send a monthly Account and Billing Statement to the City on the first week of each month of the agreement period. This statement will reflect the amount of work performed under this agreement for the previous month and the amount due by the City to the Court for that work, as well as

any arrearage or credit. A blank copy of the Account and Billing Statement is attached to this agreement as **Exhibit C**.

- (f) Notification of Funding Limit. The Court agrees to inform the City should the annual amount of work performed by the Court under this agreement reach the maximum period cost designated in paragraph 3(e) prior to the end of the agreement term or termination. The Court will not charge the City for work performed in excess of the term cost limit set in paragraph 3(e) unless the maximum period cost has been increased in accordance with that same paragraph.

3. Duties of the City

- (a) Designation of the Court. The City hereby designates the Court as the graffiti removal and clean-up organization whose services are offered to owners of property within the City, including the City itself. Any recoupment from private insurance providers for the cost of graffiti removal, vandalism repair, or other project performed by the Court under this contract is solely the responsibility of the City.
- (b) Requesting Court Performance. The City agrees to submit to the Court a Service Needed Report, attached as **Exhibit A**, when it desires Court activity to be performed under this agreement. This report can be submitted either in writing, by email, or by telephone, as directed by **Exhibit A**.
- (c) Waiver of Liability Collection. The City agrees to work with the Court, when necessary, to obtain Waivers of Liability through action by City employees, including the City police department.
- (d) Monthly Payment. In consideration for the Court's services, the City agrees to pay the Court the amount indicated as due on the monthly billing statement within 30 days of receiving the Account and Billing Statement, attached as **Exhibit C**. Checks should be made out to "*The Second District Juvenile Court*." If the City account becomes past due, the Court may elect to discontinue additional work under this agreement until the City has paid in full for work already done by the Court to that point.
- (e) Maximum Period Cost. The City is not responsible to pay the Court for work performed under this agreement in total excess of \$ 1,000.00 for the term of the agreement. If this amount is met and paid by the City to the Court prior to the termination of this agreement, the City may, with written notice to the Court, request to increase the amount of the maximum period cost for the remainder of the agreement period. If the Court agrees to the increase through written notice to the

City, the maximum period cost is increased to the agreed-upon amount and the City agrees to pay the Court for work performed up to the new maximum period cost.

4. Miscellaneous

- (a) Rate of Labor. The cost to the City of the on-site Court service work crew performed under this agreement will be calculated at \$40.00 for work up to the first hour, then \$20.00 for each 30 minutes of work completed after the first hour, per crew. Crews generally consist of six to eight youth volunteers and one or two deputy probation officers. The cost of materials and supplies needed to complete the project will be the responsibility of the Court and not passed on or billed to the City.
- (b) Joint Personal or Real Property. The City and the Court agree that there will be no joint personal or real property to be acquired, held, or disposed of as part of this agreement. Any equipment donated to the Court by the City will be returned to the City if not used and any materials or equipment acquired by the Court from sources other than the City for the purposes of this agreement that remain unused by the Court will remain property of the Court.
- (c) Separate Budget. This agreement and the actions performed under it shall not receive separate financing nor shall a separate budget be required by either party.
- (d) Separate Entity. No separate entity is created by this agreement.
- (e) Indemnification. The City shall have no responsibility for the actions of the Court personnel and/or volunteers who perform services in the City under this agreement. The Court shall indemnify and save harmless the City, its officers, and employees from all suits, actions, or claims of any kind brought about because of any injuries or damage received or sustained by any person or property on account of the negligent operations of the Court or on account of or in consequence of any act or omission, neglect, or misconduct of Court personnel or volunteers. The City shall indemnify and save harmless the Court, its officers, employees, and volunteers from all suits, actions, or claims of any kind brought about because of any act or omission, neglect, or misconduct of City personnel, officers, employees, and representatives. By entering into this agreement, neither the Court nor the City waives their respective protections and immunities granted under the Utah Government Immunity Act, Utah Code section 63G-7-101.
- (f) Writing Requirement. This agreement embodies the entire agreement between the parties and shall not be altered except in writing signed by both parties.

- (g) Governing Law. This agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.
- (h) Authorization. The individuals executing this agreement on behalf of the Court and the City verify that they are authorized to enter into this agreement on behalf of the Court or the City.
- (i) Copy of Agreement. During the period this agreement is in force, both the City and the Court agree to keep a copy filed with their respective official keeper of records.
- (j) Addresses. All notices required under this agreement shall be delivered to the following addresses:

UTAH SECOND DISTRICT JUVENILE COURT
 165 20th STREET
 OGDEN, UTAH 84401
 801.628.1063

City Authorized Signatures

Name: _____

Title: _____

Name: _____

Title: _____

Approved as to Form

Name: _____

City Attorney

Court Authorized Signatures

Name: Steve Jensen

Title: Program Coordinator

Name: SE

Title: Chief Court Executive

Name: _____

Title: _____

Exhibit A

**SERVICE NEEDED REPORT
SECOND DISTRICT JUVENILE COURT
COMMUNITY SERVICE TEAM**

Community Service Team Contact:
Matt Tucker 801-920-3606 mattt@utcourts.gov

Site Address: _____ City: _____

Location Details: _____

Person Making Request: _____ Date: _____

Position: _____ Organization: _____

Tasks Requested:

Time Sensitive? _____ Needed Completion Date: _____

Reason for Time Sensitivity: _____

OFFICE USE ONLY

Date Received: _____ Estimated Hours Needed _____

Date Completed: _____ Assigned DPO: _____

**WAIVER OF LIABILITY FORM
SECOND DISTRICT JUVENILE COURT
COMMUNITY SERVICE GRAFFITI REMOVAL**

Please Complete the Following Form and Return it to Court or City Personnel :

Name of the Property Owner or Manager: _____

Phone Number: _____

Email Address: _____

Address of Graffiti/Service Need: _____

Is this Property an Historic Building? _____

Graffiti removal may require various types of removal efforts. Please indicate if you object to and do not wish any of the following method to be used. Please understand that limiting the removal options may reduce the effectiveness of the graffiti removal:

- Chemicals Pressure Wash Paint
- Other; Please Explain: _____

This Waiver of Liability Form is to address an individual graffiti remediation event, which may require a single or multiple visits. This waiver expires upon the completion of that remediation event. Should a new graffiti removal need arise, a new Waiver of Liability Form must be completed.

Please Read the Following Before Signing

I, the owner or manager of the property above, having legal responsibility for the above property, request and authorize the Second District Juvenile Court Community Service graffiti Removal Team to remove, clean, and otherwise mitigate any graffiti on this property in any manner that i have not limited in this document. I understand that I may provide matching paint to cover the graffiti, and that if I do not provide matching paint and do not object to the use of paint, the Graffiti Removal Team may use the paint in their inventory that matches the closest with the surface. I will not be held responsible for the cost of paint used that I did not provide to the removal team.

I am aware that I have the final determination as to which of the available methods may be used to remove graffiti from my property and that I am encouraged, but not required, to be on location to supervise the removal process.

I understand that the results of the graffiti removal process are not guaranteed by the City or by the Juvenile Court. I understand that the removal process may not entirely remove all traces of graffiti due to permanent chemical damage and alterations caused by the graffiti. I am aware that some graffiti residue and trace may remain and that high pressure or chemical cleaning methods may have some impact on the surfaces being cleaned.

