ROY CITY COUNCIL MEETING AGENDA (ELECTRONIC)- AMENDED
APRIL 21, 2020 – 5:30 P.M.

No physical meeting location will be available. This meeting will be streamed live on the Roy City YouTube channel.

A. Welcome & Roll Call
B. Moment of Silence
C. Pledge of Allegiance
D. Consent Items
   (These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately)
   1. Approval of the March 3, 2020 Roy City Council Meeting and Work session Minutes
   2. Sale of Surplus Ambulance, and all Public Works/ Parks & Rec Surplus Items.

E. Action Items
   1. Resolution 20-8 Providing for the convening and conducting of Roy City Public Meetings in accordance with the Utah Public Meeting Act 52-4-207 and Executive Order 2020-5 Issued by Governor Gary R Herbert, temporarily suspending rules and norms relating to Public Meetings, and Establishing rules, norms and procedures for Electronic Meetings
   2. Resolution 20-9 Approving and Agreement with Comfort Systems USA for the Boiler Replacement Project at the Roy City Aquatic Center
   3. Ordinance No. 20-6; An Ordinance amending the Roy City Noise Control Ordinance by adding section 4-4-3.5 to prohibit engine braking Utah State Road (SR) 97 from 1900 West to 4300 West, except for the overpass and on SR 108 from Hinckley Drive to 3500 West
   ** If you would like to make a comment about these specific items on 2700 you will NEED to email admin@royutah.org to be given access to the meeting.
   4. Ordinance No. 20-4; To amend the General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential at 5154 South 2700 West
   5. Ordinance No. 20-5; To amend the Zoning Map from R-1-6 & R-1-8 (Single-Family Residential) to R-3 or R-4 (Multi-Family Residential) at 5154 South 2700 West

F. Public Comments If you would like to make a comment during this portion of our meeting on ANY topic you will need to email admin@royutah.org to request access to the ZOOM chat. Otherwise please join us by watching the live streaming at https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA

G. This is an opportunity to address the Council regarding concerns or ideas on any topic. To help allow everyone attending this meeting to voice their concerns or ideas, please consider limiting the amount of time you take. We welcome all input and recognize some topics make take a little more time than others. If you feel your message is complicated and requires a lot of time to explain, then feel free to email your thoughts to admin@royutah.org. Your information will be forwarded to all council members and a response will be provided.

H. Presentations
   a. Matt Andrews- 2021 Budget Presentation

I. City Manager & Council Report
J. Adjournment

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.

Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) “Electronic Meetings” of the Open and Public Meetings Law, Any Councilmember may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.

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 of April, 2020. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 16th of April, 2020.

Morgan Langholf
City Recorder

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020
No physical meeting location will be available. This meeting will be streamed live on the Roy City YouTube channel.

**To view this meeting please watch via our Youtube channel**
https://www.youtube.com/channel/UC6zdmDzdOSW6veb2XpzCNA. There will not be any public comment during this meeting. If you have questions or concerns brought up during this meeting or would like any questions answered in the presentations please be sure to email them to admin@royutah.org

K. Welcome & Roll Call

L. Presentations

1. Councilmember Diane Wilson- Form Based Code / Mixed Use Zoning
2. Mayor Dandoy- Form Based / Mixed Use Zoning

M. Adjournment

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City Recorder

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Roy City Council Agenda Information – (801) 774-1020
A. **Welcome & Roll Call**

Mayor Dandoy called the meeting to order and took roll.

B. **Moment of Silence**

The audience observed a moment of silence.

C. **Pledge of Allegiance**

The audience recited the Pledge of Allegiance.

D. **Consent Items**

1. Minutes from the February 4, and February 18, 2020 Roy City Council Meeting Minutes.

Small changes were discussed. Morgan Langholf, City Recorder, confirmed that she had made the suggested changes.

**Councilmember Wilson moved to approve the minutes with adjustments as noted. Councilmember Burrell seconded the motion. All Councilmember voted “Aye.” The motion passed.**

E. **Action Items**

1. **Employee of the month- Brock Durain**

Fire Chief Leroy Gleichmann explained that Mr. Durain had been nominated as Employee of the Month. He read the letter he had sent the review board where he noted that Mr. Durain had made himself very available and had been careful to keep all apparatus in service. He pointed to a situation where the Roy City Fire Department had had an engine failure. He explained that Mr. Durain had offered options to do the work in house resulting in a $5,000 saving with a dedicated 60 manhours. He explained that this had increased the work of employees, but that Mr. Durain had been able to have the Department handle all the work.

City Manager Matt Andrews explained that America First would be participating in the Employee of the Month process by providing a $25 gift card along with a piggy bank.

2. **PUBLIC HEARING—Resolution 20-7 Approving Adjustments to the Fiscal Year 2020 Budget**

Staff presented the resolution which would amend the fiscal year as outlined in the Council’s packet. The budget was usually adopted in June and that budget could be moved within a department but not between departments or funds. As a result, the budget had to be amended a couple of times each year when grant revenue appeared or new projects needed completion. The proposed resolution would amend the approved budget by $421,725. Some grants had been received, such as a $20,000 ADF grant for the Police Department as well as a donation for a canine bullet proof vest. The Fire Department had received a FEMA AFG grant to pay for an SCBA breathing apparatus. She
added that included in the new budget was $120,000 in grant revenue. With the upgrades that had been completed, $31,000 was needed out of the fund reserve balance to pay for thermal imaging. She added that the boilers in the pool needed an upgrade as well as the diving board. The upgrades, she explained, would cost $57,000.

It was explained that a match had been included for the Hill Air Force Base compatible use plan. The effort was between several counties to address current and future compatibility issues surrounding the base. The resolution suggested moving the overtime maintenance budget from the Complex and Aquatic Center to Building maintenance. In total, the adjustments to the General Fund would be $96,000 to fund balance reserves.

It was noted that the Water and Sewer enterprise funds needed to take $175,000 from fund balance to improve water lines on 2200 West and 5600 South. She continued that utility services would also be provided on 5130 South 1700 West. The funding also included funds for repairs in the utility office.

The comment was made that the IT Internal Service fund was proposing transferring $35,000 from the General Fund to improve the speaker system in the City’s meeting room, along with $3,200 to establish a document management program.

These figures included an increase from Center Weber Sewer District where the Sewer Board had recommended an increase for residents in that sewer area. The sewer rate in that area would increase from $30.95 to $31.57. The final item would be to allow previously budgeted funds to be used for site improvement. Staff recommended that public comments take place before approval.

Councilmember Paul moved to go into Public Comments. Councilmember Saxton seconded the motion. All Councilmember voted “Aye.” The motion passed.

No comments were made.

Councilmember Paul moved to go out of Public Comments. Councilmember Burrell seconded the motion. All Councilmember voted “Aye.” The motion passed.

Councilmember Wilson asked about the Air Force Base compatible use plan. She asked what the funds would be used for. City Manager Andrews explained that the base had received a $182,000 grant for assessment. He added that the base needed a match and had therefore asked to local jurisdiction to participate. He added that traffic would be looked at along with anything useful to keep the Base opened.

Councilmember Wilson asked why the utility department needed a new drawer. City Manager Andrews explained that this was needed because it was a convenient way for citizens to pay their utility bill. Councilmember Wilson asked how much was left in the General Fund. Mr. Andrews stated he would look for this figure. Mayor Dandoy stated that the City had to keep 18% in its General Fund and wanted to make sure that was the case. City Manager Andrews explained that City departments had turned in $300,000 in part because of sales tax coming above budgeted revenue.

Mayor Dandoy stated that he had been recently surprised to see the cost of laptops. He explained that he found the cost of laptops requested to be high. It was noted that the laptops cost between $1,500 and $2,000 each and were rotated out every three to four years.

Councilmember Paul moved to approve Resolution 20-7 Approving Adjustments to the Fiscal Year 2020 Budget. Councilmember Burrell seconded the motion. The roll was taken. All Councilmember voted “Aye.” The motion passed.

F. Presentations
1. Boys & Girls Club

Mr. James Ebert expressed his appreciation for his opportunity to talk to the Council. He added that he liked to talk to the Council twice a year. He mentioned wanting to show the outcomes and pointed to many positive changes that had occurred in the past nine months. Mr. Ebert introduced Shelly Bush, the new Development Director who, for years, had worked for the Weber School Foundation.

Ms. Bush explained she had been involved with Roy schools and understood how they worked. She explained knowing the importance of graduation rates. She explained that her role was to work with community partners and individuals to help bring awareness to development programs focusing on academic and leadership success. She further added that part of her role was to make sure funding was where it needed to be.

Mr. Ebert provided handouts to the Council while pointing to tutoring times at the Boys & Girls Club as well as Art programs. He explained the Club provided mentors and a structured calendar. The programs, he continued, were national and evidence based.

Ms. Bush explained that the Club was not a day care. Rather, the Club had targeted programming including STEM programs. The Club provided homework help and kept children safe. Mr. Ebert explained that the Club worked with 90 to 100 children each day and added that during the summer, the Club ran eight hours a day in ways that were purposeful and intentional. He emphasized the importance of mentorship, academic success, and safety. He further discussed teen programs that helped create the future workforce.

Ms. Bush discussed the teen program, which, it was pointed, ran at capacity. She explained that average daily attendance had increased in an environment to help teens learn. She explained that within the last month a new academic program had been started three nights a week: a teacher from the local Junior High came to provide homework help. This had allowed teens to receive better grades and improved their attendance. With increased attendance at the Club, she added, a bigger space was required.

Mr. Ebert explained that the plan for the future was to create a common vision. He added that the Club was trying to align itself with the school district by adopting some school programs and creating continuity. He voiced his appreciation for Roy City and the community.

Councilmember Wilson asked whether only children going to school in Roy could be part of the Club. Mr. Ebert explained that other children could be approved without being part of the school district.

Councilmember Burrell thanked the Club for all the work they did for children in the community.

G. Public Comments

Leon Wilson, 4302 South 2675 West, explained that he had a technical request: the audio file should be changed in ways that would allow advancing a playback. He added that an option to go to a transcript and pick what to listen to. He continued that n minutes for January or February had been posted. He joked that this was causing some sleepless nights. Ms. Langholf explained that the minutes could not be posted until they had been approved. Mr. Wilson mentioned that his next-door neighbor had a corvette. He explained that sometimes impulse buys were made. He likened this to the City taking sufficient time to make decisions. He added that the Roy business community also needed to be involved in decisions. He continued that proper notice had to be given to all to attend if they so wished: publication might not be enough, and people might not understand all ramifications. He explained having concerns both about Form Based Code for Roy City, but also felt concerns about the process itself. While he could not fully elaborate fully, he explained that he was not in support. He explained that he was concerned about the way the document had come to the Council. He added that he had review the voting record for every commissioner on every issue. He noted having found a trend where 99% of the time, the commissioners unanimously voted the same way on every motion. He mentioned the need for well prepared, independent thinking. He pointed to a requested abstention
where the councilmember had been told they had to vote. He gave a specific example with Commissioner Brand. He explained that he had read, watched, and listened to every Planning Commission meeting for the prior two years and could not find any public input before January 14, 2020. He explained that there had been very little review done. The full Commission, he continued, had received documents with no discussion.

Mr. Wilson explained that during the January 14, 2020, Planning Commission meeting, the Commissioner had mentioned all the work sessions that had happened, while Mr. Wilson felt that this was misleading. He mentioned instances when commissioners expressed worry over potential public outcry.

Mayor Dandoy explained that citizens needed to sign up for the email list to stay informed. He encouraged citizens to present their issues via emails, calls, or messages. He added that continuing to have meetings was counterproductive.

Mr. Andy Walter, 5570 South 2050 West, explained that if the current plan came to be, he would have a ten-story building just East of his house: The Convention Center. He added that once 5600 was widened, this would add the potential for other five-story buildings. He continued that in that perspective, his TV would be cut off and he would need to go three blocks to a light just to get out of his neighborhood. He further asked where all the cars would park. He also mentioned that the sewer system was not designed for that high a density of population.

No more comments were made.

Councilmember Paul stated that many had voiced issues about transparency. He explained being open to suggestions as the government was meant to be representative of the people. He mentioned that some communication was happening on Facebook and that the City had done quite a bit to inform its people.

A citizen, Mr. Burnett, stated that he had emailed all Councilmembers as well as the Mayor and had not heard back from everyone. He explained he had sent suggestion to Morgan Langholf without knowing if his suggestions had been heard. Councilmember Paul stated that did not always respond because of one Councilmember did respond, they spoke for all. He added using Facebook as he could reach more people that way.

H. **City Manager’s Report**

- City Manager Andrews explained that the Gold Dig was still scheduled for March 14, 2020.

- City Manager Andrews mentioned that the neighborhood cleanups with shared dumpsters would start on April 1, 2020, with sign-ups starting for May 2, 2020.

- City Manager Andrews discussed the traffic on the railroad tracks between 4800 South and 2700 West. The railroad, he continued, had failed to procure the proper permits and would thus delay the project to August 2020.

- City Manager Andrews mentioned the grant for Roy West Park. The Committee, he continued, had recommended approval for the grant, and the next step would be a vote.

- Councilmember Saxton mentioned that renovating the Municipal Park had been discussed. He explained that he had been contacted by two separate individuals wishing for the Council to consider putting an all-inclusive area for wheelchair bound individuals. He added that completed the project before the beginning of the 2020-2021 school year would be ideal. Councilmember Paul stated that it might be good to research several ball parks in the following year’s budget as he had had several individuals request them.

- Mayor Dandoy stated that the moment councilmembers and Mayor were together was the perfect time to bring up suggestions. The suggestions would then be passed to Staff who could into the feasibility. Councilmember Burrell pointed that the area should be for all abilities, not merely wheelchairs. Mayor
Dandoy further explained that the item would come back formalized and possibly with a budget change. Councilmember Burrell asked whether this item would be on the current budget, or the following years. City Manager Andrews stated that the Staff would try to facilitate it in the current budget. Several other cities were mentioned as having all abilities areas in their parks.

- Councilmember Wilson thanked Mr. Burnett for his comments and invited everyone to attend work sessions about Form Based Code. She added that the community needed to help the Council see whether FBC was what was needed.

- Councilmember Paul shared the newly created email to reach councilmember: council@royutah.org. This email, he continued, went to all councilmembers and when one replied, they replied for all.

I. Adjournment

Councilmember Paul moved to adjourn the meeting. Councilmember Wilson seconded the motion. All Councilmember voted “Aye.” The motion passed.
A. Welcome & Roll Call

Mayor Dandoy called the work session to order and noted those who were present.

B. Discussion Items

1. Establishing Form Based Code in Downtown Business District.
2. PRESENTATION

The meeting began after City Council adjourned at 6:45 pm.

Mayor Dandoy started meeting with presentation on Form Based Code, he brought up Focus Roy Document, the Goals were a more virant downtown, affordable housing, safety and comfort and healthy businesses. Form based Code focuses on looks.

Stan Hoellein requested that three questions be answered, 1. What are the frontage limits are? 2. What are the costs of FBC as opposed to regular zoning? 3. What are the mechanics of FBC?

Mayor Dandoy responded to Mr. Hoellein…

City Recorder Morgan Langholf requested that if you speak during the presentation or ask a question to please state your name for the record.

Councilmember Burrell also requested that if you have a question on FBC that you would like to ask her to please refer to a specific page within the code for her to look at.

The Mayor reiterated that if you have question to please reach out to your elected officials that they might be able to serve you better while in this process.

Councilmember Paul wanted to let everyone know that FBC makes things easier for a developer to come into a space. Because currently they have to go through planning commission and getting everything approved from site plans to our current building codes and zones. If we implement FBC then as long as they follow the parameters that we have set then they don’t have to go through such a long process.

The Mayor echoed and elaborated on what Councilmember Paul stated…..

Councilmember Wilson stated that FBC isn’t the only way that we can accommodate mixed use, but that the goal behind the city trying to implement FBC was so that we could accommodate mixed use.

Mayor Dandoy responded to her question/statement. Mayor then wanted to show the residents the current map that we are using for FBC stating what areas are currently being proposed for within the code.

Austin Gonzalez, asked if that was there the four-plexes are?
Darlene Muscleman also asked if he could show them where major roads like 4000 and 5600 are for reference.

The Mayor did clarify exactly where he was speaking about for them to know…he continued to explain what they are currently proposing…..

Councilmember Burrell then stated that she was seeing in the area they were discussing, a strong grid system and asked…

Councilmember Paul then stated that any existing property owners and businesses would be grandfathered in and would not be demanded to conform to the FBC once approved. Councilmember Burrell asked if FBC applied to current owners that wanted to expand or adjust their buildings, Councilmember Wilson responded that if changes less than 30% (10% in some instances) the owner would be required to comply with FBC completely. Mayor responded that the current FBC is a draft, and the percentages could be changed - such as to 50% or 60%.

Stan Hoellein asked for another clarification

Councilmember Paul stated that this was the reason that we wanted to separate the downtown from the station district. (The reason was to move forward on the downtown district because we have an interested developer and take our time to vet through the train station district

Mayor…..

Leon Wilson asked what would happen when “not this council” was then making the decisions. Would they change things? Mayor responded that code can be and is changed by Councils.

The Mayor then stated that he grew up in Sunset and that he drives through it now and it is completely decaying, they are losing businesses and it’s only a matter of time before that happens to Roy and he doesn’t want that. This is why we must make changes. Sierra RV left Syracuse and it left them completely without business in the city.

Eddie Welter asked how the city could make a business or property owner comply with the codes that we are putting forth?

The Mayor stated that is a code enforcement officers job and the reality is that we might need to look into hiring more than just the one we have, but we are making changes. People are going to jail because they are choosing not to follow the law and clean up their properties.

Councilmember Burrell then asked what they want changed?...

Mayor…..

Shawn Bailey, owner of Dilly Dallies

Mayor…..

Jill Bailey, also an owner of Dilly Dallies, they have been in business there for over 30
years. With FBC it puts them in a position that they would lose their business. Because
they aren’t the property owners, Woodbury is, and they would be displaced. She did
mention that they might move or might retire but the way the code currently is being
proposed isn’t going to work in favor for those businesses that rent or lease property.

Mayor…..

Darlene Muscleman mentioned that if they put in more roads then it would be the cities
job to maintain and plow the roads.

The mayor then stated if there are things within the code that people want changed then it
is within the City Councils power to change it. All they had to do was change what they
didn’t like.

Councilmember Burrell….

Mayor…..
Austin Gonzales has lived in many other places and likes the walkability. Right now, he
lives near harmons but wouldn’t walk there.

Joe Gracy from Joes Car Connection said that he feels like if Roy implements this FBC
that its because they don’t value the current businesses in Roy and only wants newer and
better businesses, if that is how the city feels then maybe he can take his business to a
different location?

Mayor response.

Mr. Gracy

Joe Paul added

Councilmember Burrell added

Mayor

Mr. Gracy

Mayor

Mr. Gracy

Councilmember Paul

Trent Citte from Citte RV stated that he has a narrow driveway to his business, one way
in and one way out, it only has a right turn in and a right turn to get out of it. If they put a
new business on that corner then he loses the access to his property.

Mayor…..

Darrell Olsen, He said that the property owners…..

Councilmember Paul
Mayor…

Carl Keyes stated that he was one of the main foreman over the Hilton garden inn over in Ogden that was built a few years ago. He said that there is so much infrastructure that goes into supporting a business like that. Does Roy have the sewer capabilities to support it?

The Mayor informed everyone that we do, Roy City has more water than most of its surrounding cities and that is why we have so many car washes. Water is cheap here and we have plenty of it.

Austin Gonzalez then stated that he again would like his parcel added to the area for FBC and that he feels like this is going to be a great thing for our City.

Mayor…

Chuck Ivester said that he just requests that the corner curbs be low enough that his trucks can make a turn in the city.

Mayor…

Councilmember Paul…..

Mayor…..

?? Byron Burnett?? What about emergency vehicles? If we have a multiple level parking garage how do emergency vehicles get up those?

(at this time Mr. Welter asked a question to Councilmember Paul and Councilmember Paul was trying to answer the question during the other discussion that was going on with the Mayor and the rest of the attendees. Mr. Leon Wilson then declared that people needed to let the Mayor speak so he could be heard)

Councilmember Jackson then stated that a hotel that comes in is going to do its own design not follow our FBC.

Mayor…..

When the aeronautical design of proposed future buildings was shown, Glenda Moore stated that, for those people who had been researching, this was the sort of thing discussed in the Planning Commission meetings, and we may not have understood that this was part of the form-based code discussions.”. She was in attendance.

It was around this point that we discovered the recording wasn’t working so I turned it on.

Mayor….“what we need to do as a residence and a society is…..”

Councilmember Paul “I personally don’t want to do either, so if I can increase sales tax through some developments then it’s a win win for all of us.”

Mayor “

Question about if this has to be approved?
Mayor, “we will not put a three story building in Roy?” Once you get to 60 feet it caps, also you cannot have a modern building, the code will not allow glass, it will not allow metals, its gotta be brick or something else. That is all that the code today will allow you to do. So unless we try to manage that code and improve the code to make it more flexible for the demands, our challenge is going to be it provides developers to simply walk away and go somewhere else. And what we are saying is “don’t walk away” we think that we can provide some solutions and some business opportunities under controlled measures to Roy.

The question is going to be what are they going to be and what are they going to look like? But we cannot, under current code, we cannot build these (referring to the glass/modern building slide) the codes will not allow them. We have to look at changing that.

Councilmember Paul “a type of Movie Theater a type of hotel, a type of mixed use development…”

Councilmember Wilson “mixed use is important and one thing I want everyone to consider, as I have talked to several cities who have adopted this, there biggest problem is they have a great vision but they can’t get any commercial…they have developers and they are putting the housing in but they are putting the bottom floor commercial, so they are thinking wow I am going to have all this commercial revenue, but if we are going to develop whether its form based or something else, is there a way to allow, the vision is having the commercial”

Councilmember Paul “how much development has to be commercial? Look at what we did on 4000 and Midland, we made them go back and cut the number of housing units and increase the number of commercial, the thing we didn’t do that we learned from other cities is to stipulate that the two have to go in simultaneously. You mandate a fill rate?

Mayor, “here is what it said, on this particular document ground story has to be retail, service or office. Above that you can put anything else you want, its permitted use. But that ground floor has to be commercial, office or retail.”

Councilmember Wilson “but that is only one of the options, so we would have to be careful and make sure that it’s what we want”

Mayor “we control what goes into the code, what do we want that place to look like and what options do we want in what locations. Do we want 12 story buildings, if the answer to that question is no, then it takes three votes to take it out.

Councilmember Jackson, “I have lived in Roy 16 years and it is different, things are gone now. I want a hotel here, I want everything coming to Hillfield I want more revenue for the City. The more businesses we get here the more new businesses are going to want to come. I don’t want people to have to sell their property unless they want to. But I do want a change for Roy. People just drive through Roy, we go to Riverdale or Clinton, I do want change, I don’t want 12 story buildings or 5 stories at the station, but I do want change.

Mayor, we do that by adjusting the code to fit the needs of the City. And when approved, that is what will draw developers to Roy.

Resident?? Please educate the businesses in town that you are not trying to buy us out and telling them that they will be grandfathered in and teaching them what that means. “as long as you are maintaining your business there we are not going to touch it”
Councilmember Jackson “as long as you own that property”

Councilmember Paul “If you change things within a certain percentage you will be fine”

**A lot of small conversations**

Mayor Dandoy “we all have an opportunity for communication here

Mayor Dandoy stated that the tallest buildings allowed would be 3.5-story buildings. He added that the code would not allow a modern building and that the current code was not very flexible for property owners and developers. Under current code, he continued, the buildings presented could not be built. Councilmember Paul stated that having no mixed-use development was not an option. Councilmember Wilson stated that she had talked to cities that had had all the land swept for housing development but left with the commercial bottom floor vacant. She added that the vision was to have commercial.

Staff explained that the Council had to stipulate how much development they wished to have. The number of housing units had been lowered and that the commercial development had to be put in place along with the housing units. Mayor Dandoy stated that the ground level had to be, commercial, retail, or offices, while many other uses were permitted above. Councilmember Wilson stated that caution had to be exercised.

A resident (no name given) explained that she had lived in Roy for a long time. She mentioned that it was different from when she had first lived here. She explained that she wanted more revenue for the City and added that she did not want to see anyone suffer from this new code, though she wished to see changes for her children and grandchildren. Mayor Dandoy explained that developers would have to build according to the code chosen by the City.

Staff explained that the issue of grandfathered clauses was not well understood by residents. He explained that, for businesses, the clause stated the business would not be touched as long as it owned the property it was on and remained the same business. Mayor Dandoy stated that all those in attendance could benefit from these clarifications. He added that developers that had approached Roy had requested buildings of four to five stories. He explained that the conversation about height was already taking place and that no twelve-story building would be approved. The train station, he continued, presented a different challenge: between the TRAX and the trail, the area was zoned for light manufacturing and any developer could build up to 16 stories. He added that anything being built in Roy had to have a site plan approved, and that the site plan would not be approved unless it was code compliant. He continued that the point was to find a code that worked and that citizens should send their comments to the councilmembers. Mayor Dandoy addressed Mr. Wilson and stated that he had the document posted on July 14, 2019. The one posted on January 10, 2020 was the same, he continued. He added that nothing had changed on the documents. He further pointed that the Planning Commission was an independent body and that the code had to be figured out correctly in order to modernize portions of the City.

Staff explained that the code was critical as the City had access to the Woodbury project: once the interchange was put in place, Sunset and Clearfield would also have access to the area. Roy City was the entrance at the moment, he continued, but another entrance would allow developers to go to other cities. This would leave Roy with no developers and no infusion of capital. Mayor Dandoy pointed that there were about two months to find some resolution. He added that citizens’ input was critical, and that people who signed up for the email list were kept informed.

C. **Adjournment**

The work session was adjourned.
Public works and Parks and Rec surplus

Streets

S-1 1991 Dodge D30 Spray truck 5.9 diesel Vin-1B6ME3681MS267387 (81,937) miles
S-3 1996 Dodge 3500 Dump bed 5.9 diesel Vin-1B6MF36C6TS689669 (51,467) miles
S-7 2001 Ford F250 extended cab 4wd v8 Vin-1FTNX21L11EB07164 (113,496) miles
S-8 Salter/Spreader for a bobtail dump truck
S-12 2003 International 7600 Roll off truck Vin-IHTGLAET93H569209 (95,976) miles
S-21 1998 Dodge 3500 dump bed 5.9 diesel Vin-3B6MF3664XM515298 (71,390) miles
S-31 1989 Atlas-Copco XAS565 towable compressor (1,451) hrs
S-34 2004 Ford F-450 Crew cab 6.0 diesel Vin-1FDXW47P34EB52544 (46,168) miles
2-Wanco WVT-3 three line message board trailers

Building maintenance

M-4 2001 Ford F-350 single cab Utility bed 2wd Vin-1FDWF36S51EB13123 (52,068) miles

Water

W-26 1992 Amida arrow board trailer w/diesel engine

Parks

P-8 2000 Dodge 2500 2wd extended cab V-10 pickup Vin-1B7KC23W8YJ122817 (129,621) miles
P-12 1999 Dodge 2500 2wd single cab with utility bed Vin-3B6KC26Z0XM590990 (119,556) miles
P-15 2001 Dodge 3500 dump bed 5.9 diesel Vin-3B6MF36631M272431 (44,219) miles
P-23 2003 Chevrolet 2500 dump bed 6.6 Duramax diesel Vin-1GBJK34103E122551 (39,558) miles
P-28 2004 Grasshopper 227 Z-drive mower (1,837) hrs

Recreation

R-8 2004 Kubota RTV 900 Utv (1,803) hrs
R-9 1993 Chevrolet C3500 with Utility bed 454 Vin-1GBGC34N1PE140203 (130,639) miles

Development Services
DS-03 2009 Ford Explorer 4.0l Vin-1FMEU73E99UA01014 (92,184) miles
RESOLUTION 20-8

A RESOLUTION OF THE ROY CITY COUNCIL PROVIDING FOR THE CONVENING AND CONDUCTING OF ROY CITY PUBLIC MEETINGS IN ACCORDANCE WITH THE UTAH PUBLIC MEETINGS ACT (52-4-207) AND EXECUTIVE ORDER 2020-5 ISSUED BY GOVERNOR GARY R HERBERT, TEMPORARILY SUSPENDING RULES AND NORMS RELATING TO PUBLIC MEETINGS, AND ESTABLISHING RULES, NORMS AND PROCEDURES FOR ELECTRONIC MEETINGS.

WHEREAS, On March 6, 2020 Governor Gary R. Herbert issued Executive Order 2020-1 declaring a state of emergency due to novel coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 11, 2020 the World Health Organization characterized COVID-19 outbreak as a pandemic; and

WHEREAS, on March 13, 2020 President Donald J. Trump declared the national state of emergency based on the continuing spread of COVID-19; and

WHEREAS, due to COVID-19, federal, state and local authorities have recommended or ordered social distancing for the purpose of reducing the potential exposure to and spread of the virus and overwhelming the health care system; and

WHEREAS, the public monitoring and participation requirements in the Open and Public Meeting Act, Utah Code 52-4-101 et seq (OPMA), tend to gather members of the public and members of a public body in a single confined location where the risks of spreading COVID-19 are far greater; and

WHEREAS, Out of concern for the health of public officials and members of the public, Governor Gary R. Herbert issued Executive Order 2020-5 (Order) on March 18, 2020, suspending the enforcement of certain provisions of Utah Code 52-4-101 et seq and other provisions of law implementing these provisions; and

WHEREAS, The Order allows any public body governed by OPMA to hold an electronic meeting regardless of whether the public body has adopted a resolution, rule or ordinance governing the use of electronic meetings. Furthermore, a public body that convenes or conducts an electronic meeting is not required to:

1. Post written notice at the principal office of the public body or at the building where the meeting is to be held;
2. Post written notice at an anchor location;
3. Establish one or more anchor locations for the public meeting;
4. Provide space and facilities at an anchor location to allow the public to physically attend and monitor the open portions of the meeting; or
5. If comments from the public will be accepted during meeting, provide space and facilities at an anchor location where the public may physically attend, monitor and participate in the open portions of the meeting; and

WHEREAS, the Governor’s Executive Order 2020-5 requires a public body that holds an electronic meeting to:


1. Provide a means by which interested persons and the public may remotely hear or observe, live, by audio or video transmission the open portions of the meeting;

2. If comments from the public will be accepted during the electronic meeting, provide a means by which interested persons and the public participating remotely may ask questions and make comments by electronic means in the open portions of the meeting; and

3. If the public body has not adopted a resolution, rule, or ordinance governing the use of electronic meetings, adopt as soon as practicable a resolution, rule or ordinance; and

WHEREAS, A public hearing governed by OPMA may also be conducted electronically according to the exemptions and conditions outlined above; and

WHEREAS, the Roy City Council desires to clarify and expand on existing rules relating to electronic meetings:

NOW THEREFORE BE IT RESOLVED BY THE ROY CITY COUNCIL:

1. All city council meetings, planning commission meetings and their associated work sessions, temporarily, will be held electronically in accordance with the Governor’s Executive Order 2020-5 until the termination of the state of emergency declared in Governor Herbert’s Executive Order 2020-1 or for such shorter period of time as the Council deems appropriate under the circumstances.

2. All meetings will be held as scheduled until further notice. Any changes to meeting schedules will be posted on the Roy City website and Roy City Facebook page.

3. City councilmembers, planning commissioners, city administration, staff and invited presenters may participate electronically in a virtual meeting from remote locations to the same extent as if they were physically present. Should they desire to participate from City Council chambers, precautions must be in place for adequate social distancing for their health and safety.

4. Meetings will be conducted using Zoom Webinars (Zoom).

5. Sufficient public safety precautions cannot be maintained at a satisfactory level to allow the public’s attendance at the City Council chambers consequently, there will be no public attendance at the City Council chambers.

6. The public may remotely hear and observe meetings remotely through YouTube at https://www.youtube.com/channel/UC6zdmDzxdOSW6v eb2XpzCNA

7. For the general public comment portion on a meeting agenda, public comment or questions should be made through the use of Zoom. A link to access the meeting will be provided for those who request to make comment. Individual public comments or questions should not exceed five minutes nor repeat what has been said by other members of the public.

8. For city council or planning commission agenda items requiring a public hearing, the public is encouraged to provide written comments to the City Recorder at admin@royutah.org no later than 5:00 p.m. the day before the meeting. Written comment should not exceed 350 words. The public may also participate in the public hearing electronically through Zoom however, participation through Zoom is limited and may not be available to all participants. Any public comments or questions presented through Zoom should not exceed 5 minutes and should not restate what has already been presented by another member of the public.

9. Public comment will not be permitted in work sessions.

Passed and Adopted by the Council or Roy City, Utah on this 24th day of April, 2020
RESOLUTION 20-9

A RESOLUTION OF THE ROY CITY COUNCIL APPROVING A CONTRACT BETWEEN ROY CITY CORPORATION AND COMFORT SYSTEMS USA FOR THE REPLACEMENT OF TWO BOILERS AT THE ROY AQUATIC CENTER

WHEREAS, a Request for Proposals for the replacement of Boilers at the Roy Aquatic Center was advertised; and

WHEREAS, Comfort Systems USA was the lowest responsive, responsible bidder; and

WHEREAS, the proposed boiler replacement contract is attached hereto as Exhibit “A”; and

WHEREAS, the Roy City Council desires to enter into an agreement with Comfort Systems USA; and

WHEREAS, the agreement sets forth the respective rights and responsibilities of the Parties regarding the boiler replacement at the Roy Aquatic Center.

NOW THEREFORE, be it resolved by the Roy City Council that the Mayor is authorized to execute the replacement of two boilers at the Roy Aquatic Center by Comfort Systems USA.

Passed and Adopted on this the _____ day of April, 2020

______________________________
Robert Dandoy
Mayor

Attest:

__________________________________
Morgan Langholf
City Recorder

Voting:

Councilmember Jan Burrell
Councilmember Bryon Saxton
Councilmember Joe Paul
Councilmember Diane Wilson
Councilmember Ann Jackson
CONTRACT AGREEMENT

THIS AGREEMENT is by and between ROY CITY CORPORATION (hereinafter called OWNER) and Comfort Systems USA (hereinafter called CONTRACTOR).

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1- WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The work consists of furnishing and installing two (2) replacement boilers at the Roy Aquatic Center. The work includes removing the existing boilers; completing steam, condensate, and outlet connections; completing connections to existing gas and electrical services; installing any external electrical devices and control wiring; and providing startup and owner training.

ARTICLE 2-THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

AQUATIC CENTER BOILER REPLACEMENT PROJECT

ARTICLE 3- ENGINEER

3.01 The Project has been designed by Wasatch Civil Consulting Engineering, who is hereinafter called ENGINEER and who is to act as OWNER's representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4- CONTRACT TIMES

4.01 Time of the Essence: All time limits for completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract. Contractor agrees to have a minimum of 6 workers on site during construction activities.

4.02 Dates for Completion and Final Payment: The Work will be completed by May 15, 2020, as specified in the Notice to Proceed.

4.03 Liquidated Damages: CONTRACTOR and OWNER recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR shall pay OWNER $200.00 for each day that expires after the time specified in paragraph 4.02 for Completion until the Work is accepted.
ARTICLE 5 - CONTRACT PRICE

5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents an amount in current funds and at the prices shown in Contractor’s Schedule of Values attached hereto.

Small Pool Boiler $21,899.53
Lap Pool Boiler $33,428.44

Contract Price of FIFTY-FIVE THOUSAND THREE HUNDRED TWENTY-SEVEN DOLLARS AND 97/100 ($55,327.97).

As provided in paragraph 11.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in paragraph 9.08 of the General Conditions. Unit prices have been computed as provided in paragraph 11.03 of the General Conditions.

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments: CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

6.02 Progress Payments; Retainage: OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment on or about the 15th day of each month during performance of the Work as provided in paragraphs 6.02.A. 1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established in paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work, based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:

1. Prior to Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as ENGINEER may determine or OWNER may withhold, in accordance with paragraph 14.02 of the General Conditions:

   A. 95% of Work completed (with the balance being retained). If the Work has been 50% completed as determined by ENGINEER, and if the character and progress of the Work have been satisfactory to OWNER and ENGINEER, OWNER, on recommendation of ENGINEER, may determine that as long as the character and progress of the Work remain satisfactory to them, there will be no retainage on account of Work subsequently completed, in which case the remaining progress payments prior to Substantial Completion will be in an amount equal to 100% of the Work completed less the aggregate of payments previously made; and

   B. 25% of cost of materials and equipment not incorporated in the Work (with the balance being retained).

2. Upon Completion, OWNER shall pay an amount sufficient to increase total payments to CONTRACTOR to 100% of the Work completed, less such amounts as ENGINEER shall determine in accordance with paragraph 14.02.B.5 of the General Conditions.

6.03 Final Payment: Upon final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the Contract Price as recommended by ENGINEER as provided in said paragraph 14.07.
ARTICLE 7- INTEREST

7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the rate of 1% per annum.

ARTICLE 8- CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

A. CONTRACTOR has examined and carefully studied the Contract Documents and the other related data identified in the Request for Proposal.

B. CONTRACTOR has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. CONTRACTOR has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site which has been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.

E. CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by CONTRACTOR, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by CONTRACTOR, and safety precautions and programs incident thereto.