Graffiti Removal Team supervisors will always accompany the removal team and are well-trained and careful to reduce impact or damage caused by the graffiti removal process, However, as in any project of this type, I am aware that in spite of the care of the removal team, some impact may occur to the property and plant life proximate to the removal site due to spills, overspray, difficult to reach areas, or other challenges.

In the event of accidental damage related to the graffiti removal process, I take full responsibility for the damages and related costs for cleanup or repair and indemnify the City, its officers, and employes as well as the Court, its officers, and employees from all suits, actions, and claims or any kind brought about becuae of any injuries or damage sustained by any person or property on account of any negligent operations of the Community Service Removal Team or in consequence of any act or omission, neglect, or misconduct of City or Court personnel or volunteers.

Signature of Property Owner/ Manager

Title / Association with Property

Date

INVOICE

Second District Juvenile Court

165 20th Street
 Ogden, Utah 84401
 801-334-4777
sherik@utcourts.gov

STATEMENT NO. 1234 -
 INVOICE DATE August 14, 2015
 CUSTOMER ID YR CTY

BILL TO

Your City
 Corner of State and Main
 Your City, Utah
 Your Phone Number

COMMENTS

| DATE OF SERVICE | LOCATION OF SERVICE | | | HOURS WORKED | INVOICE AMOUNT |
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| CURRENT | 1-30 DAYS PAST DUE | 31-60 DAYS PAST DUE | 61-90 DAYS PAST DUE | OVER 90 DAYS PAST DUE | INVOICE AMOUNT |
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| Credits/Debits | |
|----------------------------------|--------|
| Statement # | 1234 - |
| Credit to date | |
| Amount Due | |
| <i>Please Pay the Amount Due</i> | |

Make all checks payable to Second District Juvenile Court
THANK YOU FOR YOUR BUSINESS!



SYNOPSIS

Application Information

Applicant: Todd Grandstaff; DRQ Solutions
Ali Agha; Property Owner

Request: **6:00 p.m. – PUBLIC HEARING**

1. Consider Ord. No. 16-14 – A request to amend the General Plan (Future Land Use Map) a portion of the property from Commercial to Medium Density, Single-Family Residential.
2. Consider Ord No. 16-15 – A request to amend the Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) and R-1-8 (Single-Family Residential)

Approximate Address: 5455 South 4300 West

Land Use Information

Current Zoning: RE-20

Adjacent Zoning: North: RE-20 (Residential Estates)
South: R4 (High Density 10,000 sq.-ft) [Hooper City]
East: R-1-8; Single-Family Residential
West: R4 (High Density 10,000 sq.-ft) [Hooper City]

Current General Plan: Commercial

Staff

Report By: Steve Parkinson

Staff Recommendation: Approval with conditions as outlined in this report

APPLICABLE ORDINANCES

- 1) Roy City Zoning Ordinance Title 10, Chapter 5 – Amendments to General Plan and Zoning Ordinance

CONFORMANCE TO THE GENERAL PLAN

- 1) Residential Development Goal I; 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.*

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing during the September 13, 2016 meeting, the hearing was opened for public comments, which were as follows:

- Jeremy McReynolds – 5494 South 4425 West; This is in his backyard. There is lots of traffic, no one watches, kids have been hit in the crosswalk. He is opposed to any residential development.
- Todd Grandstaff – 1752 West 1180 South; They have done some studies of the area and have found that the area won't sustain anything larger than a C-Store & a Car Wash. As of today the existing single-Family dwelling will remain until they figure out the best design of the property, for both commercial and residential. However all residential access will be off of 4300 West instead of 5500 South.

With no additional comments the public hearing was closed.

After which Commissioners had a small discussion:

- Commissioner Paul asked if UDOT had any plans to put in a light at the intersection of 4300 West & 5500 South.
- Staff was unaware of any plans at this time.

With no further discussion or questions the Commission voted 6-1:

To forward to the City Council a recommendation of approval

- To amend the General Plan (Future Land Use Map) for a portion of the property from Commercial to Medium Density, Single-Family Residential.
- To amend the Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) and R-1-8 (Single-Family Residential)

ANALYSIS

Background:

These parcels are on the Northwest corner of 4300 West and 5500 South. The applicants include both the land owner and a potential developer. There is currently a single-family dwelling on the property. It is to remain, with all commercial development occurring to the southeast of it and potential other single-family dwelling around it.

Amend Future Land Use Map:

Current Designation: The subject property currently has a land use designation as Commercial (see exhibit “B”).

Requested Land Use Designation: The applicant would like to change apportion of the Future Land Use Map from the current Commercial designation to a Medium Density, Single-family designation.

Considerations: When considering a proposed amendment to the general plan the Commission and Council shall consider the following factors, as outlined in section 505 “Criteria for approval of General Plan Amendments” of the Zoning Ordinance:

- 1) The effect of the proposed amendment on the character of the surrounding area.
- 2) The effect of the proposed amendment on the public health, welfare, and safety of City residents.
- 3) The effect of the proposed amendment on the interests of the City and its residents.
- 4) The location of the proposed amendment is determined to be suitable for the uses and activities allowed by the proposed amendment, and the City, and all other service providers, as applicable, are capable of providing all services required by the proposed uses and activities in a cost effective and efficient way.
- 5) Compatibility of the proposed uses with nearby and adjoining properties.
- 6) The suitability of the properties for the uses requested.
- 7) The effect of the proposed amendment on the existing goals, objectives, and policies of the General Plan, and listing any revisions to the City’s Land Use Ordinances, this Ordinance, the Subdivision Ordinance, and any other Ordinances required to implement the amendment.
- 8) The community benefit of the proposed amendment.

The above section of the Zoning Ordinance asks some questions mostly looking at the effect the proposed land use designation and compatibility/suitability to the surrounding uses. Staff would like to comment on some these questions

The character of the surrounding areas (see Exhibit “A”) –

- To the West, North & East, there are Single-Family residential dwellings.
- To the South it is vacant but is currently zoned R4, which is their most dense zone. Minimum lot sizes are 10,000 sq.-ft.
- 5500 South is a UDOT road and has a lot of traffic on it. 4300 West use to be only a local road, but last year Hooper and Clinton push the road through and now 4300 West goes from Antelope Drive in Syracuse to 4000 South in West Haven. The traffic on 4300 West will increase over time.

- During a combined City Council & Planning Commission worksession on January 26, 2016 it was discussed to have a minimum 1 acre parcel for Commercial and the rest to develop in similar fashion as the surroundings.

Amend Zoning Map:

Current Zoning: Currently the property is zoned RE-20 Residential Estates, the surrounding properties are zoned as follows: North - RE-20 (Residential Estates); South - R4 (High Density 10,000 sq.-ft) [Hooper City]; East - R-1-8; Single-Family Residential; West - R4 (High Density 10,000 sq.-ft) [Hooper City]

Requested Zone Change: The applicant would like to have the property changed to Community Commercial and R-1-8 single-family residential.

Considerations: When considering a Zoning District Map Amendment, the Commission and the Council shall consider the following factors, as outlined in section 509 “Criteria for Approval of a ... Zoning Map” of the Zoning Ordinance:

- 1) The effect of the proposed amendment to advance the goals and policies of the Roy City General Plan.
- 2) The effect of the proposed amendment on the character of the surrounding area.
- 3) The compatibility of the proposed uses with nearby and adjoining properties.
- 4) The suitability of the properties for the uses requested.
- 5) The overall community benefits.

No amendment to the Zoning Districts Map (rezone) may be recommended by the Commission nor approved by the Council unless such amendment is found to be consistent with the General Plan and Land Use Maps.