F. CONTRACTOR does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Contract Documents.

H. CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

I. CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
ARTICLE 9- CONTRACT DOCUMENTS

9.01 Contents:
   
   A. The Contract Documents consist of the following:
      
      1. This Agreement;
      
      2. Engineering General Conditions noted as EJCDC No. 1910-8 (1996 Edition);
      
      3. Supplementary Conditions;
      
      4. Addendum Nos. (N/A);
      
      5. Exhibits this Agreement;
         
         1. Notice to Proceed;
         2. CONTRACTOR’s Proposal;
         3. Documentation submitted by CONTRACTOR prior to Notice of Award;
         4. CONTRACTOR’s Schedule of Values;
      
      6. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
         
         Written Amendments;
         Work Change Directives;
         Change Order(s).
      
   B. The documents listed in paragraph 9.01A are attached to this Agreement (except as expressly noted otherwise above).
   
   C. There are no Contract Documents other than those listed above in this Article 9.
   
   D. The Contract Documents may only be amended, modified, or supplemented as provided in paragraph 3.05 of the General Conditions.

ARTICLE 10- MISCELLANEOUS

10.01 Terms: Terms used in this Agreement will have the meanings defined by Engineers Joint Contract Documents Committee STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT (EJCDC No. 1910-8 (1996 Edition)).

10.02 Assignment of Contract: No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 Successors and Assigns: OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.
10.04 **Severability:** Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or on their behalf.

This Agreement will be effective on ________________, 2020 (which is the Effective Date of the Agreement).

**OWNER:**

ROY CITY CORPORATION

By:____________________________________

[CORPORATE SEAL]

**CONTRACTOR:**

COMFORT SYSTEMS USA

By:____________________________________

[CORPORATE SEAL]
ORDINANCE 20-6

AN ORDINANCE AMENDING THE ROY CITY NOISE CONTROL ORDINANCE BY ADDING SECTION 4-4-3.5 TO PROHIBIT ENGINE BRAKING

WHEREAS, Title 4 of the Roy City Code establishes regulations concerning public health and safety; and

WHEREAS, Title 4, Chapter 4 of the Roy City Code establishes regulations governing noise control; and

WHEREAS, there have been numerous complaints concerning noise created by trucks whose operators use the practice of engine or dynamic braking, commonly referred to as “Jake braking”; and

WHEREAS, the Roy City Council wishes to amend the Roy City Code to address noise created by engine braking; and

WHEREAS, the City Council or Roy City, Utah does hereby determine that it is in the best interest of the health safety and welfare of the citizens of Roy City to amend Title 4 Chapter 4 of the Roy City Code by adding a new section 4-4-3.5;

NOW THEREFORE, BE IT ORDAINED by the City Council of Roy Utah as follows:

Section 1. Repealed. Any provision of the Roy City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Title 4 Section 4 is hereby amended as follows:

4-4-3.5 ENGINE BRAKING

On Utah State Road (SR) 97 from 1900 West to 4300 West, except for the overpass and on SR 108 from Hinckley Drive to 3500 West it is unlawful to for any motor vehicle to have a dynamic brake device engaged or a compression release brake which converts the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes, wherein exhaust valves are opened creating a loud noise. This section is not applicable in emergency situations where engine braking is used to prevent injury or damage to persons, property or animals.

Passed and Adopted by the Council or Roy City, Utah on this 24th day of April, 2020

________________________________________
Robert Dandoy, Mayor

___________________________________
Morgan Langholf, City Recorder
SYNOPSIS

Application Information
Applicant: Doug Terry
Request: Consider a request for the following:
   a. Ord. No. 20-4; To amend the General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential.
   b. Ord. No. 20-5; To amend the Zoning Map from R-1-6 & R-1-8 (Single-Family Residential) to R-3 or R-4 (Multi-Family Residential)

Approximate Address: 5154 South 2700 West

Land Use Information
Current Zoning: R-1-6 & R-1-8
Adjacent Zoning: North: R-1-8; Single-Family Residential
                South: R-1-8; Single-Family Residential
                East: R-1-8; Single-Family Residential
                West: M; Manufacturing & R-3; Multi-Family Residential

Current General Plan: Medium Density; Single-Family Residential

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

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

CONFORMANCE TO THE GENERAL PLAN
- Economic Development Goal 1; To promote and make possible the realization of a high quality of life for the city’s residents through the pursuit and implementation of good economic development practices
- Economic Development Goal 1; Objective 1; To promote and encourage commercial, industrial and other economic endeavors to strengthen and improve the city’s tax base and quality of life.
- Residential Development Goal 1; Policy D: The City’s policies should encourage the development of a diverse range of housing types, styles and price levels in all areas of the City.
- Residential Development Goal 3; Policy G: The housing needs for low and moderate income families and senior citizens in Roy City shall be determined by the City on a regular basis, or as the need arises.
- Urban Growth Goal 1; Objective 5; To allow development to occur on parcels of land most suitable for and capable of supporting the kind of development being proposed.

PLANNING COMMISSION ACTION

See Exhibit “D” for the Planning Commission meeting minutes:

The Commission voted 7-0; to forward to the City Council a recommendation to approve the amending of the
   a. General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential.
   b. Zoning Map from R-1-8 & R-1-6 (Single-Family Residential) to R-3 (Multi-Family Residential) with the condition that only “Townhomes” can be built on the property.
**Analysis**

**Background:**
The applicant is the land owner, these parcels are on the east side of 2700 West, is due east of the Roy City outdoor swimming pool and the Golf Course. The Union Pacific Railroad tracks are East of the property. Both parcels equal up to 2.89 acres (126,039.6 sq.-ft.).

**Amend Future Land Use Map:**

*Current Designation:* The subject property currently has a land use designation as Medium Density; Single-Family Residential (see exhibit “B”).

*Requested Land Use Designation:* The applicant would like to change the Future Land Use Map from the current Medium Density; Single-Family Residential designation to a Very High Density, Multi-Family designation

**Considerations:** When considering a proposed amendment to the general plan the Commission and Council shall consider the following factors, as outlined in 10-5-5 “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, there are Storage units, there are also some two (2) single-family dwellings and then a Manufacturing Business. All are zoned LM (Light Manufacturing).
- To the North, South and East there are Single-family residential units, however the Union Pacific Railroad is in between this property and the residential units to the East.
- Kiddy-corner to the SW there are three (3) four-plexes.

Interests of the City & Residents –
- Having a variety of housing types helps the citizens of every City stay within the community they have lived in.
- Not everyone wants, or can have a detached home with yard to maintain.
- Some want to downsize not just in home size.

General Plan Goals, Objectives and Policies –
- Within the “Conformance to the General Plan” section of this report it lists five (5) goals and policies that this type of development would satisfy.

Amend Zoning Map:
Current Zoning: Currently the property is zoned R-1-8, the properties to the west are all different. There is LM (Light Manufacturing) R-3 (Multi-Family Residential) and RE-20 (Residential Estates).

Requested Zone Change: The applicant would like to have the property changed to either R-3 zoning to allow multi-family residential. However the R-4 zone does allow for a mix-use type development of allowing office space, which may not be appropriate in this area.
Considerations: When considering a Zoning District Map Amendment, the Commission and the Council shall consider the following factors, as outlined in section 10-5-9 “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 five (5) goals and policies that this type of development would satisfy.

The character of the surrounding areas (see Exhibit “A”) –
• To the West, there are Storage units, there are also some two (2) single-family dwellings and then a Manufacturing Business. All are zoned LM (Light Manufacturing)
• To the North, South and East there are Single-family residential units, however the Union Pacific Railroad is in between this property and the residential units to the East.
• Kiddy-corner to the SW there are three (3) four-plexes.

Compatibility with surrounding area –
• If you look at the current zoning map and look 500 feet in each direction from this property, there are three (3) different residential zones (R-1-8 & RE-20) and a Manufacturing zone. Rezoning this property to R-3 and the uses allowed within that zone are more compatible with the R-1 or RE zones than the Light Manufacturing and the allowable uses which again exists in the neighborhood.

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 single-family dwellings? As multi-family residential? OR as Manufacturing? All three (3) types of uses exist in the area.

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

**ALTERNATIVE ACTIONS**
The City Council can Approve, Approve with conditions, Deny or Table.

**RECOMMENDATION**
Staff recommends that the City Council approves
a. Ord. No. 20-4; To amend the General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential.
b. Ord. No. 20-5; To amend the Zoning Map from R-1-8 (Single-Family Residential) to R-3 (Multi-Family Residential)

**EXHIBITS**
A. Aerial Map
B. Future Land Use Map
C. Zoning Map
D. February 11, 2020 Planning Commission minutes
E. Proposed Elevations
EXHIBIT "B" – FUTURE LAND USE MAP

Legend
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Very High Density Residential
- Parks & Green Space
- Schools/Government/Churches
- Industrial
- Business Park
- Commercial
- Utility

Future Land Use Map
The meeting was a regularly scheduled work-session 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:

Jason Sphar, Chair
Don Ashby
Samantha Bills
Torris Brand
Ryan Cowley
Jason Felt
Annette Mifflin
Claude Payne

Steve Parkinson, City Planner
Assistant City Attorney, Brody Flint

Excused: Commissioner Chris Collins

Others in attendance: Doug Terry, D.L. Thurman, Jane Thurman, Don Little, Greg Little, Wendy Packer, Stan Hoellein, Kaye Hoellein, Kay Buckley, Melanie Swartz, Tom Spencer, Byron Burnett, Janice Terry, Carrie McIlrath, Dave McIlrath, James Davis, Lucas Reichow, Matt Peterson, Amy Buckway, Kim Buckway, Bonnie Dawson, Eddie Walter, Glenda Moore, Dan Manning, Don Stevens, Gary Davis, Brenda Nelson, Lisa Schow, David Tracy, Ereita Zimmerman, Nathan Zimmerman, Karl Keyes, Tamara Magnuder, Brenda Nelson, Eduardo Robles, and Laurie Jones

Pledge of Allegiance: Commissioner Cowley

1. DECLARATIONS OF CONFLICT

There were none.

2. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE FOLLOWING MAPS, FOR THE PROPERTY LOCATED AT APPROXIMATELY 5154 SO. 2700 WE.
   A. GENERAL PLAN (FUTURE LAND USE MAP) FROM MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL TO VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL
   B. ZONING MAP FROM R-1-6 & R-1-8 (SINGLE-FAMILY RESIDENTIAL) TO R-3 OR R-4 (MULTI-FAMILY RESIDENTIAL)

Doug Terry, 2509 West 5175 South, applicant, presented a handout with information about his application. He was the owner of the subject property and he was seeking a rezone. The property to the west was storage units, to the northeast was a business, to the south was fourplexes and more storage units, and to the east was the railroad tracks. This was an ideal location for townhomes. He had no intention of building apartments. He had made similar requests on the property before, but they did not pass. The reason he was requesting the change to high density was because medium density only allowed for patio homes, and he
wanted to build two-story townhomes. The zoning would still only allow for twelve units per acre.

The Commissioner discussed the potential value of the townhomes, and they expressed a concern that a subsequent owner could come in and building something more dense than townhomes. Steve Parkinson, City Planner, said that the Commission could include a stipulation that the rezone would only allow townhomes.

Mr. Parkinson presented the staff report. He explained that the property was approximately 2.89 acres in size, and that could yield about 34 units. Although the density was twelve units per acre, the code did allow for density bonuses if certain requirements are met. Only one other development was able to meet those density bonus requirements. A site plan had not been submitted yet. Mr. Parkinson then explained what the property could yield under different zones. There were some inconsistencies between what was allowed under each zoning ordinance, and the definition of different densities in the General Plan.

Commissioner Cowley moved to open the public hearing. Commissioner Mifflin seconded the motion. Commissioners Ashby, Bills, Brand, Cowley, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

Chairman Sphar opened the floor for public comments.

David McIlrath, 1765 West 5000 South, said that he previously lived in this area. He advocated for the townhomes, stating that this type of housing provided homeownership opportunities for young families. The applicant didn’t intend to build low-income dwellings.

Tamara Magruder, 5489 South 2700 West, was panicked about putting more people on 4000 South. When the train stops on the tracks, traffic would back up so far that no one could drive up and down 2700 West. Sometimes she had to wait 15 minutes to pull into her own driveway. She spoke about the need for farmland in the community and asked the Commission to reconsider this proposal.

Brenda Nelson, 1885 North 4400 West, thought that the City was heading in a positive direction with development. She represented Doug Terry and had been working with him for many years on this property. Regarding the traffic concerns, Ms. Nelson said that there would be improvement when the area was developed according to the form-based code the City was considering. That would create a lot of walkable communities, and hopefully this project would fall into that. Ms. Nelson had researched available homes in Roy below $300,000, and there were only thirteen homes available. The proposed townhomes are just when Roy needs. She encouraged the Commission to restrict apartments here, because she agreed that they wouldn’t be appropriate.

Tamara Magruder, 5489 South 2700 West, disagreed with Ms. Nelson’s statement that this would be a walkable location. The traffic was too dangerous to allow for a walkable community.

Lucas Reichow, 4919 South 2450 West, advocated for this proposal. The townhomes would beautify the neighborhood, and they would be great for small families. He also felt that Roy was heading in the right direction with development.
Byron Burnett, 4375 South 2675 West, read the code language regarding difference densities and zoning, which he found to be conflicting. He agreed that apartments would be inappropriate and asked that the stipulation be included that this could only be developed as proposed here tonight. Mr. Burnett wondered why the General Plan update was still in the hands of the Planning Commission when they already made a recommendation on it to the City Council.

Melanie Schwartz, 5085 South 2700 West, said that she came before the Planning Commission in 2014 because she wanted to buy a small urban homestead here. She had purchased a little over an acre, but she couldn’t do anything with it until the Planning Commission zoned it RE-20. She spoke about the existing developments in the area, and said that the zoning map doesn’t always depict what’s actually there. This area was quite a distance from the proposed form-based code areas, which would create an isolated pocket of townhomes with little access to anything, especially transit. She was concerned about safety and traffic.

Eduardo Robles, 2697 West 5350 South, stated that accessibility was a problem in this area. Previous rezone requests had been denied, and he encouraged them to deny this application.

Laurie Jones, 2850 North 850 East in North Ogden, said that she was the lender. She provided some information regarding affordable housing, and what was considered affordable to median-income families. She said that the proposed townhomes would be a great addition to Roy City.

David Tracy, 5125 South 2700 West, said that the residents on 2700 West chose to live there because there was more open space. The lots here were between a half acre and two acres in size. He agreed that the owner should be able to develop their property, but he didn’t think townhomes would fit in with the surrounding area. He encouraged single-family development.

Kim Buckway, 4863 South 2700 West, echoed the comments of her neighbors. She agreed that traffic was bad, they were not in favor of high density, and they wanted to keep the open feel of the area.

Janae Terry, 2509 West 5175 South, explained that the property had been in their family for a long time. They didn’t want to bring in a housing product that didn’t fit in, and they felt that the townhomes would be a benefit to the community. Change was difficult to face, but Roy City was growing. They intended to construct a quality product that wouldn’t take away from the neighborhood. Ms. Terry stated that developing her property would not take away from other property owners or what they can do with their lots.

Wendy Packer, 5149 South 2700 West, reiterated that traffic in the area was horrendous, and she worried about emergency vehicle access. There were also concerns about inadequate sewer lines.

Gary Davis, 5214 South 2700 West, agreed with the comments made by his neighbors. He expressed additional concerns regarding children crossing the rail tracks and decreasing property values.

Byron Burnett, 4375 South 2675 West, was concerned that the applicant was requesting a rezone before presenting an actual plan.
Stanley Walters, 5261 South 2690 West, staff had received the following email from Mr. Walters: Concerning the proposal to approve High Density Housing at 5154 South 2700 West I would like to vote NO! I cannot attend the meeting but I would still like for my voice to be heard and my vote to count. Again I vote NO!

No further comments were made.

Commissioner Payne moved to close the public hearing. Commissioner Ashby seconded the motion. Commissioners Ashby, Bills, Brand, Cowley, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

Staff noted that Mr. Terry was just requesting a rezone at this time. It was a cost to developers to create a site plan. If the rezone were approved, the applicant would come back to staff with a site plan, which would need to be approved by the Planning Commission.

The Planning Commission again discussed the slide showing potential densities of the property under different zoning. Mr. Parkinson stated that there was no zoning in the City Code that would allow more than 12 units per acre at this time. The Commission agreed to include a stipulation prohibiting apartments from being developed.

Commissioner Ashby moved to recommend that the City Council APPROVE the request to amend the General Plan (Future Land Use Map) from Medium Density Single-Family Residential to Very High Density Multi-Family Residential for property located at approximately 5154 South 2700 West, with the conditions and facts as stated in the staff report. Commissioner Bills seconded the motion. Commissioners Ashby, Bills, Brand, Cowley, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

Commissioner Ashby moved to recommend that the City Council APPROVE the request to amend the Zoning Map from R-1-6 & R-1-8 (Single-Family Residential) to R-3 (Multi-Family Residential) for property located at approximately 5154 South 2700 West, with the condition that only Townhomes can be built along with the conditions and facts as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Ashby, Bills, Brand, Cowley, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

3. CONTINUATION – TO CONSIDER AMENDING TITLE 10 – ZONING REGULATIONS; CH 6 - ESTABLISHMENT OF ZONING DISTRICTS; CH 13 - DOWNTOWN & STATION AREA FBC; CH 17 - TABLE OF USES “TABLE 17-2”; AND CH 19 - REQUIRED OFF-STREET PARKING

NOTE: Items 3 and 4 were discussed simultaneously.

Mr. Parkinson said that Items 3 and 4 were discussed during a work session and the Commission voted on the matter; however, action cannot be taken during a work session. Staff put these items back on today’s agenda for a proper vote.

Commissioner Cowley felt like the Planning Commission had carried these items as far as they could, and it was time to pass them on to the City Council. Commissioner Brand disagreed. After the last public hearing and the City Council meeting he attended, he didn’t feel like the
EXHIBIT “E” – ORDINANCE NO. 20-04

ORDINANCE NO. 20-4

AN ORDINANCE ESTABLISHING A FUTURE LAND USE DESIGNATION OF VERY HIGH DENSITY, MULTI-FAMILY ON A PROPERTY LOCATED AT APPROXIMATELY 5154 SOUTH 2700 WEST.

WHEREAS, Roy City has received a petition to amend the Future Land Use Map by changing the designation on a property comprising approximately 2.89 acres (126,039.6 sq.-ft) of land located at approximately 5154 So. 2700 We. from a designation of Commercial and Medium Density Single-Family Residential to a designation of Very High Density Multi-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 5154 So. 2700 We. be established as a Very High Density Multi-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 Burrell  ______
Councilman Jackson  ______
Councilman Paul  ______
Councilman Saxton  ______
Councilman Wilson  ______

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 _________________, 2020.

__________________________________
Robert Dandoy
Mayor

Attested and Recorded:

______________________________
Morgan Langholf
City Recorder
AN ORDINANCE ESTABLISHING A ZONING DESIGNATION OF R-3 ON PROPERTY LOCATED AT APPROXIMATELY 5154 SOUTH 2700 WEST.

WHEREAS, Roy City has received a petition to change the zoning on a property comprising of approximately 2.89 acres (126,039.6 sq.-ft) of land located at approximately 5154 So. 2700 We. from a designation of R-1-6 & R-1-8 to a designation of R-3 with the condition that only “Townhomes” can be built on the property.; 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 5154 So. 2700 We. be established as an R-4 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 Burrell
Councilman Jackson
Councilman Paul
Councilman Saxton
Councilman Wilson

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 ____________, 2020.

Robert Dandoy
Mayor

Attested and Recorded:

__________________________
Morgan Langholf
City Recorder
MAYOR

WORK SESSION

PRESENTATION
Add a Statement in the Introduction about grandfathering or allowing legal nonconforming structures currently found in this district to remain as is, unless a structural modification exceeds 33% or the structure is replaced.

Add: The purpose and goal of Downtown Business District Form Based Code is:

- **Economic Development** - Stimulate the economy by attracting and encouraging new business, investment and redevelopment.
- **Safety and Walkability** - Create a safe and comfortable place for pedestrians, bicyclists, and motorist to move throughout the city.
- **Housing and Development** - Encourage and incentivize right-sized mixed-use development, affordable housing options, and office/commercial development.
- **Identity** - Establish a district identity in the Roy downtown and at the Front-Runner Station that creates and supports a welcoming and attractive environment for visitors and residents alike.
- **Transportation** - Create more efficient and accessible connections between destinations and between transit stops and stations.
1.3 Downtown Place Type

1. Description and Intent.
The Downtown Place Type applies to the commercial area along 1200 West, from the southern edge of the Roy boundary (approximately 6075 South), to the City Municipal Building (approximately 5000 South). The intent is to transform this area into an attractive and active downtown area, with a sense of place that is unique to Roy, as stated in the Focus Roy Document.

Form and Uses
A foundational element needed for this transformation to take place is to break down and refine the large blocks that currently exist in the area. This is done by adding streets that divide the large blocks, and connect to other existing and proposed streets, creating a strong, defined grid system.

Transit
The Downtown is served by bus transit. The Roy FrontRunner Station is about 3 miles from the heart of the downtown area.
1.0 Place Types

2. Street Network and Connectivity.
The network of streets within the Downtown Place Type shall form an interconnected pattern with multiple intersections and resulting block sizes that are appropriately sized for a walkable downtown. Figure 1.3 (3) shows the existing street network. Figure 1.3 (4) shows how streets can be added into the existing street network to create a more connected street network with more intersections, while also reducing block size. New streets shown in Figure 1.3 (4) are for demonstration purposes, and do not necessarily reflect exact alignments. The blocks shown in Figure 1.3 (4) may also be further divided by adding alleys that provide access to parking facilities, loading facilities, and service areas.

(1) As parcels redevelop, new streets should be constructed to create a connected street grid with smaller blocks.
(2) New streets should connect existing streets, where applicable.
(3) Streets shall terminate at either an open space or a building facade.
(4) Refer to 1.0 Street Types for requirements for streets.

3. Block Configuration.
(1) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
(2) Blocks shall typically be two lots deep with the exception of blocks containing open space. Blocks may also include an alley. Blocks may include existing lots within an existing zoning district outside the place type.
(3) Blocks shall typically be fronted with lots on at least two sides.

4. Maximum Block Size.
An appropriate block size is an important element for a walkable downtown. Currently, Boy has an existing grid of very large blocks that should be divided as the area redevelops. Ideally, block sizes should range between 200’ x 200’ (600’ perimeter length) to 800’ x 600’ (2,400’ perimeter length). However, connecting into the existing street network is a higher priority than maximum block sizes. Following the general pattern of integrating new streets, as demonstrated in Figure 1.3 (4), will result in most blocks falling within the ideal range described above, though some blocks may be larger.

Remove these two streets from the proposed Downtown Business District Code.

Change to read: … block sizes should range between approximately 200’ x 200’ to …

Change to read: Figure 1.3 (4)
5. **Street and Frontage Designations.**

The intent of the street and frontage designations is to regulate the relationship between buildings and streets. It also identifies which streets will become the primary pedestrian streets in the area, by requiring continuous building frontage and limited vehicular access to reduce conflicts between pedestrians and vehicular traffic.

(a) **Primary Frontage Street** The intent of the Primary Street designation is to develop a network of streets with continuous building frontage and no or limited vehicular access to reduce conflicts between pedestrians and vehicular traffic. The Primary Streets in the Downtown area are 1900 West, 5600 South and Riverdale Road, which are also the three major vehicular streets. Building facades must address these streets and contain the building’s primary entrance.

(b) **Residential Frontage Street:** These streets are located along 2000 West and 2050 West, and represent the boundary between the Downtown area and the existing single-family residential areas. These streets are intended to provide a building facade that supports the scale and character of the adjacent residential neighborhood. Ideally, the ground floor of buildings lining this street will have residential uses with entrances facing the street.

(2) Lots without a Primary Frontage Street should consult with staff to determine which street frontage warrants primary designation and the front of the lot.

(3) Lots with two primary street frontages shall consult with staff to determine which street frontage warrants primary designation and the front of the lot.

6. **Minimum Number of Access Points.**

This requirement is intended to provide a minimum level of connectivity via vehicular rights-of-way between adjacent developments and to surrounding streets.

- **Requirement.** A minimum of two access points is required for each property.

- **Recommendation.** A minimum of one per every 1,500 feet of boundary is recommended.
On private property there may not be public access to open space. Change to read: “Development parcels over 5 acres are required to provide 5% of the total lot size as open space”.

Add: “This requirement does not apply to parcels that are developed directly adjacent to any proposed Roy City public open space”.

Change to Read: ... Open Space Types suggested by District.

Change to Read: ... Open Space Suggestions. Refer 6.0 for Open Space Types for specific Open Space recommendations.
2.0 Street Types

2.1 General Requirements.

1. Intent.
The standards outlined in this section are intended to:

(3) Create complete streets that address all modes of travel, including pedestrian traffic, bicycle traffic, transit, and vehicular traffic.

(2) Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.

(3) Continue the existing logical and comprehensible system of streets and street names that result in a simple, consistent and understandable pattern of blocks, lots, and house numbers.

(4) Provide adequate access to all lots for vehicles and pedestrians.

(6) Create streets that are appropriate for their contexts in residential, commercial, or mixed-use districts and are designed to encourage travel at appropriate volumes and speeds.

(8) Encourage streets that respect natural features by following topography and drainage systems, rather than interrupting or dead-ending at the feature.

(7) Create streets and public right-of-way that result in stormwater runoff quantity reduction and improved quality of stormwater runoff.

2. Applicability.
The standards in this section apply to all vehicular rights-of-way within all Zoned Types.

All proposed streets, landscape or furnishings zones, and sidewalks shall be located in designated vehicular rights-of-way as required by this article.

2.2 General Street Type Standards.

1. Street Types.
Street Types defined in this section outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each street type. The Zoning Administrator may require additional right-of-way, pavement width, or additional street elements depending on unique site characteristics.

2. Graphics.
The graphics provided here, illustrating each street type, are samples of recommendations and illustrate a possible configuration of that street type. By applying the standards outlined and working with the Department of Public Works, other configurations are possible.

3. Typical Street Elements.

Typical elements or a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each street type detailed in this article outlines which elements are applicable. Refer to Figure 2.2 (a): Typical Right-of-Way Elements.

(a) Landscape Zone. A landscape area between the back of curb or edge of pavement to the sidewalk in which street trees, shrubs, lighting, and signage may be located. Typically used adjacent to residential buildings.

(b) Furnishings Zone. A landscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office buildings.

Question: Does the City want Street Trees?
If so, along which streets?
If so, who maintains them property owner, City?

Not all streets will be public. Depending on the proposed development site plan there could be a private street. Change to read: “All City maintained streets shall be available for public use. Private streets can be posted as private but for public safety purposes, no gated streets.”
5. Vehicular On-Street Parking.

On-street parking, as permitted on designated street types, shall meet the following requirements.

(1) Parallel and diagonal parking is permitted on designated street types.

(2) Vehicular Parking Space Dimensions. The appropriate dimensions for on-street parking spaces are outlined in Table 2.2 (1): On-Street Parking Space Dimensions and Figure 2.2 (2): On-street Parking Layout. The width of a parking space shall be measured from the center of a stripe.


All bicycle accommodations shall be coordinated with the Transportation Master Plan. The following types of bicycle accommodations are permitted in the vehicular realm per Street Type. Refer to Figure 2.2 (3).

(1) Cycle Track. A cycle track is a separate on-road bicycle facility that is typically adjacent to, but physically separates from, vehicular traffic and parking by a barrier.

(2) Dedicated Bicycle Lane. Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be five to six feet wide.

(3) Designated Shared Lane. A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum 13 feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a “sharrow”). This improvement occurs on both directions.

(4) Shared Lane. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

7. Stormwater Management.

Incorporation of stormwater management best practices into the right-of-way design is encouraged, such as incorporating drainage swales and sloped curbs into the landscape zone or permeable paving in the parking lane.

<table>
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<th>Angle (degrees)</th>
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<th>Stall Depth (feet)</th>
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<tr>
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<td>9</td>
<td>6.5</td>
<td>18</td>
</tr>
</tbody>
</table>

Table 2.2 (1): On-Street Parking Space Dimensions.

Figure 2.2 (2). On-Street Parking Layout.

Figure 2.2 (3). On-Street Bicycle Facilities.

2.0 Street Types
2.0 Street Types

8. Street Trees.
Street trees are required along all street frontages, with the exception of the Alley.

(a) Street trees shall be located either in a Landscape Zone within a planting bed or lawn, or in a Furnishings Zone in tree wells with a grate as required.

(b) Tree grates are required for all trees located in tree wells in Pedestrian Realms less than ten feet in width.

(c) Spacing for street trees shall be no less than 50 feet on center. Recommended spacing in residential locations is 30 feet on center.

2.3 General Street Layout Requirements.

1. General Layout Standards.
The following standards apply to new streets or newly platted vehicular rights-of-way.

(a) Treatment of Natural Features. Streets shall be designed to respect natural features, such as rivers, woodlands, or slopes, by following rather than interrupting or dead-ending at the feature.

(b) Street Network. The network of streets shall form an interconnected pattern with multiple intersections.

(c) Existing Streets. The arrangement of streets shall provide for the continuation or existing streets from adjoining areas into new subdivisions.

2. Disconnected Streets.
Disconnected streets may take the following form:

(a) Stub Streets. Where adjoining areas are not subdivided, streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future projection of streets into adjacent areas.

(b) Half Streets. The construction of a half street shall be prohibited unless otherwise approved by the City Council in unusual circumstances that make it essential and where satisfactory assurances for dedication if the remaining part of the street is provided.

3. Transitions from Existing Streets to New Streets.
Where a new street, based on the street types found in 2.4 - 2.7, connects to an existing street with a conflicting cross section, the Department of Public Works shall determine the appropriate method to transition between the new street and the existing street.

Do we want Street Trees?
If so, change (3) the wording on this paragraph from “shall” to “should”. If trees are placed on 1900 West, the existing streetlight will determine tree distance from each other.

Whoever approves the Site Plan should approve half streets. Change to read: “Half streets will be approved by the Planning Commission during the site plan review”.

January 10, 2020 - DRAFT
4. Intersections.

(2) Curb Radii. The following curb radii shall be utilized unless otherwise authorized by the Zoning Administrator.

(a) Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 2.3 (1).

(b) Larger Radius. When the design vehicle requires a larger curb radius and no on-street parking exists, a 50 foot radius may be utilized with the approval of the Department of Public Works.

(3) Alley Intersections. The curb radius at intersections involving Alleys should be no greater than 5 feet.

(2) Crosswalks. Crosswalks shall be required at the direction of the Department of Public Works.

(a) Dimensions. Crosswalks shall be minimum six feet in width, measured from mid-stripe to mid-stripe, per Manual on Uniform Traffic Control Devices (MUTCD).

(b) Markings. Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.

(c) Accessible ramps and warning panels, per the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.

(d) Ramp Orientation. Ramps shall be oriented perpendicular to traffic, requiring two ramps per corner at intersecting streets.

(3) Bulb-outs. To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise required by the Department of Public Works. Refer to Figure 2.3 (3).

(a) The depth of the bulb-out shall match the utilized on-street parking, either the width of the parallel space or the depth of the diagonal space.

(b) The radius of the bulb-out shall match the requirements for the intersection.

Add clearance distance requirements to ensure vehicle has visual access to oncoming traffic. Provide reference to Roy Code 10-10-35-Clear View of Intersecting Streets.
Remove. Both illustrations show 66 feet and 78 feet Right-of-Ways. Median only authorized if 80 feet or wider.

Change to read: Minimum 5’ wide planting zone...
2.5 Neighborhood Street.

1. Intent.
The Neighborhood Street is a low capacity street designed for slow speeds with a standard right-of-way. It primarily serves those residences or businesses directly adjacent to it. Refer to the typical plan and section, Figure 2.5 (1).

2. General Requirements.
The Neighborhood Street shall be developed using the standards in Table 2.5 (1).

Remove: 2.5 Neighborhood Street
Yield lane at 18’ is too narrow for two lane traffic (Figure 2.5 (1)).
One way Streets (Figure 2.5 (2)) not usable in the Downtown District.
Add: All Alleys are considered private streets and will be maintained and conform to this standard.
2.7 Arterial Streets.

1. Intent.

The Arterial Streets that are currently in the Downtown Place Type are 1900 West, 5900 South and Riverdale Road. These streets are designated as State Highways and are controlled by the Utah Department of Transportation. These large streets are essential for moving traffic throughout Roy, and will carry large traffic volumes for the foreseeable future.

In order to make these streets more friendly to adjacent development, a setback should be implemented between the right-of-way and new development.

2. General Requirements.

Arterial Streets shall be developed using the standards in Table 2.7 (1).

(1) A 20-foot setback is required on all new development along an Arterial Street.

(2) All setback areas must contain either landscape, trees, pato space, or sidewalk space.

(3) Trees, landscaping and other improvements should be used to mitigate the negative impacts from the fast moving traffic. It should particularly be used to mitigate the high noise volumes caused by heavy traffic.

<table>
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<th>Arterial Requirements</th>
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<tr>
<td>Existing Arterial Streets</td>
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<td>Permitted Adjacent Building Types</td>
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<tr>
<td>Typical Right-of-Way Width</td>
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</tr>
<tr>
<td>Pavement Width</td>
</tr>
<tr>
<td>Bicycle Facilities</td>
</tr>
</tbody>
</table>

| Pedestrian Realm |
| Pedestrian Facilities | Minimum 5' wide clear sidewalk on both sides |
| Setback | 10' Setback |

Table 2.7 (1), Arterial Requirements.

Change to read: 20-feet Setback
3.0 Districts

3.1. Introduction

The following Districts are hereby created to regulate the location of
distinct mixtures of building forms and uses permitted in the Downtown
Place Type. Refer to 4.0 Uses for uses and 5.0 Building Types for
building types permitted within each District.

Three Districts have been created within each Place Type and each
consists of a series of uses and building types that have been
specifically calibrated for each district. See Figure 3.2 [A]. Zoning Map
- Downtown Place Type Zoning Districts.

3.2. Downtown Place Type: Districts

1. Downtown "Core A".
The Downtown "Core A" district will be the heart of Roy's Downtown.
It is intended to be a mixed-use area, with a strong commercial and
retail base. This district is surrounded by major arteries (9000 South,
9000 West, Riverdale Road) and Interstate 15. The isolated nature of
this district allows for a higher intensity development, including taller
building heights.

2. Downtown "Core B".
The Downtown "Core B" district surrounds the intersection of 9000
South and 1000 West. This important intersection, near the freeway
ramp and the entrance to Hill Air Force Base, is an important gateway
into Roy. This district is intended to be a mixed-use district with a
strong commercial and retail base, similar to the Downtown "Core A"
district. This district allows for less development intensity than "Core
A", but supports a higher development intensity than the surrounding
"general" districts.

3. Downtown "General".
The Downtown "General" district is intended to be a mixed-use,
flexible and inclusive district that provides the most flexibility for
various commercial uses. It includes a range of building types that will
allow for functional, mixed-use, and walkable district.
Move taller buildings to the east in order to establish a better transition between the Downtown district and the residential areas, a less aggressive commercial building plan is necessary.
4.0 Uses

4.1 General Requirements.

The following general provisions apply to the uses outlined in this section.

(3) A lot may contain more than one use.

(4) Each of the uses may function as either a principal use or an accessory use on a lot, unless otherwise specified.

(5) Uses are either permitted by-right in a district, permitted by-right with specific development or design parameters, or require a Conditional Use Permit (refer to 2.2.7) in order to be developed.

(4) Each use shall be located within a permitted Building Type (Refer to 5.0 Building Types), unless otherwise specified.

(5) Each use may have both indoor and outdoor facilities, unless otherwise specified.

2. Organization.
The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.

1. Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a use permitted within a zoning district, the Zoning Administrator may interpret the use as permitted.

(a) The unlisted use will be subject to any development standards applicable to the similar permitted use.

(b) If the unlisted use is similar in nature and impact to a use requiring a Conditional Use Permit, the Zoning Administrator may interpret the use as also requiring a Conditional Use Permit.

2. Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a zoning district that is either permitted or requires a Conditional Use Permit, the use is not permitted and may only be approved through an amendment of this article.

3. Use Table.

Table 4.1 (1) Uses by District outlines the permitted uses in each zoning district. Each use is given one of the following designations for each zoning district in which that use is permitted.

(3) Permitted ("P"). These uses are permitted by-right in the districts in which they are listed.

(4) Permitted in Upper Stories Only ("U"). These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 50 feet from the front facade.

(5) Permitted with Development Standards ("D"). These uses are permitted by-right in the districts in which they are listed, provided that they are developed utilizing the listed development standards. These standards are intended to alleviate any negative impacts associated with the use, making it appropriate in a district where it otherwise might not have been appropriate.

(4) Requires a Conditional Use Permit ("C"). These uses require administrative review and approval (refer to 10.2.7) in order to occur in the districts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the Conditional Use.

(5) Listed uses that are not permitted in the district are indicated by a blank space.

4. Building Types.
The uses permitted within the district may be further limited by the building types permitted. Refer to 5.0 Building Types.

4.2 Definition of Uses.

1. Residential and Lodging Uses.

A category of uses that include several residence types.

(2) Residential. One or more dwelling units located within the principal structure of a lot, in which the units may or may not share a common wall with the adjacent (horizontally or vertically) unit or have individual entrances from the outside.

(2) Hotel & Inn. A facility offering temporary or permanent lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be located from the interior of the building in the districts where a Hotel or Inn is permitted with development standards ("D"), the following applies:

(a) The facility is limited to twelve rooms.

(b) Lodging and breakfasts and services are permitted.

(5) Residential Care. A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Residential care includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be located from the interior of the building in the districts where a residential care facility is permitted with development standards ("D"), the facility is limited to twelve rooms.

2. Civic Uses.

A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

(2) Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse.

ADD: Hours of Operation. Any nonresidential use located less than three hundred feet (300') of any residential use shall not open or operate between the hours of 10:00 pm to 7:00 am.