The above section of the Zoning Ordinance asks some questions mostly looking at the effect the proposed zone and compatibility/suitability to the surrounding uses. Staff would like to comment on some these questions

General Plan Goals, Objectives and Policies –

- Within the “Conformance to the General Plan” section of this report it lists two (2) goals and policies that this type of development would satisfy.

The character of the surrounding areas (see Exhibit “A”) –

- To the West, North & East, there are Single-Family residential dwellings.
- To the South it is vacant but is currently zoned R4, which is their most dense zone. Minimum lot sizes are 10,000 sq.-ft.
- 5500 South is a UDOT road and has a lot of traffic on it. 4300 West use to be only a local road, but last year Hooper and Clinton push the road through and now 4300 West goes from Antelope Drive in Syracuse to 4000 South in West Haven. The traffic on 4300 West will increase over time.
- During a combined City Council & Planning Commission worksession on January 26, 2016 it was discussed to have a minimum 1 acre parcel for Commercial and the rest to develop in similar fashion as the surroundings.

Some additional questions that the Commission and Council needs to reflect upon are:

- Does changing are not changing the zoning provide the best options for development of this property or area?
- How can this property best be developed? As Commercial and single-family dwellings? Just as Commercial? OR Just as Single-family residential?

CONDITIONS OF APPROVAL

- I. Apply and receive Conditional Use & Site Plan approval

FINDINGS

1. It's the best and highest use of the land.
2. Provides and supports Roy City Economic Development.

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends that the Planning Commission recommends approval for the request with the conditions as discussed and as outlined within the staff report to:

1. General Plan (Future Land Use Map) a portion of the property from Commercial to Medium Density, Single-Family Residential.
2. Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) and R-1-8 (Single-Family Residential)

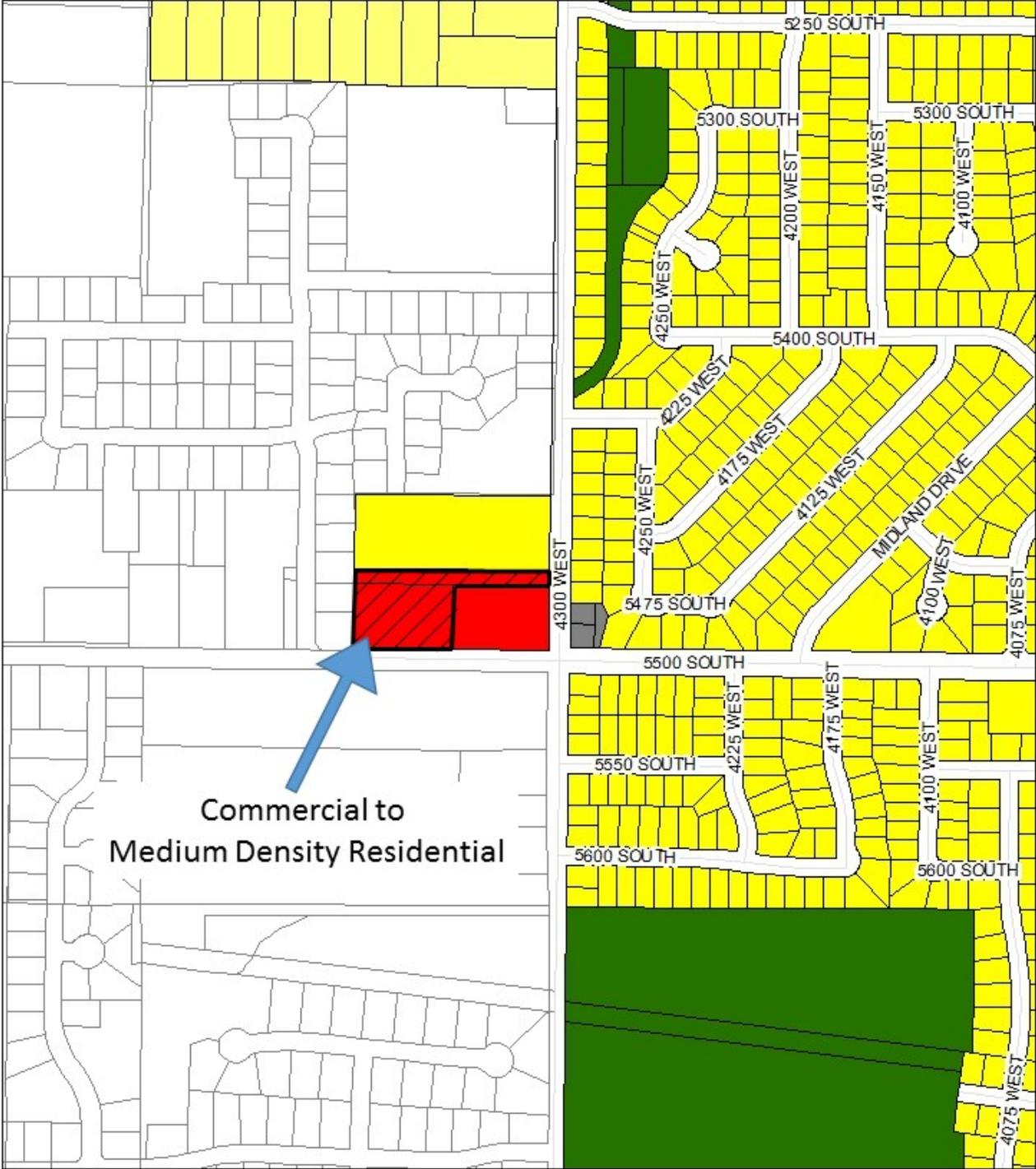
EXHIBITS

- A. Aerial Map
- B. Future Land Use Map
- C. Zoning Map
- D. Ord No. 16-14
- E. Ord No 16-15