Change to read; ... the Planning Commission may interpret the use... .
<table>
<thead>
<tr>
<th>Uses</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Downtown &quot;Core A&quot;</td>
</tr>
<tr>
<td><strong>Residential &amp; Lodging</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Residential</td>
<td>P P P</td>
</tr>
<tr>
<td>Hotel &amp; Inn</td>
<td>P P P</td>
</tr>
<tr>
<td>Residential Care</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Civic</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Assembly</td>
<td>P P P</td>
</tr>
<tr>
<td>Transit Station</td>
<td>P P P</td>
</tr>
<tr>
<td>Hospital &amp; Clinic</td>
<td>P P P</td>
</tr>
<tr>
<td>Library/Museum/Post Office (no distribution)</td>
<td>P P P</td>
</tr>
<tr>
<td>Police &amp; Fire</td>
<td>P P P</td>
</tr>
<tr>
<td>School</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Retail</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Neighborhood Retail</td>
<td>P P P</td>
</tr>
<tr>
<td>General Retail</td>
<td>P P P</td>
</tr>
<tr>
<td>Outdoor Sales Lot</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Service</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Neighborhood Service</td>
<td>P P P</td>
</tr>
<tr>
<td>General Service</td>
<td>P P P</td>
</tr>
<tr>
<td>Vehicle Service</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Office &amp; Industrial</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Office</td>
<td>P P P</td>
</tr>
<tr>
<td>Craftsman Industrial</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Infrastructure</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>P P P</td>
</tr>
<tr>
<td>Parking Structure</td>
<td>P P P</td>
</tr>
<tr>
<td>Utility &amp; Infrastructure</td>
<td>P P P</td>
</tr>
<tr>
<td>Open Space</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>Accessory Uses</strong></td>
<td>P P P</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>P P P</td>
</tr>
<tr>
<td>Outdoor Storage of Goods</td>
<td>P P P</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>P P P</td>
</tr>
<tr>
<td>Parking Structure</td>
<td>D D D</td>
</tr>
</tbody>
</table>

**KEY**
- P: Permitted
- U: Permitted in Upper Stories Only
- D: Permitted with Development Standards
- C: Requires a Conditional Use Permit

Table 4.1 (1): Uses by District.
amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, house of worship, and private clubs and lodges. In the districts where an outdoor sales lot is permitted with development standards (*), the following applies:

(a) Parking shall be limited to an area less than the total building footprint area.
(b) The facility shall primarily serve the adjacent neighborhood.

4. Transit Station. A covered passenger boarding and alighting facility with a platform(s), which may include a waiting room, ticket office or machines, restrooms, or concessions.

5. Hospital & Clinic. A licensed institution providing medical care and health services to the community. These services may be located in one building or scattered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and gift shop.

6. Library/Museum. A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.

7. Police and Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. Police and fire facilities require a Special Use approval. The facilities shall be housed in a permitted building, but shall have the following additional allowances:

(a) Garage doors are permitted on the front facade.
(b) Exempt from maximum driveway widths.

8. Post Office. A publicly accessible facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.

9. School. An education facility with classrooms and offices, that may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service.

3. Retail Uses.

A category of uses involving the sale of goods or merchandise to the general public for personal or household consumption.

(a) Neighborhood Retail. A use in this category occupies a space of less than 12,000 square feet. Neighborhood retail includes such uses as those listed in Table 4.2 (1). Typical Retail Uses.

(b) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than 12,000 square feet and such uses as those listed in Table 4.2 (2). Typical Retail Uses.

(c) Outdoor Sales Lot. A use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors. Outdoor sales lots include such uses as the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the sale of building materials, landscape materials, and garden supplies. In the districts where an outdoor sales lot is permitted by Special Use (*), the following applies:

(a) Not permitted on corner parcels.
(b) Includes permanent construction of a building utilizing one of the permitted Building Types in the district.

4. Service.

A category of uses that provide patron services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

(a) Neighborhood Service. A use in this category occupies a space of less than 12,000 square feet. Neighborhood service includes such uses as those listed in Table 4.2 (1).

(b) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than 12,000 square feet and such uses as those listed in Table 4.2 (2).

5. Vehicle Service.

A business involving the servicing of vehicles and/or the distribution of fuel to residents of the community and region. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, and tire sales and mounting. In the districts where vehicle service is permitted with development standards (*), the following applies:

(a) Use Unattended. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are not permitted.

(b) Service Bays. Vehicular service bays, including lagoons and car wash bays, shall not be located on the front facade, unless otherwise permitted by the Building Type.

(c) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pickup may be stored outdoors if:

(a) The vehicles are not stored for more than two days.
(b) The storage area is located in the rear yard screened from view of the front lot line.
(c) The storage area is screened using the Side & Rear yard buffer outlined in 7.0 Landscape, regardless of the adjacent land uses.

Too restrictive and not enforceable. Change to read; “The vehicles are not stored for more than 30 days”.
(4) Outdoor Activities.
(a) All repairs or washing activities must occur inside a structure.
(b) Vacuuming activities may occur in open air, but must be located in the side or rear yards, screened from the front lot line.
(c) Temporary outdoor display of seasonal items, such as windshied wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

<table>
<thead>
<tr>
<th>Neighborhood Service</th>
<th>General Service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Arcade</strong></td>
<td><strong>All Neighborhood Services</strong></td>
</tr>
<tr>
<td>Bank or other Financial Service</td>
<td>Animal Blinding (interior only)</td>
</tr>
<tr>
<td>Barber Shop, Beauty Salon, &amp; Spa</td>
<td>Aquatic Facilities</td>
</tr>
<tr>
<td>Billiard Hall</td>
<td>Batting Cages</td>
</tr>
<tr>
<td>Catering</td>
<td>Bowling Alley</td>
</tr>
<tr>
<td>Check Cashing</td>
<td>Concert Hall</td>
</tr>
<tr>
<td>Day Care, Adult or Child</td>
<td>Exterminating &amp; Disinfecting Service</td>
</tr>
<tr>
<td>Dry Cleaning &amp; Laundry</td>
<td>Funeral Home</td>
</tr>
<tr>
<td>Emergency Care Clinic</td>
<td>Miniature Golf Courses</td>
</tr>
<tr>
<td>Fitness, Dance Studio, &amp; Gym</td>
<td>Recreation, Commercial Indoor</td>
</tr>
<tr>
<td>Framing</td>
<td>Repair of Small Goods &amp; Electronics</td>
</tr>
<tr>
<td>Home Furniture &amp; Equipment</td>
<td>Shooting &amp; Archery Ranges (indoor only)</td>
</tr>
<tr>
<td>Repair</td>
<td>Starting Rigs</td>
</tr>
<tr>
<td>Locksmith</td>
<td>Stationary &amp; Paper Store</td>
</tr>
<tr>
<td>Mail &amp; Shipping Services</td>
<td>Toy Shop</td>
</tr>
<tr>
<td>Mobile Food Trucks (refer to Title 3D-17-1 in the Roy City Code for Mobile Food Truck regulations)</td>
<td>Video/Game Sales &amp; Rental</td>
</tr>
<tr>
<td>Pet Grooming</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Photocopying &amp; Printing</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Photography Studio &amp; Boutique ( onsite processing permitted)</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Restaurants (refer to Title 3 Chapter 22 in the Roy City Code for Alcohol Beverage regulations)</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Shoe Repair</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Tailor &amp; Seamstress</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Swimming Pool</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
<tr>
<td>Tanner Salons</td>
<td><strong>Tattoo/Piercing Parlor</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 4.2 (2): Typical Service Uses.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Neighborhood Service</th>
<th>General Service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Stationary &amp; Paper Store</strong></td>
<td><strong>Toy Shop</strong></td>
</tr>
<tr>
<td><strong>Video/Game Sales &amp; Rental</strong></td>
<td><strong>Video/Game Sales &amp; Rental</strong></td>
</tr>
</tbody>
</table>

Add: “Adult only Arcades (18 years and older) not permitted in these Districts.”

Apply current limits on the number of Tattoo operations allowed in City.
Add: “Only 1 store per 10,000 residents”.

Add a new column: “Adult Entertainment, i.e., Adult Arcade, Adult Book/Novelty/Video Stores, Adult Cabaret, Adult Motel, Adult Motion Picture Theater, Adult Theater, Adult - Seminude Model Studio, type businesses are not permitted in this District”.

Add:
- Stationary & Paper Store
- Toy Shop
- Video/Game Sales & Rental
6. Office Uses.

A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 4.2 (5). In the districts where an office use is permitted with development standards ("o"), the use is considered a home occupation and shall meet the following standards:

(1) In a live/work building, the use is exempt from the following standards.
   (a) Hour of Operation. Permitted hours of operations are 6:00 AM to 9:00 PM.
   (b) Residence. The operator of the business shall reside in the dwelling unit.
   (c) Vehicles. Parking of a vehicle associated with the business must be accommodated on site.

Craftman Industrial

Apparel & Finished Fabric Products
Bakery & Confectionery
Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee
Botanical Products
Brooms & Brushes
Canning & Preserving Food
Commercial Scale Copying & Printing
Construction Special Trade Contractors
Cut Stone & Cast Stone
Dairy Products
Electronics Assembly/Engineering
Electrical Fixtures
Fabricated Metal Products
Film Making
Furniture & Fixtures
Glass
Household Textiles
Ice
Jewelry, Watches, Clocks, & Silverware
Leather Products
Meat & Fish Products, no Processing
Musical Instruments & Parts
Pasta
Potted, Ceramics, & Related Products
Printing, Publishing & Allied Industries
Shoes & Boots
Signs & Advertising
Small Goods Manufacturing
Smokery
Taxidermy
Textile Fabric, Cloth
Toys & Athletic Goods
Upholstery
Woodworking

7. Craftsman Industrial.

A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Craftsman industrial includes such uses as those found in Table 4.2 (4). This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited. The maximum overall gross floor area is limited to 20,000 square feet, unless otherwise noted. In the districts where a craftsman industrial use is permitted with development standards ("oi"), the following apply:

(1) A minimum 20% of gross floor area shall be dedicated to a showroom located at the front of the space.
   (2) Outdoor activities and storage of goods are not permitted.


A lot that does not contain a permitted building or open space type and is solely used for the parking of vehicles. In the districts where a parking lot is permitted with development standards ("p"), the following apply:

(1) Corner Lots. A corner lot shall not be used as a parking lot.
(2) Adjacent Parking Lots. Two parking lots cannot be located directly adjacent to one another.
(3) Single Family. Parking lot cannot be associated with a single family use.
(4) Distance. Parking lot must be within 1,500 feet of the principal entrance to the associated use unless:
   (a) At least 75% of the spaces are dedicated for public use.
   (b) An approved parking agreement is in place (refer to 8.0 Parking).
(5) Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
(6) Commercial vehicles. Parking lots for commercial vehicles are not permitted in these districts.


A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the districts where a parking structure is permitted with development standards ("o"), the following apply:

(1) Corner Lots. A corner lot shall not be used for a parking structure.
(2) Adjacent Parking Lots. Two parking facilities (lots or structures) cannot be located directly adjacent to one another.
(3) Primary Street. No facade of the Parking Structure shall be located on a Primary Street, unless the ground floor of the parking structure contains an active use.
(4) Distance. Parking lot must be within 1,500 feet of the principal entrance to the associated use unless:
   (a) At least 75% of the spaces are dedicated for public use.

Add: if not properly screened.

Add: “Only applies to parking lots with no associated buildings”.

Change to read: “Commercial Vehicles. Parking lots for the sole purpose to park commercial vehicles and have no associated building, are not permitted in these districts”.

Add: “or the structure is architecturally treated”.

Table 4.2 (4). Typical Craftsman Industrial Uses.
4.0 Uses

(b) An approved parking agreement is in place (refer to 8.0 Parking).

(5) Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.

(8) Commercial Vehicles. Parking structures for commercial vehicles are not permitted in these districts.

10. Utility and Infrastructure.

A lot that is primarily utilized for the City’s infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems. In all districts, utilities and infrastructure require a Conditional Use Permit (CUP).

Remove: … and shall be covered.

Change to read from “does not” to “does”.

Add: “All electrical power supplied will be underground”.

11. Open Space.

A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Refer to 6.0 Open Space Types for permitted forms of open space. Open space uses may also be utilized to host temporary private or community events, such as a farmer’s market or art fair. In the districts where open space is permitted with development standards (PDR), the following apply:

(1) Parking. Parking lots are not permitted in open space in any district unless otherwise specified by the Open Space Type.

(2) Stormwater Accommodations. Open space that incorporates stormwater management on a site or district scale is encouraged.

(a) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.

(b) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.

(3) This use may involve small scale food and beverage service, no more than 200 square feet in space, located in a kiosk, with no service access.

(4) Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.


A category of uses that are not permitted to serve as the principal use on a zoning lot.

(1) Home Occupation. An occupiable use that is clearly subordinate to the principal use as a residence does not require any alteration to the exterior of a building.

(2) Parking Lot. An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to 5.0 Building Types.

(3) Parking Structure. A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking structures within the buildings are regulated per Building Type. Refer to 5.0 Building Types. Separate structure locations are also regulated by Building Type, but shall also meet all of the requirements of 5.2.9. Parking Structure.

(4) Outdoor Storage of Goods. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the districts where outdoor storage of goods is permitted with development standards (PDR), the following development standards apply:

(a) Outdoor storage areas shall be located in the rear or side yard of the lot.

(b) Loose materials shall not be stacked higher than six feet.

(c) Loose materials shall be stored in a three-sided shelter and shall be covered.

(d) Materials shall be set back a minimum of five feet from any lot line.

(e) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the heavy side or rear buffer, refer to 7.0 Landscape Requirements for Side and Rear Buffer.
5.0 Building Types

5.1. Introduction to Building Type Standards.

The building types outlined in 5.0 Building Types outline the building forms for new construction and renovated structures within the Districts defined in 5.0.

2. General Requirements.

All Building Types must meet the following requirements.

(1) Permanent Structures. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

(2) Accessory Structures. Accessory structures are considered part of the principal structure.

(3) Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
   (1) Detached accessory structures are not permitted in the front yard.
   (2) Detached accessory structures shall be located behind the principal structure in the rear yard.
   (3) Detached accessory structures shall not exceed the height of the principal structure.

5.2 Explanation of Building Type Table Standards.

The following explains and further defines the standards outlined on the tables for each Building Type, refer to 5.3 through 5.5.

1. Building Siting.

The following explains the item requirements within the first section of each Building Type Table entitled “Building Siting”.

(1) Multiple Principal Structures. The allowance of more than one principal structure on a lot.

(2) Front Property Line Coverage. Refer to Figure 5.2 (1). Measuring Front Property Line Coverage. Measurement defining the minimum percentage of street wall or building façades required along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).
   (a) Certain buildings have the number set to also allow the development of a court yard along the front property line.
   (b) Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width or up to one double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a maximum of 65 feet.

(3) Occupation of Corner. Occupying the intersection of the front and corner build-to zones with a principal structure.

(4) Front Build-to Zone. The build-to zone or setback parallel to the front property line. Building components, such as awnings or signage, are permitted to encroach into the build-to zone.
   (a) All build-to zone and setback areas not covered by building must contain either landscape, patios, space, or sidewalk space.

(5) Corner Build-to Zone. The build-to zone or setback parallel to the corner property line.
   (a) All build-to zone and setback areas not covered by building must contain either landscape, patios, space, or sidewalk space.

Table 5.1. (1). Permitted Building Types by District

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storefront</td>
<td>P</td>
</tr>
<tr>
<td>General Store</td>
<td>P</td>
</tr>
<tr>
<td>Limited Bay</td>
<td>P</td>
</tr>
<tr>
<td>Large Format</td>
<td>P</td>
</tr>
<tr>
<td>Row Building</td>
<td>P</td>
</tr>
<tr>
<td>Civic Building</td>
<td>P</td>
</tr>
</tbody>
</table>

Add: Exceptions to the 6 Building Types listed will be considered and require the approval of the City Council.
ADD: Naturally Occurring Site Features.
All Site Plan Applications shall recognize and preserve, as practicable, the natural features and sensitive areas occurring on the site including areas of historic value, unusual or hazardous topography, or lands subject to flooding. All-natural features shall be preserved, as practical, and integrated into the site plan design.

5.0 Building Types
5.0 Building Types

30 Foot

3. Uses.
The following explains the line item requirements for each Building Type table within the third section entitled "Uses." Refer to Section 4.0. Uses for uses permitted within each Zoning District. The requirements in this section of the Building Type Tables may limit those uses within a specific Building Type. Table 5.2 (4), right, illustrates an example of the Uses table from a typical Building Type.

1. Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
2. Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
3. Required Occupied Space. The area(s) of a building that shall be designed as occupied space, defined as interior building space regularly occupied by the building users. It does not include parking areas, utility space, or parking.

Figure 5.2 (3). Transitions for Single Family Homes Sharing a Property Line.

Figure 5.2 (4). Transitions for Single Family Homes Across a Public Street.
4. Street Facade Requirements.

The following explains the line item requirements for each Building Type Table 5.3 through 5.6, within the fourth section entitled “Street Facade Requirements.” Street Facade Requirements apply only to facades facing a public or private right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated.

(1) Minimum Ground Story and Upper Floor Transparency. (Refer to Figure 5.2 (5), Measuring Transparency per Facade). The minimum amount of transparency required on street facades with street frontage.
   a) Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
   b) Ground Story Transparency, when defined separately from the overall minimum transparency, shall be measured between two feet and eight feet from the average grade at the base of the front facade.
   c) A general Minimum Transparency requirement shall be measured from floor to floor of each story.

(2) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
   a) No rectangular area greater than 30% of a story’s facade, as measured from floor to floor, may be windowless.
   b) No horizontal segment of a story’s facade greater than 15 feet in width may be windowless.

(3) Entrance Type. The entrance type(s) permitted for the entrance(s) of a given building type. A mix of permitted entrance type(s) may be utilized. Refer to 5.9 Entrance Type(s) for definition of and additional requirements for each entrance type.

(4) Principal Entrance Location. The facade on which the primary building entrance is to be located.

(5) Required Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.

(6) Vertical Facade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.

(7) Horizontal Facade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.

5. Roof Type.

The following explains the line item requirements for each Building Type Table in Sections 5.3 through 5.6, within the fifth section entitled “Roof Types.”

(1) Permitted Roof Type. The roof type(s) permitted for a given building type. Refer to 5.10 Roof Types for more specific requirements.

(2) Tower. A vertical building extension that may be permitted in conjunction with another roof type on certain building types. Refer to 5.10 Roof Types.

![Image of a building facade with transparency measurement](image)

**Figure 5.2 (5), Measuring Transparency.**

---

5.0 Building Types
5.0 Building Types

5.3 Storefront Building.

1. Description & Intent.

The Storefront Building is intended for use as a mixed-use building located close to the front property line with parking typically in the rear or side of the lot. The key facade element of this Building Type is the storefront required or the ground floor front facade, with large amounts of glass and regularly spaced entrances. This building type is adaptable to be used in a variety of intensities and heights, depending on the district within which it is located.

2. Regulations.

Regulations for the Storefront Building Type are defined in the adjacent table.

### Table: Permitted Districts

<table>
<thead>
<tr>
<th>(1) Building Siting</th>
<th>Downtown “Core A”</th>
<th>Downtown “Core B”</th>
<th>Downtown “General A”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Principal Buildings</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>Front Property Line Coverage</td>
<td>80%</td>
<td>80%</td>
<td>70%</td>
</tr>
<tr>
<td>Occupation of Corner</td>
<td>required</td>
<td>required</td>
<td>required</td>
</tr>
<tr>
<td>Front Build-to-Zone</td>
<td>0’ to 5’</td>
<td>0’ to 5’</td>
<td>0’ to 10’</td>
</tr>
<tr>
<td>Corner Build-to-Zone</td>
<td>0’ to 5’</td>
<td>0’ to 5’</td>
<td>0’ to 10’</td>
</tr>
<tr>
<td>Minimum Side Yard Setback</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Maximum Lot Width</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Parking &amp; Loading Location</td>
<td>rear &amp; side yard</td>
<td>rear &amp; side yard</td>
<td>rear &amp; side yard</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(2) Height</th>
<th>Refer to Figure 5.3 (2).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Overall Height</td>
<td>1 story</td>
</tr>
<tr>
<td>Maximum Overall Height</td>
<td>12 stories</td>
</tr>
<tr>
<td>Upper Stories: Minimum Height</td>
<td>14’</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>24’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(3) Use</th>
<th>Refer to Figure 5.3 (3). Refer to 6.0 laws for permitted uses.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Story</td>
<td>retail, service, office, retail, service, office, retail, service, office</td>
</tr>
<tr>
<td>Upper Story</td>
<td>any permitted use</td>
</tr>
<tr>
<td>Parking within Building</td>
<td>permitted fully in basement and in rear of upper floors</td>
</tr>
<tr>
<td>Required Occupied Space</td>
<td>30’ deep small plan from the front facade</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(4) Street Facade Requirements</th>
<th>Refer to Figure 5.3 (4).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Ground Story Transparency</td>
<td>80% from only</td>
</tr>
<tr>
<td>Elaborate Wall Limitations</td>
<td>required per floor (refer to 5.2.4 (2))</td>
</tr>
<tr>
<td>Front Facade Entrance Type</td>
<td>storefront, arcade</td>
</tr>
<tr>
<td>Principal Entrance Location</td>
<td>from or corner facades</td>
</tr>
<tr>
<td>Required Number of Street Entrances</td>
<td>1 per each 100’ of front facade</td>
</tr>
<tr>
<td>Vertical Facade Divisions</td>
<td>every 50’ of facade width</td>
</tr>
<tr>
<td>Horizontal Facade Divisions</td>
<td>required within 1’ of the top of the ground story, and every fifth floor above the first floor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(5) Roof Type Requirements</th>
<th>Refer to Figure 5.3 (5).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Roof Types</td>
<td>permitted</td>
</tr>
<tr>
<td>Tower</td>
<td>permitted</td>
</tr>
</tbody>
</table>

**Notes:**
- *Buildings along Riverside Road, 2390 Elvis and 2380 South are exempt from Storefront Building requirements, and shall follow setback requirements as outlined in Section 2.6 Streets.
- Maximum Overall Height
  - Downtown “Core A” From 12 stories to 7 stories
  - Downtown “Core B” From 10 stories to 6 stories

**Change:**
- Front Build-to Zone and Corner Build-to Zone
  - Downtown “Core A” From 0’ - 5’ to just 5’
  - Downtown “Core B” 0’ - 5’ to just 5’
  - Downtown “General A” 0’ - 10’ to just 5’ – 10’

**Change:**
- Maximum Overall Height
  - Downtown “Core A” From 12 stories to 7 stories
  - Downtown “Core B” From 10 stories to 6 stories

Some office developments have upper stories 18 feet high.

**Change:**
- Upper Stories Maximum Height
  - Downtown “Core A” From 14’ to 18’ add note 3
  - Downtown “Core B” From 14’ to 18’ add note 3
  - Downtown “General A” From 14’ to 18’ add note 3

**Note 3:** Change to read: “If 18 feet or more in height, the story shall count as two stories towards the maximum building height.”
5.0 Building Types

Figure 5.3 (1), Building Sitting.

Figure 5.3 (2), Height & Use Requirements.

Figure 5.3 (3), Street Facade Requirements.
5.0 Building Types
General Stoop Building

5.4 General Stoop Building.

1. Description & Intent.
The General Stoop Building Type is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. The General Stoop building is intended to be built close to the front and corner property lines allowing easy access to pasting pedestrians and transit riders. Parking may be provided in the rear of the lot, intensity in the building, or in some cases, one double-loaded side of parking is permitted in the interior of the side yard at the front property line.

This building is available in a variety of intensities and heights, depending on the district within which it is located.

2. Regulations.
Regulations for the General Stoop Building Type are defined in the adjacent table.

<table>
<thead>
<tr>
<th>Change: Front Build-to Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Downtown “Core A” From 0’- 10’ to just 5’ – 10’</td>
</tr>
<tr>
<td>• Downtown “Core B” 0’- 10’ to just 5’ – 10’</td>
</tr>
<tr>
<td>• Downtown “General A” 0’- 10’ to just 5’ – 10’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change: Corner Build-to Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Downtown “Core A” From 0’- 5’ to just 5’</td>
</tr>
<tr>
<td>• Downtown “Core B” 0’- 5’ to just 5’</td>
</tr>
<tr>
<td>• Downtown “General A” 0’- 10’ to just 5’ – 10’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change: Maximum Overall Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Downtown “Core A” From 12 stories to 7 stories</td>
</tr>
<tr>
<td>• Downtown “Core B” From 10 stories to 6 stories</td>
</tr>
</tbody>
</table>

---

Notes:
1. A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.
2. A side wider than 50’ feet pre-permitted one double-loaded side of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.
3. Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.
4. Buildings along Riverside Road, 1800 West and 8800 South are exempt from Front Build-to Zone requirements, and shall follow setback requirements as outlined in Section 2.0 Streets.
5.0 Building Types
5.0 Building Types

Limited Bay Building

5.5 Limited Bay Building.

1. Description & Intent.

The Limited Bay Building Type permits a lower level of ground-floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within the Building Type, including craft areas, industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type. Parking may be provided in the rear of the lot, either within the building, or one double-loaded aisle of parking is permitted in the interior or the side yard at the front property line.

2. Regulations.

Regulations for the Limited Bay Building Type are defined in the adjacent table.

Notas

1: Uses wider than 140’ feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line setback.

2: Upper stories above the third story, to any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6’ feet.

3: If 5.8 feet or more in height, ground story shall count as two stories towards maximum building height.

---

<table>
<thead>
<tr>
<th>Permitted Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downtown &quot;General&quot;</td>
</tr>
</tbody>
</table>

(1) Building Siting (refer to Figure 5.5.1):

- Multiple Principal Buildings: permitted
- Principal Building Coverage: 70’
- Occupation of Corner: required
- Front Build to Zone: 0’
- Corner Build to Zone: 0’
- Minimum Side Yard Setback: 8’
- Minimum Rear Yard Setback: 8’
- Minimum Lot Width: 50’
- Maximum Lot Width: none
- Parking & Loading: rear & side-yard
- Street Facade Service Bay Entrance: limited to one per facade length, maximum width 1.0
- Vehicular Access: from alley, 7 on-alley entries, 5 driveway per street frontage

(2) Height (refer to Figure 5.5.2):

- Minimum Overall Height: 1 story
- Maximum Overall Height: 8 stories
- Ground Story: Minimum Height: 14’
- Maximum Height: 24’
- Upper Stories: Minimum Height: 14’
- Maximum Height: 14’

(3) Uses (refer to Figure 5.5.2. Refer to 6.2 Uses for permitted uses):

- Ground Story: Retail, service, office, restaurant, industrial
- Upper Story: perm. permitted use
- Parking within Building: permitted in basement and in rear of upper floors plus one service bay with a ground floor
- Required Occupied Space: 30’ deep on all full floors from the front facade

(4) Street Facade Requirements (refer to Figure 5.5.2):

- Minimum Ground Story Transparency: permitted between 33% minimum.
- Maximum Transparency: 50% (40%) minimum of service bay door shall be translucent.
- Blank Wall Limitations: required in location (refer to Figure 5.2.4.2)
- Front Facade Entrance Type: Main doors, along
- Principal Entrance Location: Front or corner facade
- Required Number of Street Entrances: 3 per 100’ of facade, service bay door not included: 3 per 100’ of facade
- Vertical Facade Divisions: every 30’ of facade width
- Horizontal Facade Divisions: required within 5’ of the top of the ground story for all buildings over 2 stories

(5) Roof Type Requirements (refer to Figure 5.1.3.3):

- Permitted Roof Types: parapets, gloved flash
- Taper: permitted
5.0 Building Types
5.0 Building Types
Large Format Building

5.6 Large Format Building
1. Description & Intent
The Large Format Building Type permits a large building footprint with a ground floor storefront facade. The minimum sized building footprint of the Large Format Building Type is 35,000 total square feet. If a building is to have a smaller footprint than the minimum 35,000 sf requirement than it will not be considered or approved as a Large Format Building.

This building type usually permits only one certificate of occupancy, and is commonly referred to as a "high-rise" or "multi-use" structure.

This building type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type. Parking may be provided in the rear of the lot, internally in the building, or one double car set of parking is permitted in the interior or the side yard at the front property line.

2. Regulations
Regulations for the Large Format Building Type are defined in the adjacent table.

---

Notes:
1 One double car set of parking (maximum width of 72 feet) located perpendicular to the front property line, which is exempt from front property line coverage, is permitted.
5.0 Building Types
5.0 Building Types

5.7 Row Building.

1. Description & Intent.

The Row Building is a building typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where uses are permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garage accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

2. Regulations.

Regulations for the Row Building type are defined in the adjacent table.

---

### 1) Building Siting

<table>
<thead>
<tr>
<th>Permitting District</th>
<th>Downtown &quot;General&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple principal buildings</td>
<td>permitted</td>
</tr>
<tr>
<td>Front property line coverage</td>
<td>60%</td>
</tr>
<tr>
<td>Occupancy of Corner</td>
<td>required</td>
</tr>
<tr>
<td>Front Build to Zone</td>
<td>0’ to 18’</td>
</tr>
<tr>
<td>Corner Build to Zone</td>
<td>0’ to 18’</td>
</tr>
<tr>
<td>Minimum Side Yard Setback</td>
<td>0’ per unit</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>10’</td>
</tr>
<tr>
<td>Minimum Unit Width</td>
<td>22’ per unit, maximum of 8 units per building</td>
</tr>
<tr>
<td>Maximum Building Width</td>
<td></td>
</tr>
<tr>
<td>Parking</td>
<td>rear and/or frontage</td>
</tr>
<tr>
<td>Vehicular Access</td>
<td>From alley, if no alley, from rear or side of building per street frontage</td>
</tr>
</tbody>
</table>

### 2) Height

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Overall Height</td>
<td>2 stories</td>
</tr>
<tr>
<td>Maximum Overall Height</td>
<td>3.5 stories</td>
</tr>
<tr>
<td>All Stories: Minimum Height</td>
<td>9’</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>14’</td>
</tr>
</tbody>
</table>

### 3) Uses

| Ground Story | Residential, service offices, limited commercial industrial |
| Upper Story | Residential only |
| Parking within Building | permitted fully in basement and in rear of all floors |
| Required Occupied Space | 50% based on all R-1, R-2, R-3 floors from front façade |

### 4) Street Facade Requirements

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Transparency</td>
<td>15%</td>
</tr>
<tr>
<td>Blank Wall Limitations</td>
<td>required per floor (refer to § 5.4.2)</td>
</tr>
<tr>
<td>Front Façade Permitted Entrance Type</td>
<td>stoop, porch, limited stairs/doors</td>
</tr>
<tr>
<td>Principal Entrance Location per Unit</td>
<td>front or corner side façade</td>
</tr>
<tr>
<td>Vertical Façade Overtures</td>
<td>not required</td>
</tr>
<tr>
<td>Horizontal Façade Divisions</td>
<td>for buildings over 3 stories, required within 3’ of the top of any visible basement or ground story</td>
</tr>
</tbody>
</table>

### 5) Roof Type Requirements

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitting Roof Types</td>
<td>parapets, pitched, flat</td>
</tr>
<tr>
<td>Tower</td>
<td>not permitted</td>
</tr>
</tbody>
</table>

---

Notes:

* For the purposes of the Row Building, a building consists of a series of units when permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.

* Each building shall meet the front property line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

* Rear yard setbacks on alleys are five feet.

* When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 30% as measured between two feet and eight feet above grade.

* The storefront entrance type is permitted only on corner or buildings that are designated for live/work units.
Figure 5.6 (2). Row Building: Height & Use Requirements

Figure 5.6 (3). Row Building: Street Facade Requirements

5.0 Building Types
### 5.0 Building Types

#### 5.8. Civic Building.

1. **Description & Intent.**

The Civic Building is the most flexible Building Type intended only for civic and institutional types or uses. These buildings are distinctive within the urban fabric created by the other Building Types and could be designed as iconic structures. In contrast to most of the other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this building type depend on the district within which it is located.

2. **Regulations.**

Regulations for the Civic Building type are defined in the adjacent table.

---

#### Maximum Overall Height

- **Downtown “Core A”** From 6 stories to 5 stories
- **Downtown “Core B”** From 6 stories to 5 stories

---

#### permitted districts

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Downtown “Core A”</th>
<th>Downtown “Core B”</th>
<th>Downtown “General”</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Building Siting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multiple Principal Buildings</td>
<td>permitted</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Property Line Coverage</td>
<td>not required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Front setback</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Corner setback</td>
<td>8'</td>
<td>6'</td>
<td>6'</td>
</tr>
<tr>
<td>Minimum Side Yard setback</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Minimum Rear Yard setback</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>80'</td>
<td>80'</td>
<td>80'</td>
</tr>
<tr>
<td>Maximum Lot Width</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>3. Parking &amp; Loading</td>
<td>rear</td>
<td>rear</td>
<td>rear &amp; motorized entry port</td>
</tr>
<tr>
<td>4. Parcular Access</td>
<td>From alley. If no alley exits, 1 driveway per area from rear</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### (1) Height

<table>
<thead>
<tr>
<th>Maximum Overall Height</th>
<th>4 stories</th>
<th>6 stories</th>
<th>8 stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Overall Height</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
</tr>
</tbody>
</table>

#### (2) Uses

<table>
<thead>
<tr>
<th>All Stories</th>
<th>20'</th>
<th>30'</th>
<th>20'</th>
</tr>
</thead>
</table>

#### (3) Street Facade Requirements

<table>
<thead>
<tr>
<th>Minimum Transparency per each story</th>
<th>10%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank Wall Limitations</td>
<td>not required</td>
</tr>
</tbody>
</table>

#### (5) Roof Type Requirements

<table>
<thead>
<tr>
<th>Permitted Roof Types</th>
<th>gabled, pitched. Flat, other roof types are permitted by conditional use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tower</td>
<td>permitted</td>
</tr>
</tbody>
</table>
5.0 Building Types
5.0 Building Types

5.9 Entrance Types.
Entrance type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Section. Refer to the Building Type Table requirements, Sections 5.3 through 5.8.

1. General.
The following provisions apply to all entrance types.

(1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in respective building type standards (refer to Building Types 5.5 through 5.6).

(2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted entrance types, unless otherwise stated.

(3) Measuring Transparency. Refer to 5.2 Explanation of Building Type Table Standards, for information on measuring building transparency.

(4) Visible Basements. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

2. Storefront Entrance Type.
The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses (Refer to Figure 5.9 (1)).

(1) Transparency. Minimum transparency is required per Building Type.

(2) Elevation. Storefront elevation shall be between zero and one foot above sidewalk.

(3) Visible Basement. A visible basement is not permitted.

(4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.

(5) Entrance. All entries shall be recessed from the front facade closest to the street.

(a) Recess shall be a minimum of three feet and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.

(b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet.

3. Standard Entrance Type.
The standard entrance type uses architectural elements to create a highly visible building entrance that is well integrated into the building's overall design (Refer to Figure 5.9 (2)).

(1) Transparency. Minimum transparency is required per Building Type.

(2) Elevation. Entrance elevation shall be between zero and one foot above sidewalk.

Figure 5.9 (1). Storefront Entrance Type

Figure 5.9 (2). Standard Entrance Type
3. Arcade Entrance Type.

An Arcade entrance type is a covered pedestrian walkway within the recess of a ground story (Refer to Figure 5.9 (3)).

(1) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight and a maximum of 15 feet.

(2) Build-to Zone. When the Arcade is utilized, the outside face of the Arcade shall be considered the front facade, located within the required build-to zone.

(3) Recessed or Interior Facade. Storefront entrance type is required on the recessed ground story facade.

(4) Column Spacing. Columns shall be spaced between ten feet and 13 feet on center.

(5) Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.

(6) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.

(7) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.

(8) Visible Basement. A visible basement is not permitted.

4. Stoop Entrance Type.

(Refer to Figure 5.9 (4)). A Stoop is an unroofed, open platform.

(1) Transparency. Minimum transparency is required per Building Type.

(2) Stoop Size. Stoops shall be a minimum of three feet deep and six feet wide.

(3) Elevation. Stoop elevation shall be located a maximum of 2'-6" above the sidewalk without visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.

(4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.

(5) Entrance. All entries shall be located off a stoop.

5. Porch Entrance Type.

(Refer to Figure 5.9 (5)). A Porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

(1) Transparency.
   (a) Minimum transparency per Building Type is required.
   (b) If enclosed, a minimum of 40% of the enclosed porch shall be comprised of highly transparent, low reflectance windows.

(2) Porch Size. The porch shall be a minimum of five feet deep and eight feet wide.

(3) Elevation. Porch elevation shall be located a maximum of 2'-6" above the sidewalk without a visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.

(4) Visible Basement. A visible basement is permitted.

(5) Height. Porch may be two stories to provide a balcony on the second floor.

(6) Entrance. All entries shall be located off a porch.
5.0 Building Types

5.10 Roof Types.

Roof type standards apply to the roof and cap of all building types as defined in this section. Refer to the Building Type Table Requirements, Sections 5.0 through 5.5.


The following provisions apply to all roof types:

1.1 Intent. To guide the design of the cap of all buildings.
1.2 Applicability. All buildings shall meet the requirements of one of the roof types permitted for the building type.
1.3 Measuring Height. Refer to Section 5.2.2 for information on measuring building height.
1.4 Other Roof Types. Other building caps not listed as a specific type may be made by a request to the Zoning Administrator with the following requirements:
   - The roof type shall not create additional occupiable space beyond that permitted by the building type.
   - The shape of the roof type shall be significantly different from those defined in this section 5.10 Roof Types, i.e., a dome, spire, vault.
   - The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

2. Parapet Roof Type.

A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of rooftop mechanical systems from the street. (Refer to Figure 5.10 (1), Parapet Roof Type).