EXHIBIT "A" – AERIAL MAP



EXHIBIT "B" – FUTURE LAND USE MAP



Commercial to
Medium Density Residential

Legend

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**Future
Land Use
Map**

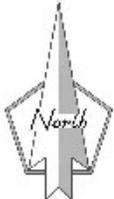
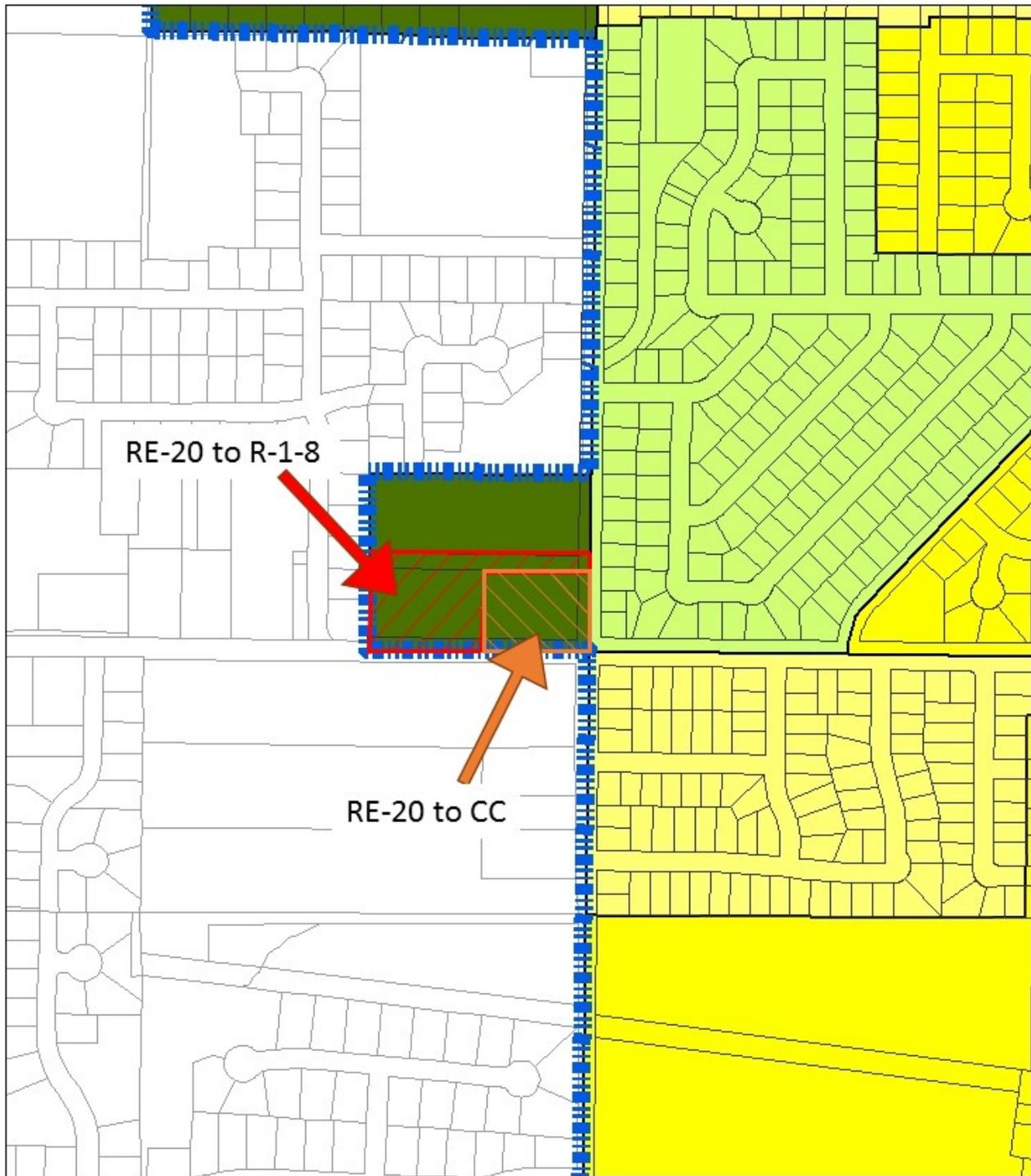


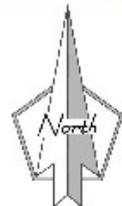
EXHIBIT "C" – ZONING MAP



Legend

- | | | | |
|--|--|---|---|
|  CC |  R-1-6 |  R-2 |  City Boundary |
|  RC |  R-1-7 |  R-3 |  Parcels |
|  BP |  R-1-8 |  R-4 | |
|  M |  R-1-10 |  RIO | |
|  LM |  R-1-15 |  RMH-1 | |
|  R |  RE-20 | | |

**Zoning
Map**



ORDINANCE No. 16-14

AN ORDINANCE ESTABLISHING A FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY, SINGLE-FAMILY RESIDENTIAL ON A PORTION OF A PROPERTIES LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST

WHEREAS, Roy City has received a petition to amend the Future Land Use Map by changing the designation on properties comprising approximately 1.85 acres (80,586 sq.-ft.) of the existing 4.17 acres (181,645.2 sq.-ft.) of land located at approximately 5455 South 4300 West from a designation of Commercial to a designation of Medium Density, Single-Family Residential; and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the change will not be detrimental to the appropriate residential use of the property; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the Future Land Use Designation of a portion of the properties at 5455 South 4300 West be established as Medium Density, Single-Family Residential and that the *Roy City Future Land Use Map* be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

- Councilman Becraft _____
- Councilman Dandoy _____
- Councilman Hilton _____
- Councilman Tafoya _____
- Councilman Yeoman _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ Day of _____, 2016.

Willard S. Cragun
Mayor

Attested and Recorded:

Amy Mortenson
City Recorder

ORDINANCE NO. 16-15

AN ORDINANCE ESTABLISHING A ZONING DESIGNATION OF CC AND R-1-8 ON PROPERTIES LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST

WHEREAS, Roy City has received a petition to change the zoning on a property comprising of approximately 4.17 acres (181645.2 sq.-ft.) of land located at approximately 5455 South 4300 West from a designation of RE-20 to a designation of CC (1.85 acres) and R-1-8 (2.32 acres); and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the continued residential use of the properties will be conducted appropriately; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the zoning designation of the properties at 5455 South 4300 West be established as a CC and a R-1-8 designation and that the *Roy City Zoning Map* be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

- Councilman Becraft _____
- Councilman Dandoy _____
- Councilman Hilton _____
- Councilman Tafoya _____
- Councilman Yeoman _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ Day of _____, 2016.

Willard S. Cragun
Mayor

Attested and Recorded:

Amy Mortenson
City Recorder

ORDINANCE No. 16-14

AN ORDINANCE ESTABLISHING A FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY, SINGLE-FAMILY RESIDENTIAL ON A PORTION OF A PROPERTIES LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST

WHEREAS, Roy City has received a petition to amend the Future Land Use Map by changing the designation on properties comprising approximately 1.85 acres (80,586 sq.-ft.) of the existing 4.17 acres (181,645.2 sq.-ft.) of land located at approximately 5455 South 4300 West from a designation of Commercial to a designation of Medium Density, Single-Family Residential; and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the change will not be detrimental to the appropriate residential use of the property; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the Future Land Use Designation of a portion of the properties at 5455 South 4300 West be established as Medium Density, Single-Family Residential and that the *Roy City Future Land Use Map* be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

Councilman Becraft _____
Councilman Dandoy _____
Councilman Hilton _____
Councilman Tafoya _____
Councilman Yeoman _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ Day of _____, 2016.

Willard S. Cragun
Mayor

Attested and Recorded:

Amy Mortenson
City Recorder

ORDINANCE No. 16-15

AN ORDINANCE ESTABLISHING A ZONING DESIGNATION OF CC AND R-I-8 ON PROPERTIES LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST

WHEREAS, Roy City has received a petition to change the zoning on a property comprising of approximately 4.17 acres (181645.2 sq.-ft.) of land located at approximately 5455 South 4300 West from a designation of RE-20 to a designation of CC (1.85 acres) and R-I-8 (2.32 acres); and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the continued residential use of the properties will be conducted appropriately; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the zoning designation of the properties at 5455 South 4300 West be established as a CC and a R-I-8 designation and that the Roy City Zoning Map be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

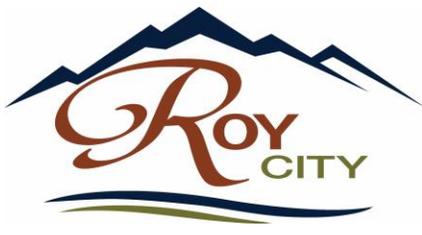
Councilman Becraft _____
Councilman Dandoy _____
Councilman Hilton _____
Councilman Tafoya _____
Councilman Yeoman _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ Day of _____, 2016.

Willard S. Cragun
Mayor

Attested and Recorded:

Amy Mortenson
City Recorder



SYNOPSIS

Application Information

Applicant: Jacob Briggs

Request: 6:00 p.m. – PUBLIC HEARING –

Consider Ord. No. 16-13 – A request to amend the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones [R-1-7; R-1-8 & R-1-10].