3. Pitched Roof Type.

This roof type has a sloped or pitched roof. Slopes are measured with the vertical rise divided by the horizontal span or run. (Refer to Figure 5.10 (2), Pitched Roof Type).

3.1 Pitch Measure. The roof may not be sloped less than a 4:12 (rise/run) or more than 16:12.
   - Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 5.10 (2), Low Pitched Roof).

3.2 Configurations
   - Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
   - Buttefly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
   - Gambrel and mansard roofs are not permitted.

3.3 Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 1.10 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 5.10 (3), Parallel Ridge Line).

---

Figure 5.10 (1), Parapet Roof Type

Figure 5.10 (2), Pitched Roof Type
5. Towers.
A tower is a rectilinear or cylindrical, vertical element, that must be used with other roof types (Refer to Figure 5.10(4), Tower).

1. Quantity. All Building Types, with the exception of the Civic Building, are limited to one tower per building.

2. Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor or the building to which the tower is applied.

3. Tower Width. Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.

4. Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Building Types.

5. Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.

6. Application. May be combined with all other roof types.

7. Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof types, or the spire may cap the tower.

Figure 5.10(4). Tower

5.0 Building Types
5.0 Building Types

5.11 Design Theme Requirements.
The following requirements apply to the Downtown General District. These design guidelines affect a building’s appearance and the overall district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

See 5.12 Primary Design Theme for the design requirements for the Downtown Core District.

1. Materials and Color.
   (1) Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.

   (2) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.

   (3) Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. “Engineered” wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figures 5.11 (1).

   (4) Color. Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized or details and accents, not to exceed a total area larger than 10% of the facade surface area.

   (5) Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all Building Types with the exception of the Row Building and the Yard Building. Refer to Figure 5.11 (3).

Figure 5.11 (1). Primary Materials.

Figure 5.11 (2). Roof Materials.

Remove this reference to 5.12.
2. Windows, Awnings, and Shutters.

(1) Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung. Percent of transparency is required per Building Type.

(2) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Refer to Figure 5.11 (4).

(3) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.


The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 5.11 (5).

(1) Size. Balconies shall be a minimum of six feet deep and five feet wide.

(2) Connection to Building. Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.

(3) Facade Coverage. A maximum of 40% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

Figure 5.11 (5). Balconies Integral to Facade.

5.0 Building Types
5.0 Building Types

5.12 Aerospace Design Theme Requirements.

The following requirements apply to the Downtown Core Districts.
The design theme and aesthetic for new buildings in the Downtown
Core Districts should build off of the City’s proximity and relationship
to Hill Air Force Base and the Ogden-Hinckley Airport, and utilize
materials and colors that reflect a modern, aerospace aesthetic. This
theme should primarily be expressed through materials used and the
articulation of the building mass and roof.

1. Materials and Color.

(a) Primary Façade Materials. 50% of each façade shall be
constructed of primary materials, for façades over 100 square
feet, more than one material shall be used to meet the 50%-
requirement.
(b) The primary materials that will result in the intended visual
aesthetic are metal, including architectural metal panels and
cladding, glass, brick, and natural stone. These materials
should be prominently featured. Other permitted primary
building materials include high quality, durable materials,
such as stone, brick, fiber cement board, steel, or panel
sidings, glass. Other high quality synthetic materials may be
approved during the site plan process with an approved
sample and examples of successful, high quality local
installations. Refer to Figures 5.12 (1) - 5.12 (4).

(b) Secondary Facade Materials. Secondary materials are limited to
details and accents and include concrete, wood, and EIPS.
(c) Exterior Insulation and Finishing Systems (EIPS) is permitted
for trim only or on upper floor façades only.

(d) Roofs. Roofs should be flat, or sloped, as demonstrated in
Figures 5.12 (1) - 5.12 (4). If appropriate to the building type,
architects should utilize roof features and projections to evoke the
aerodynamic theme.

(e) Color. Main building colors shall utilize any historic palettes from
any major paint manufacturer. Other colors may be utilized or
details and accents, not to exceed a total area larger than 20% of
the facade surface area.

(f) Appropriate Grades of Materials. Commercial quality doors,
windows, and hardware shall be used on all Building Types
within these districts.

Why restrict to only Aerospace Design Theme
requirements. The building design should be
flexible and should be determined at the Site
Plan approval.

Change the first sentence to read; “The
following requirements are encouraged but not
mandatory to the Downtown Core Districts”.

Figure 5.12 (1). Aerospace Design Theme.

Figure 5.12 (3). Aerospace Design Theme.

Figure 5.12 (4). Aerospace Design Theme.
5.13 Additional Design Requirements.
The following outlines the district design guidelines that affect a building's appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

1. Treatments at Terminal Vistas.
When a street terminates at a parcel, the parcel shall be occupied by one of the following:

(1) If the parcel is open space, any Open Space Type with the exception of the Pocket Park shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include a stand or grove of trees, a sculpture, or a fountain.

(2) If the parcel is not utilized as an Open Space Type, the front or corner side of a building, whether fronting a Primary Street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard.

2. Building Variety.
Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following, refer to Figure 5.13 (1) for one illustration of this requirement.

(4) The proportion of recesses and projections.

(2) The location of the entrance and window placement, unless storefronts are utilized.

(3) Roof type, plane, or material, unless otherwise stated in the Building Type requirements.

3. Drive-through Structures.
Refer to Figure 5.13 (2) for one illustration of the following requirements.

(1) Structure/Canopy. Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.

---

5.0 Building Types
The 6 examples are good reference types, but the developer might offer something better. Allow the Site Plan approval process to determine what is acceptable and keep the 6 examples as reference Open Space Types.

Change to read; “Consideration should be given to apply one of the Open Space Types defined by 6.2 through 6.8. However, alternate designs will be considered. Continuous pedestrian walkways and trails may be a component of the Open Space.

Change to read; “All public open space shall provide access from a vehicular right-of-way”.

Remove the sentence; “Whether public or private, all open space types in this section must be accessible and open to the public.

ADD: When developments are adjacent to existing public open space, recreation infrastructure, or to the amenities and open space of adjoining projects, the developer may propose variations, reductions or modifications as appropriate.

Change to read; “A qualified landscape design professional, such as a landscape architect or certified landscape designed may be utilized to incorporate ...”.
6.2 Plaza.

1. Intent.
To provide a formal Open Space of medium scale to serve as a gathering place for civic, social, and commercial purposes. Special features, such as fountains and public art installations, are encouraged.

2. Plaza Requirements

<table>
<thead>
<tr>
<th>(2) Dimensions</th>
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<tbody>
<tr>
<td>Minimum Size (acres)</td>
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<td>Maximum Size (acres)</td>
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<tr>
<td>Minimum Dimension (feet)</td>
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<tr>
<td>Minimum % of Vehicular ROW Frontage Required</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(2) Adjacent Parcels</th>
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<tbody>
<tr>
<td>Permitted Districts</td>
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<tr>
<td>Frontage Orientation of Adjacent Parcels</td>
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<table>
<thead>
<tr>
<th>(3) Improvements</th>
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<tbody>
<tr>
<td>Designated Sports Fields Permitted</td>
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<tr>
<td>Playgronds Permitted</td>
</tr>
<tr>
<td>Fully Enclosed Structures Permitted</td>
</tr>
<tr>
<td>Maximum % of Open Water</td>
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</tbody>
</table>

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<thead>
<tr>
<th>(4) Additional Design Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Minimum Building Frontage: At least 50% of the plaza perimeter that does not front on vehicular right-of-way shall be lined by building frontages.</td>
</tr>
<tr>
<td>b. Fully Enclosed Structures Permitted. Fully enclosed structures are permitted, and are allowed to cover a maximum of 5% of the total area of the plaza.</td>
</tr>
</tbody>
</table>

Figure 6.2 (1). Typical Plaza.

Figure 6.1 (1). Examples of Measuring the Minimum Dimension of Open Space Types.

6.0 Open Space Types
6.0 Open Space Types

6.3 Square.

1. Intent.
To provide a formal Open Space of medium scale to serve as a gathering place for civic, social, and commercial purposes. Squares are rectangular in shape and are typically bordered on all sides by a vehicular right-of-way, which together with building facades creates its dimension.

<table>
<thead>
<tr>
<th>2. Square Requirements</th>
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</thead>
<tbody>
<tr>
<td>(1) Dimensions</td>
</tr>
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<td>Minimum Size (acres)</td>
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<td>Maximum Size (acres)</td>
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<tr>
<td>Minimum Dimension (ft)</td>
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<tr>
<td>Minimum % of Vehicular ROW Frontage Required</td>
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<tr>
<th>(2) Adjacent Parcels</th>
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<td>Permitted Districts</td>
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<thead>
<tr>
<th>Frontage Orientation of Adjacent Parcels</th>
<th>Front or Corner Side</th>
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</table>

<table>
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<th>(3) Improvements</th>
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</thead>
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<tr>
<td>Designated Sports Fields Permitted</td>
</tr>
<tr>
<td>Playgrounds Permitted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fully Enclosed Structures Permitted</th>
<th>Permitted; maximum 6% of area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum % of Open Water</td>
<td>30%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(4) Additional Design Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Fully Enclosed Structures Permitted, fully enclosed structures are permitted, and are allowed to cover a maximum of 8% of the total area of the Square.</td>
</tr>
</tbody>
</table>

6.4 Green.

1. Intent.
To provide informal, medium scale active or passive recreation for neighborhood residents within walking distance, mainly fronted by streets.

<table>
<thead>
<tr>
<th>2. Green Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Dimensions</td>
</tr>
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<td>Minimum Size (acres)</td>
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<tr>
<td>Maximum Size (acres)</td>
</tr>
<tr>
<td>Minimum Dimension (ft)</td>
</tr>
<tr>
<td>Minimum % of Vehicular ROW Frontage Required</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(2) Adjacent Parcels</th>
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</thead>
<tbody>
<tr>
<td>Permitted Districts</td>
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<tr>
<td>Frontage Orientation of Adjacent Parcels</td>
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</tbody>
</table>

<table>
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<tr>
<th>(3) Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designated Sports Fields Permitted</td>
</tr>
<tr>
<td>Playgrounds Permitted</td>
</tr>
</tbody>
</table>

| Fully Enclosed Structures Permitted | Not permitted |
| Maximum % of Open Water            | 50% |
### 6.5 Commons.

1. **Intent.**
   
   To provide an informal, small to medium scale space for active or passive recreation for a limited neighborhood area. Commons are typically internal to a block and tend to serve adjacent residents.

### 6.6 Pocket Park Open Space Type.

1. **Intent.**
   
   To provide small scale, primarily landscaped active or passive recreation and gathering space for neighborhood residents within walking distance.

<table>
<thead>
<tr>
<th>2. Commons Requirements</th>
<th>2. Pocket Park Requirements</th>
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<tbody>
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<td><strong>(1) Dimensions</strong></td>
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<td>Minimum % of Vehicular ROW Frontage Required</td>
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<tr>
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<td>30%</td>
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<tr>
<td>(2) Adjacent Parcels</td>
<td>(3) Adjacent Parcels</td>
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<td>Side or Rear</td>
<td>Any</td>
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<tr>
<td>Playgrounds Permitted</td>
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<tr>
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<td>Fully Enclosed Structures Permitted</td>
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<tr>
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<td>Not permitted</td>
</tr>
<tr>
<td>Maximum % of Open Water</td>
<td>Maximum % of Open Water</td>
</tr>
<tr>
<td>30%</td>
<td>30%</td>
</tr>
</tbody>
</table>

*(a) Access Points: Commons shall have a minimum of two access points from a vehicular right-of-way. Each access point shall have a minimum width of 20 feet.*

### 6.0 Open Space Types
6.0 Open Space Types

6.7 Park

1. Intent.
To provide informal active and passive large-scale recreational
amenities to local residents and the greater region. Parks have
primarily natural plantings and are frequently created around an
existing natural feature such as a water body or stands of trees.

<table>
<thead>
<tr>
<th>4. Requirements</th>
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<tr>
<td>Minimum % of Vehicular ROW Frontage Required</td>
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<td>Permitted Districts</td>
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<tr>
<td>Frontage Orientation of Adjacent Parcels</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(C) Improvements</th>
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<tbody>
<tr>
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<td>Playgrounds Permitted</td>
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<tr>
<td>Fully Enclosed Structures Permitted</td>
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<tr>
<td>Maximum % of Open Water</td>
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</tbody>
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<table>
<thead>
<tr>
<th>(D) Additional Design Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Vehicular Right-of-Way: Frontage of Parks Less Than 5 acres. At least 50% of the park shall continuously front on a vehicular right-of-way.</td>
</tr>
<tr>
<td>2. Vehicular Right-of-Way: Frontage of Parks Larger Than 5 acres. At least 20% of the park shall continuously front on a vehicular right-of-way.</td>
</tr>
</tbody>
</table>
7.0 Landscape

7.1 General Requirements.

1. Intent.
The landscape standards outlined in this section are designed to meet the following set of goals:

(a) To provide for healthy, long-lived street trees within all public ways to improve the appearance of streets and to create a buffer between pedestrian and vehicular travel lanes.
(b) To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
(c) To promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.
(d) To shade large expanses of pavement and reduce the urban heat island effect.

2. Applicability.

Landscape, trees, and buffers shall be installed as detailed in this section.

(a) General Compliance. Application of this section to existing uses shall occur with the following developments.

(i) Any development of new or significant improvements to existing parking lots, berming facilities, and driveways. Significant improvements include new driveways, new spaces, new medians, new loading facilities, or complete reorganization of the parking and aisles.

(ii) Attention to an existing principal or accessory structure that results in a change of 30% or more in the structure’s gross floor area.

(b) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.

(2) Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions.

(a) Shared Driveways. Buffers shall not be required along a property line where a curb cut or access is shared between two adjoining lots.

(b) Points of Access. Buffering is not required at driveways or other points of access to a lot.

(3) Temporary Uses. These provisions do not apply to temporary uses, unless determined otherwise by the Zoning Administrator.

7.2 Installation of Landscape.

1. Intent.
The following provisions aid in ensuring that all required landscaping is installed and maintained properly.

2. Applicability.

These provisions apply to landscape installation as required by this section.

The installation of landscaping shall adhere to the following standards.

(a) National Standards. Best management practices and procedures according to the nationally accepted standards shall be practiced.

(b) Installation. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANS 230.1) as published by the American Association of Nurserymen.

(c) Maintenance and Protection. All landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting, protection, and safety.

(d) Installation. Landscaping shall be fully installed prior to the issuance of a certificate of completeness.

(e) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 15% times the installation costs as estimated by a qualified professional.

(f) Complete installation is required within nine months of the issuance of the temporary certificate of completeness or occupancy permit or the cash escrow or letter of credit may be forfeited.

(g) Plant Size Requirements. Plant material shall be sized according to Table 7.2(1) at the time of installation, unless otherwise noted in this section.

(h) Condition of Landscape Materials. The landscaping materials used shall be:

(i) Healthy and hardy with a good root system.

(j) Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.

(k) Tolerant of the natural and manmade environment, including tolerant of drought, wind, salt, and pollution.

(l) Appropriate for the conditions of the site, including slope, water table, and soil type.

(m) Protected from damage by grates, pavers, or other measures.

(n) Plants that will not cause a nuisance or have negative impacts on an adjacent property.

(o) Species native or naturalized to the Waccasoh Front, whenever possible.
5. Tree Installations.

Trees planted in the public right-of-way, such as street trees, must be selected from the list or permitted tree types, available from Roy City Parks and Recreation Department.

(1) Tree Measurement. New trees shall be measured at six inches above the mean grade of the tree’s trunk when four inch caliper or less and twelve inches for tree trunks above four inches, and noted as caliper inches throughout this ordinance.

(2) Tree Size. All trees to be installed to meet the requirements of this section shall be a minimum of 1.5 inch caliper at the time of installation.


Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.

(1) All irrigation systems shall be designed to minimize the use of water.

(2) Non-residential landscape irrigation shall have an automatic clock-activated permanent system.

(3) The irrigation system shall provide sufficient coverage to all landscape areas.

(4) The irrigation system shall not spray or irigate impervious surfaces, including sidewalks, driveways, streets, and parking and loading areas.

(5) All systems shall be equipped with a back-flow prevention device.

(6) All mechanical systems including controllers and back-flow prevention devices shall be properly screened from public view.

<table>
<thead>
<tr>
<th>Plant Material Type</th>
<th>Minimum Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deciduous Shade/Overshady Tree</td>
<td>Single Trunk 1.5&quot; caliper</td>
</tr>
<tr>
<td></td>
<td>Multi Trunk 10' in height</td>
</tr>
<tr>
<td>Evergreen Tree</td>
<td>8' in height</td>
</tr>
<tr>
<td>Understory Tree</td>
<td>6' in height</td>
</tr>
<tr>
<td>Ornamental Tree</td>
<td>1.5&quot; caliper</td>
</tr>
<tr>
<td>Shrubbery - Deciduous</td>
<td>container class 5</td>
</tr>
<tr>
<td>Shrubbery - Evergreen</td>
<td>container class 5</td>
</tr>
<tr>
<td>Groundcover</td>
<td>1' in height</td>
</tr>
</tbody>
</table>

Table 7.2(1). Plant Material Size at Installation.

Change from "Shall" to "Should"
7.0 Landscape

7. Maintenance of Landscape.
All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

(2) All required landscape shall be maintained to adhere to all requirements of this ordinance.

(2) Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next acceptable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.

(3) Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.

(4) Maintain. Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.

(5) Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, grime, and broken or damaged parts.

(6) Tree Topping. Tree topping is not permitted. Where necessary, crown reduction trimming or pruning is permitted. Refer to 7.3.4 (3) for clear branch height of street trees.

(7) City inspection. All landscaped areas regulated by this ordinance may be inspected by the City.

7.3 Street Trees & Streetscape Design.

1. Intent.
To line all new streets with a consistent and appropriate planting of trees, pavement design, and identity to establish tree canopy for environmental benefit and a sense of identity for all new streets.

2. Applicability.
The requirements herein apply to all new development requiring Site Plan approval.

A consistent streetscape design shall be submitted for approval for all new streets within the development. At a minimum, the submittal shall include the following:

(1) Street Trees. Trees meeting the minimum requirements of 7.3.4. below, shall be included in the streetscape design with details related to tree pits, tree planting to meet the requirements of 7.3.6 Tree Installations.

(2) Sidewalk Pavement Design. Sidewalks paving materials and pattern shall be set for each street type (refer to 2.0 Street Types).

(3) Street Furnishings. Benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks at the least shall be specified and quantities and locations listed for each street type (refer to 2.0 Street Types).

(4) Lighting. Pedestrian and vehicular lighting shall be specified and locations and quantities noted.

(5) Identity Elements. Any other elements designed to establish the identity of each street, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

4. Minimum Street Tree Requirements.
The following standards apply to the installation of street trees.

(2) Exception. Street Trees are not required on alleys (refer to 2.0 Street Types).