Staff

Report By: Steve Parkinson; Planning & Zoning Administrator 

Recommendation: Recommends approval

APPLICABLE ORDINANCES

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

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on September 13, 2016, the hearing was opened – the Public made the following comments:

- No Public Comment was made

With no further comments the public hearing was closed.

After a small discussion amongst the Commissioners, the Commission voted 7-0; to forward to the City Council a recommendation of approval to amend the Roy City Municipal Code; Title 10 Zoning Regulations; chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones

ANALYSIS

Background: This item was originally schedule for Public hearing on August 9th, but the applicant was not going to be in town and wanted the item pulled from the agenda. No action was held on this item during the meeting.

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

There are currently four residential zones along the corridor, RE-20, R-1-10, R-1-8 & R-1-7. The RE-20 zone already allows for Domestic Livestock & Fowl, the other three (3) zones do not. The applicant is looking to allow Domestic Livestock & Fowl allowed in these zones that are within the corridor as a Conditional Use.

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

When it is determined by the city that physical or geographical impediments exist in an area which hamper the effective use of property, the city may approve a master site plan for that area, and upon approval of same, property owners may obtain ownership or lease rights to property adjoining that area owned by said owner and zoned for a building lot, and upon obtaining at least twenty thousand (20,000) square feet of total property, including the building lot, the owner of said lot



may use said property, so far as keeping animals thereon is concerned, as though the property were in an RE-20 zone. If at any time the owner or his successor has legal control of less than the total amount of twenty thousand (20,000) square feet of property, the use rights revert to those of the established zone. All other uses and development shall be pursuant to the established zone for the property.

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

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

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

FINDINGS

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

RECOMMENDATION

Staff recommends approval of the proposed amendments to Title 10 of the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones [R-1-7; R-1-8 & R-1-10].

EXHIBITS

- A. Proposed Ordinance changes
- B. April 26, 2016 Planning Commission minutes
- C. Memo dated April 25, 2016
- D. Ord No. 16-13

EXHIBIT “A” – PROPOSED ORDINANCE CHANGES

General Description of Proposed Text Amendment

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

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

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

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

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

Section 1701 – Table of Uses

17-1 – Residential Zoning Districts

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

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

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

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

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

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

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

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

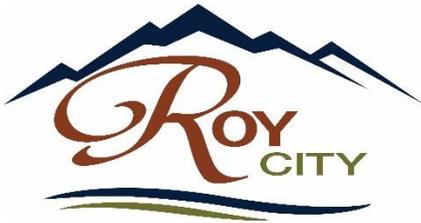
Steve Parkinson stated that Jacob Briggs was asking that the Zoning Ordinance be amended to allow uses traditionally associated with larger acreage. Mr. Briggs felt the ordinance could be amended by including an asterisk (*) next to the 'X' identifying certain uses in a zone as Prohibited. The asterisk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

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

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

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

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



COMMUNITY DEVELOPMENT DEPARTMENT

MEMO

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

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

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

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

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

November 16, 2015

Roy City
Attn: Planning Commission

RE: Potential Ordinance

Dear Roy City Planning Commissioners,

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

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

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

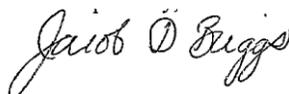
The Zoning Ordinance (Table 17-1, Table of Uses, Residential Zoning Districts) identifies the permitted or conditional uses within the various residential zones. One way to allow for additional uses within the Corridor would be to leave the Zoning Map unchanged, but include appropriate modifications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

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

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

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

Respectfully,



January 26, 2016 Minutes

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

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

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

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

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

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

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

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

Commissioners Karras and Paul agreed with Commissioner Kirch.

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

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

CHAPTER 5

RESIDENTIAL ZONES

ARTICLE A. RESIDENTIAL ESTATE ZONE (RE-20)

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

Accessory building or use customarily incidental to a permitted use.

Agriculture.

Animals:

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

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

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

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

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

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

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

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

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

ORDINANCE NO. 16-13

AN ORDINANCE AMENDING TITLE 10 OF THE ROY CITY MUNICIPAL CODE BY ESTABLISHING CHANGES REGARDING DOMESTIC LIVESTOCK AND FOWL ALONG THE UTILITY CORRIDOR

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Chapter 17 – Table of Uses, Table 17-1

WHEREAS, the Roy City Council finds that the modifications regulating Domestic Livestock and Fowl along the Utility Corridor will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended an amendment to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Sign Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Chapter 17 – Table of Uses, Table 17-1, to read as follows:

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

Section 1701 – Table of Uses

17-1 – Residential Zoning Districts

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

(5) times the allowable numbers listed above shall be permitted at any one time. (Ord. 1011, 5-5-2009)

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

| | | | | | | | | | | | | | | | | | | | |
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|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

This Ordinance has been approved by the following vote of the Roy City Council:

Councilman Becraft _____

Councilman Dandoy _____

Councilman Hilton _____

Councilman Tafoya _____

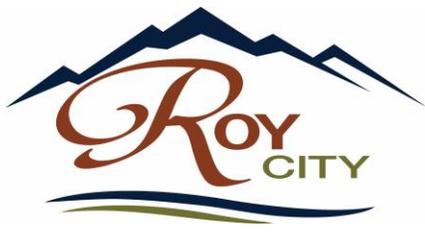
Councilman Yeoman _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ Day of _____, 2016.

Willard S. Cragun
Mayor

Attested and Recorded:

Amy Mortenson
City Recorder



SYNOPSIS

Application Information

Applicant: Larry Bouwhais
Request: Request for Preliminary Subdivision approval for Royal Subdivision, a two (2) lot single-family residential subdivision.
Address: Approximately 2235 West 4800 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)

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on September 13, 2016, the hearing was opened – the Public made the following comments:

- No Public Comment was made

With no further comments the public hearing was closed.

After a small discussion amongst the Commissioners, the Commission voted 7-0; to forward to the City Council a recommendation of approval for Preliminary Subdivision for Royal Subdivision, a two (2) lot single-family residential subdivision, located at 2235 West 4800 South with the conditions as outlined in this report.

ANALYSIS

Background:

Subdivision: The proposed subdivision is to subdivide 19,600 square-feet of property into two (2) individual parcels. Lot 1 already has an existing single-family dwelling on it and Lot 2 would be for a second single-family dwelling.

Zoning: The property was recently zoned R-1-8 and according to table 10-1 of the zoning ordinance the R-1-8 zone allows for single-family lots to be a minimum of 8,000 sq.-ft. and that each lot is also required to have a minimum of 65 ft. of frontage, which each meet the minimum of both requirements.

Access: Both lots will have access onto 4800 South.

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



DRC Review: The DRC has reviewed the development, see attached memo. There are a few things needing to be re-submitted, but nothing that would cause the development not to comply with all applicable codes.

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

CONFORMANCE TO THE GENERAL PLAN

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

CONDITIONS OF APPROVAL

1. Compliance to the requirements and recommendations as outline in the DRC memo dated 9 September 2016 (Attached).

FINDINGS

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

RECOMMENDATION

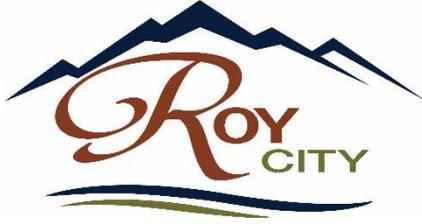
Staff recommends approving the Preliminary Subdivision of Royal Subdivision located at approximately 2235 West 4800 South with the conditions as outlined within the staff report.

EXHIBITS

- A. Aerial Map
- B. Preliminary Subdivision plat
- C. DRC Memo dated 9 September 2016

EXHIBIT "A" – AERIAL MAP





DEVELOPMENT REVIEW COMMITTEE
REVIEW MEMO

Date: 9 September 2016
To: Larry Bouwhais
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: Royal Subdivision – 2235 W 4800 S – plans submitted August 17, 2016

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

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. A secondary water connection needs to be shown and a letter should be submitted showing Roy Water Conservancy District approval of the service.
2. The trench backfill and patch will need to be observed by Roy City and trench material and compaction testing will be required.
3. 4800 South in this area was constructed with a thicker pavement section so the new section will need to match and the T section may need to be modified.
4. We will find the project specifications and let the developer know the details. It seems like it was a 4" HMA on 12" UTBC.
5. The patch edges will also need to be crack sealed.
6. All work in 4800 South will need a Street Cut Permit and the roadway cannot be shut down for construction. Traffic must remain open in both directions.

Fire - Legal -

1. No comments at this time

Building -

1. A geotechnical engineer shall visit the site once the excavation has been completed prior to placement of fill or footings to observe and approve the excavation. A letter shall be provided to the City.
2. Any new structure being constructed shall be in compliance with the current adopted codes. The current codes are the 2015 edition of the International Codes and the 2014 edition of the NEC.

Public Works -

A. General Comments

1. Use 3/4" CTS PE Tubing instead of Type K Copper for water services.
2. Use 5/8" x 3/4" Mueller "Hot Rod" water meter, supplied by Roy City

B. Storm Water

1. Need an N.O.I.
2. Need a SWPPP
3. Need a dust control plan.
4. Need a site plan showing all of the BMP's, concrete washout, silt fencing, etc.
5. Dumpsters need to be covered and sealed.

Planning -

A. General Comments

1. A financial guarantee is required for all on-site and off-site improvements. This will be required prior to recording of the Subdivision plat.
2. Need an approval letter from Roy Water Conservancy District.

B. Preliminary Plat Comments

1. Plans need to show all awnings that are attached to the home as well as all out buildings that are on the property.
2. Property needs to be cleaned up prior to recording of the subdivision.

C. Final Plat Comments

1. Use the following addresses for each parcel
 Lot 1 – 2243 W
 Lot 2 – 2235 W
2. Use the following signature blocks (see below)

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

Chair, Roy City Planning Commission

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

Roy City Engineer

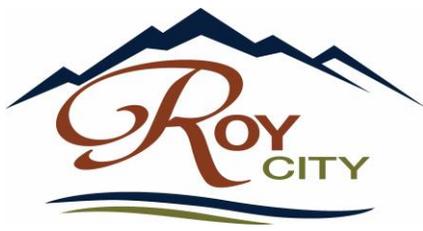
ROY CITY ACCEPTANCE
 This is to certify that this subdivision plat was duly accepted by the City Council of Roy City and approved by the Mayor, on the _ day of _____, 20____.

Roy City Mayor

Attest

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

Roy City Attorney



SYNOPSIS

Application Information

Applicant: John Hammond
Request: Request for Conditional Use approval for The Wash Factory a commercial Car Wash
Address: 4148 South Midland Drive

Land Use Information

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

Staff

Report By: Steve Parkinson
Staff Recommendation: Approval, with conditions

APPLICABLE ORDINANCES

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

PLANNING COMMISSION ACTION

The Planning Commission discussed the Conditional Use on September 13, 2016, there no Public comments made.

After a small discussion amongst the Commissioners, the Commission voted 7-0; to forward to the City Council a recommendation of approval of the Conditional Use for The Wash Factory a commercial Car Wash, located at 4148 South Midland Drive with the conditions as outlined in this staff report and subject to the property being annexed into Roy City with the appropriate zone.

ANALYSIS

Background:

This project was first brought to the Commission on August 9th and was tabled due to the fact that there wasn't any DRC comments for the project and the Commission didn't feel comfortable in approving the project without their comments.

Since the August 9th meeting the DRC has submitted their comments. (see exhibit "E")

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

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



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

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

Landscaping: The proposed site appears to meet the requirements.

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

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

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

Staffs overview of the above mentioned standards are as follows:

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

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

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

CONDITIONS OF APPROVAL

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

FINDINGS

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

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends approving the Conditional Use for The Wash Factory located at approximately 4148 South Midland Drive, subject to the conditional as outlined in this staff report.

EXHIBITS

- A. Aerial Map
- B. Applicant's Narrative of proposed project
- C. Proposed Site Plan
- D. Proposed Elevations
- E. DRC Memo dated 9 September 2016

EXHIBIT "A" – AERIAL MAP



EXHIBIT “B” – APPLICANT’S NARRATIVE OF PROPOSED PROJECT

Background

The subject site is an undeveloped property located at 4148 Midland Drive. The property is adjacent to a larger commercial development immediately to the North and the East, which is not fully developed. The businesses directly adjacent to the property to the North include Jiffy Lube, McDonalds, a doctors' office, O'Reilly Auto Parts and Maverick gas station and convenience store. The parcel is bordered to the South by a vacant residence, which is listed for sale as Commercial (CC) zoning.

We propose to use 80,335 square feet of a 3.58 acre parcel to develop a full service car wash facility. The carwash facility provides a carwash tunnel, small administrative office, restroom, customer waiting area, equipment room and drying center. The site includes 26 self-serve vacuum stations. The site is designed with a one-way circulation pattern to access the carwash and vacuum area. Landscaping is in accordance with the adjacent center's existing landscape palette and in accordance with Roy City specifications.

Building architecture reflects the materials and forms of adjacent businesses and convenience store. The carwash building also incorporates modern elements to further enhance the appearance of the commercial area. The proposal includes street and building mounted signage, which will conform to Roy City standards.

The project setting is summarized in the following:

| | |
|------------------------|---|
| Location: | 4148 S. Midland Drive (approximately 1,080 feet South of 4000 South) |
| Parcel Size: | 80,335 SQFT developed |
| Traffic Trips: | Expected average volume of 150 cars per day |
| Water and Sewer Demand | 118,000 gallons per month. (See commentary below on water reclaim system) |

| Description | Area | %/U |
|-------------|-------------|------|
| Hardscape | 55,500 SQFT | 69% |
| Landscape | 15,636 SQFT | 19% |
| Building | 9,200 SQFT | 11 % |
| TOTAL | 80,335 SQFT | 100% |

Zoning and Land Uses

| Location | Zoning | General Plan Land Use |
|----------|---|-----------------------|
| On-Site | Unincorporated, being annexed as Community Commercial | Community Commercial |
| North | Community Commercial | Community Commercial |
| South | Unincorporated and Single-Family Residential | Community Commercial |
| East | Community Commercial | Community Commercial |
| West | Unincorporated | Community Commercial |

Project Description

The project proposes to develop a flex serve carwash, which incorporates the automation of an express carwash, including automated pay stations and self-serve vacuums, and also offers traditional interior cleaning options for customers desiring those services.

The proposal, flex serve car wash, will provide a fully automated car wash facility including self-serve vacuums and automated pay stations. Customer service attendants will assist new customers at the automated cashier stations and a customer service booth when the new car wash opens. The applicant anticipates after three months of opening, customers will become familiar enough with the automated process that fewer and fewer patrons will need direct assistance. The carwash will include a fast-pass system, which will allow customers to pay in advance and drive past a pay station to the wash tunnel entrance where an attendant will prep the car for the wash tunnel. After the car wash is complete, customers will be directed (via signage and painted directional arrows) to self-serve vacuums, drying bays for upgraded services or exit the site using the West or East driveways.

The project will demolish a vacant home, barn and silos on the property. A new 9,200 square foot carwash facility will be constructed that provides a carwash tunnel, small administrative office, restroom, customer waiting area, equipment room and drying center. Site development includes a circulation plan, including installation of three automated pay stations and a customer service booth in lane one. Associated site improvements will include landscaping, lighting, and vehicular and bicycle parking, sidewalks and a solid masonry enclosure for trash and recyclable materials storage plus storage for a central vacuum producer. The carwash infrastructure will include a water reclaim system that is 92% efficient, which will allow us to reuse water up to 23 times before discharging it into the sewer.

Proposed business hours are from 8:00 a.m. to 8:00 p.m. and closed during inclement weather.

A site map is provided with this submission.

The proposed site plan and use comply with the Roy City General Plan, including:

Goal 3: To strive to make the City's land uses as compatible with other adjacent and/or neighboring land uses as possible in order to minimize the potential adverse effects of adjacent incompatible land uses.

A carwash is compatible with current and planned commercial uses surrounding the site. The proposed carwash will be located directly adjacent to a Jiffy Lube. Also, between our site and the corner 1,000 feet to the North are an auto parts store, a McDonald's restaurant, and a Maverick gas station. A Walmart is planned across the street, directly West of the site.

Policy B: Zoning should reflect the existing use of the property and the General Plan's Future Land Use map to the largest extent possible, unless the area is in transition to another use.

The site is currently unincorporated. The Future Land Use Plan indicates its use as Commercial. The parcels directly to the North and East are already designated Commercial. The parcel to the South is currently unincorporated but is designated as Commercial in the Future Use Plan. The property to the West, directly across Midland Drive is reflected as unincorporated in the version of the Future Land Use Plan currently available. (<http://www.royutah.org/wpcontent/uploads/2011/01/Future-Land-Use.pdf>).

Policy C: Where possible, properties which face each other across a local street should be the same or similar compatible zones or uses. However, collector and arterial roads may be sufficient buffers to allow for different uses or zones to be established.

The proposed carwash will be located on Midland Drive, an arterial road. Also, we understand that the site directly opposite our parcel is slated to be developed as a Walmart, which is a compatible use within Commercial zoning.

Goal 7: To annex unincorporated areas adjacent to, and within, the City when feasible and when this is not adverse to the community; and strive for logical and effective City boundaries.

The parcels directly to the North and East and partially to the South are already within Roy City boundaries. Our site and the parcel to the South of our site are designated on the Future Land Use Plan for annexation as Commercial zoning.

EXHIBIT "C" – PROPOSED SITE PLAN

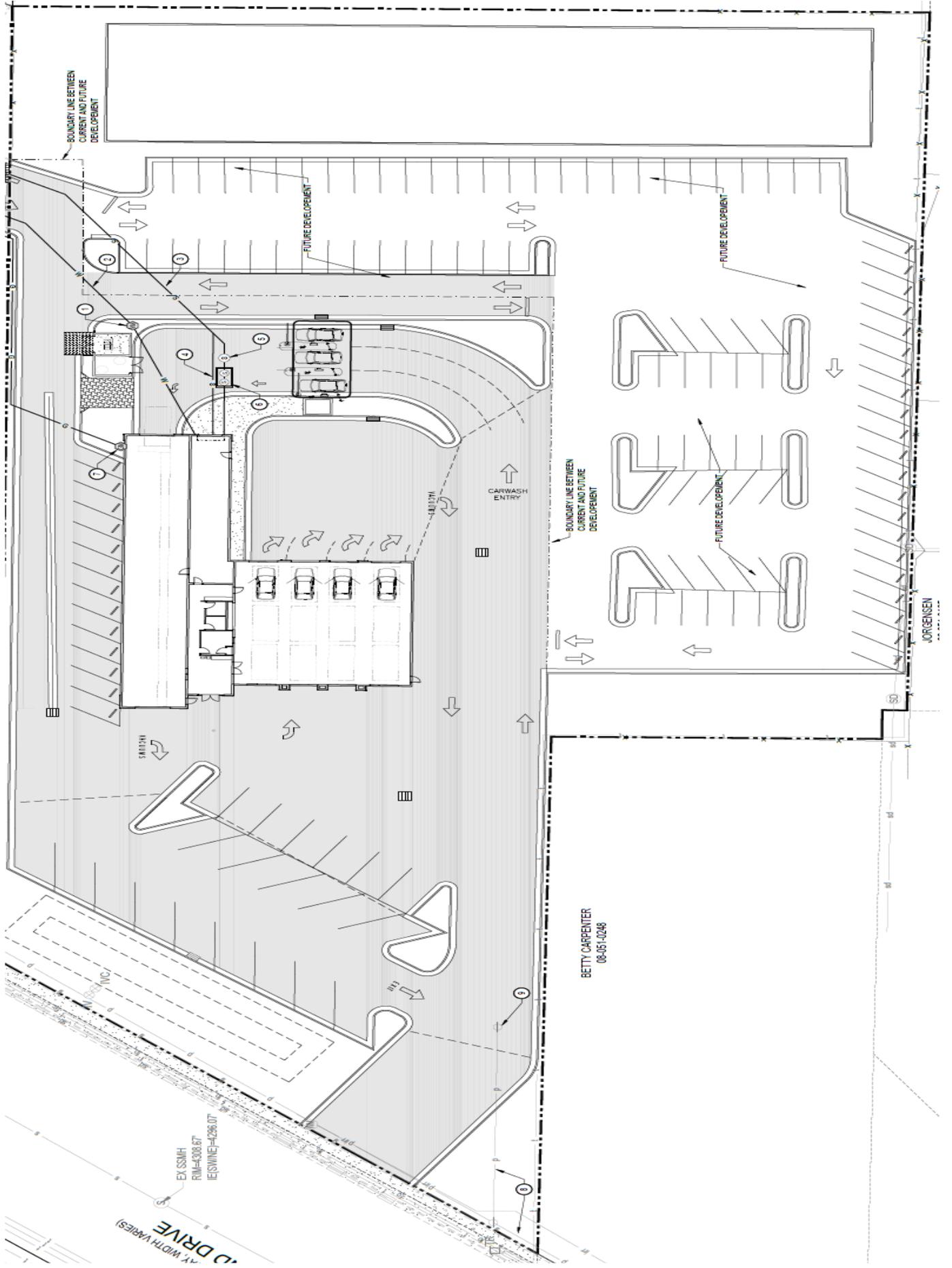
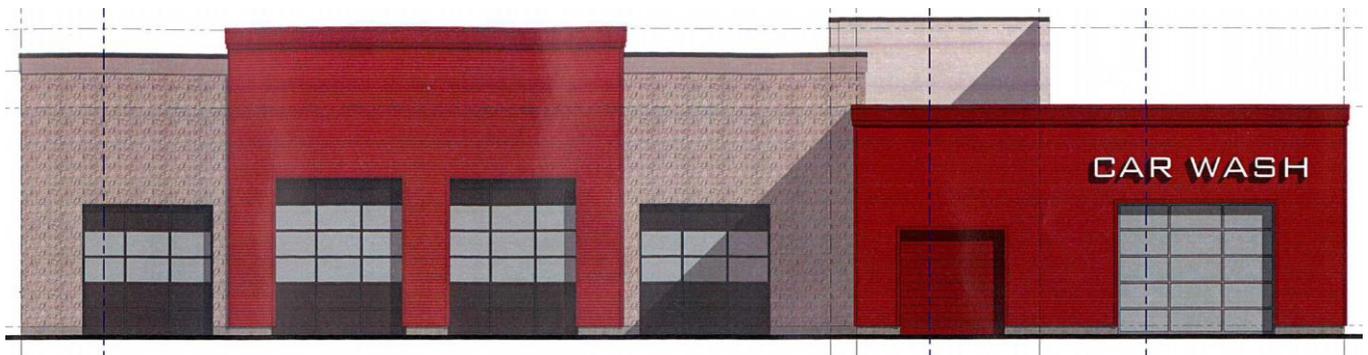


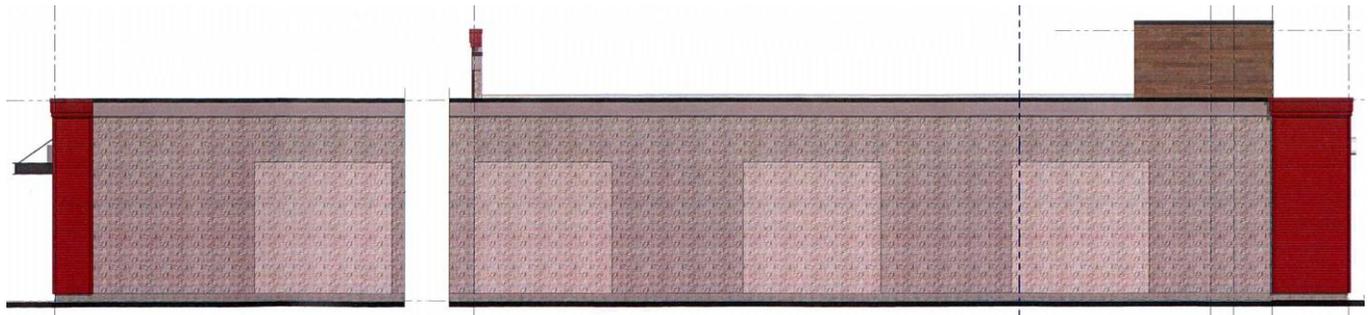
EXHIBIT "D" – PROPOSED BUILDING ELEVATIONS



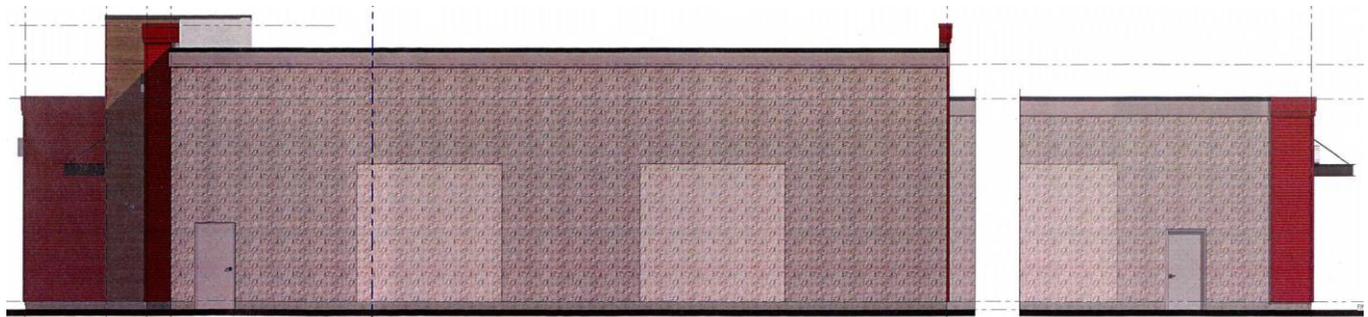
Western (Front) Elevation



Eastern (Rear) Elevation



Northern Elevation



Southern Elevation



DEVELOPMENT REVIEW COMMITTEE
REVIEW MEMO

Date: 9 September 2016

To: John Hammond

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: The Wash Factory Site Plan – 4148 S Midland Drive – plans submitted July 8, 2016

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

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 construction plans do not include a sheet with exterior dimensions of all proposed structures, proposed ingress and egress points, and off-street parking; or lighting plans per RCO 1507.
2. The proponent should receive access approval from Utah Department of Transportation.
3. The utility plan should show secondary water. The site plan should receive approval from the Roy Water Conservancy District and a letter indicating their approval should be submitted to Roy City.
4. The site plan proposes to bring water and sewer in from the private road (and private lines) in the Midland Square commercial development to the north. The proponent should provide fire flow calculations and a utility agreement indicating approval from the adjacent property owner.
5. We are currently reviewing the storm water calculations. We will call the developer's engineer once our analysis is complete.

Fire -

The concerns for this project as it relates to the site plan for fire protection are allowed per the International Fire Code (IFC) and Authority Having Jurisdiction (AHJ). **These are site plan comments only and do not include the building.** Building code official needs to classify the building and construction type.

1. Contractor is required to prove hydrant fire-flow per IFC Appendix B of 1500 GPM for two hours calculated at 20psi. This report will need to be submitted to the AHJ.
2. A 20 foot road width is acceptable with the AHJ and with IFC requirements.
3. No parking/fire lane signs will be required on all access/turnaround dead end roads per IFC.
4. Fire hydrant may be needed to meet to Roy City Standard of 400 feet between fire hydrants.

Building -

1. The building 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.

2. There shall be a geotechnical sub surface investigation performed on the site. Borings performed by a Geotechnical Engineer to evaluate conditions below the surface. All findings shall be submitted to the City and all recommendations made in the Geotechnical Report shall be followed. A copy of the report shall also be submitted to the Architect / Engineer for review and shall be incorporated into the plans.
3. The car wash will be classified as a Group B Occupancy.
4. Provide a detail on the grease interceptor.
5. A complete SWPPP plan will need to be provided along with a NOI and the State Permit number prior to issuing the permit for the project.

Public Works -

A. General Comments

1. Water service should be a 2 inch Blue Brute CTS

B. Storm Water

1. Need an N.O.I.
2. Need a SWPPP
3. Dust Control Permit
4. Need to dye test all floor drains and recycled wash water drains, to ensure that they drain into the sanity sewer and not any other system.
5. Dumpsters need to be covered and sealed.

Legal -

1. No comments at this time

Planning -

A. General Comments

1. A financial guarantee is required for all on-site and off-site improvements. This will be required prior to the issuance of building permits.
2. Property to be Annexed into Roy City
3. Need to pay the Conditional Use application fees
4. Need a copy of UDOT's letter approving the access.

B. Building Design Standards

1. A materials and color board needs to be submitted
2. Any wall surface longer than thirty (30) feet in length must have a surface relieve. (1508 A 3)

C. Site Design Standards

1. Can a truck access the dumpster
2. How can the parking area and the most eastern access drive be accessed from within this property?
3. On the landscaping plan there are three (3) trees that are within the detention pond. Can these trees survive if they are continuously wet?

D. Site Lighting Standards

1. No exterior lighting nor parking/site lighting were indicated on the plans, will there be any? If so will need a photometric drawing as well as a picture of the light fixture and overall height of pole with fixture.