(3) Clear Branch Height. Minimum clear branch height is six feet.

(4) Street Tree Type. Medium and large shade trees are permitted to be installed as street trees. Refer to the list of permitted street tree types provided by the City.

(5) Street Tree Spacing. Street trees shall be planted as follows.
   (c) Each lot is required to have one tree for every 40 feet of street frontage with a minimum of one street tree per street frontage.

   (d) Spacing
      (i) Large trees must be spaced a minimum of 30 and a maximum of 60 feet on center.
      (ii) Medium trees must be spaced a minimum of 20 and a maximum of 40 feet on center.

(6) Limited distance between curb and sidewalk. Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet with a sidewalk, Applicant shall work with the Parks and Recreation Department to determine the appropriate tree species.

(7) Zoning Administrator may waive the street tree requirement in spaces less than nine feet.

(8) Tree Wells. In commercial districts, where the sidewalk extends from the back of curb to the property line, tree wells shall be utilized.
   (a) For tree wells adjacent to sidewalks five feet wide or less, open pits is not permitted
      (i) The opening must be covered with a tree grate or pervious pavement.
      (ii) The opening in a tree grate for the trunk must be expanded.
7.4 Frontage Buffer.

1. Intent & Applicability.
   (1) Intent. To lessen the visual impact of vehicular areas visible from the street.
   (2) General Applicability. Applies to properties in all Districts where a vehicular area is located adjacent to a right-of-way.
      (a) Exceptions. Vehicular areas along alleys, except when a residential district is located across the alley. Single and two family residences.

7.4 Frontage Buffer Requirements

1. Buffer Depth & Location
   Depth: 7'  
   Location on: Between street facing property line and parking area

2. Buffer Landscape Requirements
   Uses & Materials: Uses and materials other than those indicated are prohibited in the buffer
   Shade Trees: Medium or large shade tree required at least every 40'. Locate on the street side of the fence. Spacing should alternate with street trees
   Hedge: Required continuous hedge on street side of fence, between shade trees & in front of vehicular area
   Hedge: Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 42".
   Existing: May be credited toward buffer area

3. Fence
   Location: 2' from back of curb of vehicular area
   Materials: Steel or colored PVC; Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted
   Minimum: 3'
   Maximum: 4'
   Colors: Black, gray, or dark green
   Opacity: Minimum 30%; Maximum 60%
   Gate/Opening: One gate permitted per street frontage; Opening width maximum 6'

Notes:
1. The screening provision for open space is executed at front, corner, and area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

7.0 Landscape
7.0 Landscape

7.5 Side & Rear Buffer.

1. Intent & Applicability.
   (a) Intent. To minimize the impact of new development on existing single-family residential neighborhoods.
   (b) General Applicability. Any parcel that abuts a parcel containing an existing single-family residence.

2. Required Landscape Screen
   a. Width: 5’ landscape screen in addition to any other buffer landscaping.
   b. Location: Directly adjacent to the rear or side property line.
   c. Hedge: Continuous double row of shrubs required between shade trees.
   d. Hedge Composition: Double row of individual shrubs with a minimum width of 24”, spaced no more than 36” on center. Mature height in one year of 24”.
   e. Hedge Frequency: Minimum of 15 shrubs per 100’ of property line is required.
   f. Shade Trees: At least 1 medium or large shade tree per every 40’ within the buffer.

3. Buffer Landscape Requirements
   a. Uses and Materials: Uses and materials other than those indicated are prohibited within the buffer.
   b. Tree Canopy Coverage: 1 medium or large shade tree required per 2,000 square feet of buffer, excluding the area within the required landscape screen.
   c. Existing Vegetation: May be credited toward buffer area.

Notes:
- Zoning Admin: review may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and topography.

Add: “(3) Fencing Requirements. All fencing/screening that abuts single-family residential districts will comply with RCZ Title 10-10-24, Title 10-10-31, and Title 10-10-36. Where provisions of this chapter differ, i.e. buffer depth, ...etc, from the other sections of the RCZ Title, the requirements of this chapter shall apply.

Remove note 1.
7.6 Interior Parking Lot Landscape.

1. Intent & Applicability.
   (1) Intent. To provide shade, minimize paving & associated stormwater runoff, & improve the aesthetic look of parking lots.
   (2) General Applicability. All open-air, off-street parking lots in all Districts.
   (3) Other Interior Parking Lot Areas: Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 square feet thereafter.
   (4) Existing Vegetation. Existing vegetation may be credited toward these requirements.

7.6 Interior Parking Lot Landscape Requirements

1. Landscape Island Requirements

   Required Island Locations
   Terminal ends of free standing rows or bays of parking. After every 132 parking space for rows of parking greater than 8 spaces in length.

   Minimum Width
   Islands less than 15’ must utilize structural soil under any paved surface within a tree’s critical root zone. Islands under 9’ must install an aeration system and utilize permeable pavement.

   Required Trees Within Islands
   Minimum of 1 medium or large shade tree per island.

2. Landscape Median Requirements

   Required Median Location
   Required in each free-standing bay of parking along the length of the bay.

   Minimum Width
   Medians less than 15’ must utilize structural soil under any paved surface within a tree’s critical root zone. Islands under 9’ must install an aeration system and utilize permeable pavement.

3. Tree Requirements

   Requirements per Parking Space
   Each parking space must be located within 50’ of a tree planted within parking lot interior.

   Minimum of 1 shade tree must be planted within parking lot interior or within 4’ of parking lot’s edge for every 3 parking spaces.

   Tree Shade Goal
   Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy. Refer to Table 7.6 (1) for calculation.

<table>
<thead>
<tr>
<th>Tree Size</th>
<th>Estimated Canopy at Maturity (sq ft)</th>
<th>Estimated Height at Maturity (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Small</td>
<td>150</td>
<td>under 15’</td>
</tr>
<tr>
<td>Small</td>
<td>400</td>
<td>15’-25’</td>
</tr>
<tr>
<td>Medium</td>
<td>300</td>
<td>25’-40’</td>
</tr>
<tr>
<td>Large</td>
<td>1600</td>
<td>46’+</td>
</tr>
</tbody>
</table>

Table 7.6 (1). Estimated Canopy and Height at Maturity.

7.0 Landscape
# 7.0 Landscape

7.7 Screening of Open Storage, Refuse Areas, and Utility Appurtenances.

1. Intent & Applicability.

1. Intent. To reduce the visibility of open storage, refuse areas, and utility appurtenances from public areas and adjacent properties.

2. General Applicability. All dumpsters, open storage, refuse areas, and utility appurtenances in all Districts.

## 7.8 Screening of Open Storage, Refuse Areas, & Utility Appurtenances

### 1. Open Storage & Refuse Area Screening Requirements

<table>
<thead>
<tr>
<th>Location on the Site</th>
<th>Not permitted in front or corner side yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opaque Screen Wall</td>
<td>Required around sides of the dumpster and trash bin area</td>
</tr>
<tr>
<td>Screen Wall Height</td>
<td>Height shall be the higher of the following:</td>
</tr>
<tr>
<td></td>
<td>1. 6'</td>
</tr>
<tr>
<td></td>
<td>2. Height of use to be screened</td>
</tr>
<tr>
<td></td>
<td>3. Height as determined by City to accomplish objective of the screen</td>
</tr>
<tr>
<td>Visible Openings</td>
<td>Openings visible from the public way or adjacent properties must be furnished with opaque gates</td>
</tr>
<tr>
<td>Landscape Requirement</td>
<td>If refuse area is located within a paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas</td>
</tr>
</tbody>
</table>

### 2. Utility Appurtenance Screening Requirements

| Large Private Mechanical Equipment | Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way |
| Small Private Mechanical Equipment | Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36’ on center |

**Notes:**

1. Vertical structured barrier to visibility at all times such as a fence or wall

2. This tree, if located within 60’ of a parking space, may be utilized to meet minimum shade requirements

3. Large private mechanical equipment is equal to or greater than 4’ in height

4. Small private mechanical equipment is smaller than 4’ in height
8.0 Parking

8.1 General Requirements.

1. Intent.
   The following provisions are established to accomplish the following:
   (1) Ensure an appropriate level of vehicle parking, loading, and
       storage to support a variety of land uses.
   (2) Provide appropriate site design standards to mitigate the impacts
       of parking lots on adjacent land uses and zoning districts.
   (3) Provide specifications for vehicular site access.

2. Applicability.
   This section shall apply to all new development and changes in use or
   intensity of use for existing development, in any District.
   (1) Compliance. Compliance with the standards outlined shall be
       attained in the following circumstances:
       (a) Development of all new parking facilities, loading facilities,
           and driveways.
       (b) Improvements to existing parking facilities, loading facilities,
           and driveways, including reconfiguration, enlargement,
           or the addition or cutout, sidewalks, fencing, or landscape
           installation.
       (c) Change in use requiring a change in the amount of parking.
   (2) Damage or Destruction. When a use that has been damaged or
       destroyed by fire, collapse, explosion, or other cause is
       reestablished, any associated off-street parking spaces or
       loading facilities must be reestablished based on the requirements
       of this section.
   (3) Site Plan Approval Required. Parking quantities and parking
       design and layout shall be approved through the Site Plan
       Approval process. Refer to 10.2.5 Site Plan Approval for more
       information.

8.2 Parking Requirements.

1. General Requirements for Parking.
   Off-street parking spaces shall be provided in conformance with Tables
   8.2.1 Required Vehicular Parking and 8.2.2 Bicycle Parking.
   (1) Required Accessible Parking. Parking facilities accessible for
       persons with disabilities shall be in compliance with or better than
       the standards detailed in the state Accessibility Code, including
       quantity, size, location, and accessibility.
   (2) Requirements for Unlisted Uses. Upon receiving a site plan
       approval, occupancy certificate, or other permit application
       for a use not specifically addressed in this section, the Zoning
       Administrator is authorized to apply off-street parking standards
       specified for the use deemed most similar to the proposed use.
       In instances where an equivalent may not be clearly determined,
       the Zoning Administrator may require the applicant to submit
       a parking study or other evidence that will help determine the
       appropriate requirements.
   (3) Private Off-Premises Parking. Where private off-site parking
       facilities are approved, such facilities shall be in the same
       possession as the zoning lot occupied by the building or use to
       which the parking facilities are accessory.
       (a) Such possession may be either by deed or lease,
           guaranteeing availability of the parking commensurate with
           the use served by the parking.
       (b) The agreement providing for the use of off-site parking,
           executed by the parties involved, shall be in a form approved
           by the City attorney and filed with the Zoning Administrator.
       (c) The deed or lease shall require the owner to maintain the
           required number of parking facilities for the duration of the
           use served or the deed or lease, whichever shall terminate
           sooner.
       (d) Location Parking. Off-premise parking must be within
           1,000 feet from the boundary of the use to the closest
           parking space measured along a dedicated pedestrian path.
   (4) Tandem Parking. Tandem parking is permitted with approval of
       the Zoning Administrator through the site plan review process.

2. Required Vehicular and Bicycle Parking. Tables 8.2.1 and
   8.2.2 outline the required vehicular and bicycle parking requirements.
   (1) Organized by Use. The parking requirements are organized by use,
       in a similar fashion to Table 4.1.1 Use Table in 4.0 Uses.
       (a) Parking rates are provided for general use categories; these
           numbers are applicable for all of the uses within these
           categories.
       (b) If a specific use requires a different parking rate than its
           use category, it is listed in Tables 8.2.1 and 8.2.2
           Required Vehicular and Bicycle Parking.
   (2) Vehicular Spaces Required. The vehicular spaces required column
       indicates the required off-street parking ratio, which may be
       subject to credits and other reductions and a maximum number,
       as are detailed in this section.
   (3) Maximum Allowable Vehicular Spaces. When a use requires more
       than 20 spaces, it is not permitted to provide greater than 10%
       over the minimum parking requirement.
       (a) For those uses with no requirements, the maximum number
           of spaces required should be no more than the next level
           up of that use. For example, for Neighborhood Retail, the
           number of spaces should be no more than the requirements
           for General Retail.
       (4) Required Bicycle Parking. The Required Bicycle Parking Table 8.2
           (2) indicates the minimum bicycle parking ratio for a given use.
   (5) Computation. Off-street parking spaces shall be calculated using
       the following information.
       (a) Area Measurements. The following units of measurements
           shall be utilized to calculate parking requirements.

February 27, 2020 - DRAFT
<table>
<thead>
<tr>
<th>Use</th>
<th>Required Vehicle Space</th>
<th>Bicycle Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td><strong>Downtown Use</strong></td>
<td><strong>Multifamily</strong></td>
</tr>
<tr>
<td>Single Family, all sizes, or Multifamily, 1 Bedroom</td>
<td>1 / Dwelling Unit</td>
<td>Minimum 2 spaces, 1 / additional 10,000 sf</td>
</tr>
<tr>
<td>Multifamily, 2 Bedrooms</td>
<td>1.5 / Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>Multifamily, 3 or 3+ Bedrooms</td>
<td>2 / Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>Hotel &amp; Inn</td>
<td>1 / Room &amp; 1 / 200 sq ft Office and Dining Room</td>
<td>Minimum 2 spaces, 1 / additional 5,000 sf</td>
</tr>
<tr>
<td>Residential Care</td>
<td>0.5 / Unit &amp; 60 / Employee</td>
<td>Minimum 2 spaces, 1 / additional 5,000 sf</td>
</tr>
<tr>
<td>Civic/Institutional</td>
<td><strong>Assembly</strong></td>
<td>Multi Family</td>
</tr>
<tr>
<td></td>
<td>1 / 5 Seats</td>
<td>Minimum 2 spaces, 1 / additional 10,000 sf</td>
</tr>
<tr>
<td></td>
<td>Transit Station</td>
<td>Per Zoning Administrator</td>
</tr>
<tr>
<td></td>
<td>Per Zoning Administrator</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hospital</td>
<td>2 / Bed &amp; 60 / Employee</td>
</tr>
<tr>
<td></td>
<td>Library / Museum / Post Office (no distribution)</td>
<td>1 / 600 sq ft</td>
</tr>
<tr>
<td></td>
<td>Police &amp; Fire</td>
<td>Per Zoning Administrator</td>
</tr>
<tr>
<td></td>
<td>Post Office (distribution)</td>
<td>1 / 400 sq ft</td>
</tr>
<tr>
<td></td>
<td>School: Pre K to Jr. High</td>
<td>1 / Classroom &amp; 1 / 200 sq ft Office</td>
</tr>
<tr>
<td></td>
<td>School: High School, Higher Education</td>
<td>1 / Classroom, 1 / 200 sq ft Office, 1 / 17 / Student</td>
</tr>
<tr>
<td>Retail</td>
<td>Neighborhood Retail</td>
<td>1 / 300 sf</td>
</tr>
<tr>
<td></td>
<td>General Retail</td>
<td>1 / 300 sf</td>
</tr>
<tr>
<td></td>
<td>Outdoor Sales Lot</td>
<td>1 / 250 sq ft of Sales Area, with 1 / 10 Vehicle Display</td>
</tr>
<tr>
<td>Service</td>
<td>Neighborhood Service</td>
<td>1 / 250 sf</td>
</tr>
<tr>
<td></td>
<td>General Service</td>
<td>1 / 250 sf</td>
</tr>
<tr>
<td></td>
<td>Eating &amp; Drinking Establishments</td>
<td>1.5 / 3 seats  + 1/3 number of employees</td>
</tr>
<tr>
<td></td>
<td>Vehicle Services</td>
<td>2 / Service Bay &amp; 1 / 200 sq ft of retail</td>
</tr>
<tr>
<td>Office &amp; Industrial</td>
<td>Neighborhood, General Office</td>
<td>1 / 200 sf</td>
</tr>
<tr>
<td></td>
<td>Craftsman Industrial</td>
<td>1 / 1,000 sq ft of Production Space &amp; 1 / 500 sq ft of Retail Space</td>
</tr>
<tr>
<td>Open Space &amp; Recreation</td>
<td>Open Space &amp; Recreation</td>
<td>Per Zoning Administrator</td>
</tr>
</tbody>
</table>

Table 8.2 (1). Required Off-Street Vehicular Parking.
8.0 Parking

(i) Dwelling Unit. Parking standards for residential buildings shall be computed using dwelling unit as the unit of measure, unless otherwise stated.

(ii) Gross Square Footage. Unless otherwise expressly stated, parking standards for non-residential uses shall be computed on the basis of gross floor area in square feet.

(iii) Occupancy- or Capacity-Based Measurements. Parking spaces required per available seat or per employee, student, or occupant shall be based on the greatest number of persons on the largest shift, the maximum number of students enrolled, or the maximum fire-rated capacity, whichever measurement is applicable.

(iv) Bench Seating. For uses in which users occupy benches, piers, or other similar seating facilities, each 24 inches of such seating shall be counted as one seat.

(v) Fractions. When computation of the number of required off-street parking spaces results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.

(c) Multiple Uses on a Lot. When there are multiple uses on a lot, required spaces shall be calculated as an amount equal to the total requirements for all uses on the lot, unless the uses qualify for shared, cooperative, or other credits to reduce parking. Refer to 8.2 (3).

3. Multiple Use Reductions.

The following reductions may be taken for multiple non-residential uses.

(a) Shared Vehicular Parking. An arrangement in which two or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements.

(b) General Provisions. Through review of the site plan the Zoning Administrator may permit up to 100% of the parking required for a daytime use to be supplied by the off-street parking spaces provided for a nighttime or Sunday use and vice versa.

(c) Approval. In order to approve a shared parking arrangement, the Zoning Administrator must find, based on competent evidence presented by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

(d) Description of Uses with Weekday, Nighttime, and Sunday Peak Parking.

(i) The following uses are considered predominantly weekday uses: office and industrial uses and other similar uses as authorized by the Zoning Administrator.

(ii) The following uses are considered predominantly nighttime or Sunday uses: eating and drinking establishments, assembly uses, and other similar uses with peak activity at night or on Sundays, as authorized by the Zoning Administrator.

(2) Cooperative Vehicular Parking. When two or more categories of non-single family/residential uses share a parking lot and are located on the same lot or adjacent lots, the following applies:

(a) General Provisions. Cooperative parking will be approved in accordance with the following, refer to Table 8.2 (1).

(i) For each applicable land use category, calculate the number of spaces required if it were the only use. Refer to Table 8.2 (1).

<table>
<thead>
<tr>
<th>Use category</th>
<th>Weekdays</th>
<th>Weekends</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Midnight</td>
<td>7:00 am</td>
</tr>
<tr>
<td>Residential</td>
<td>100%</td>
<td>65%</td>
</tr>
<tr>
<td>Retail &amp; Service</td>
<td>5%</td>
<td>100%</td>
</tr>
<tr>
<td>Hotel &amp; Inn</td>
<td>100%</td>
<td>65%</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>0%</td>
<td>30%</td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishment</td>
<td>50%</td>
<td>70%</td>
</tr>
<tr>
<td>Office</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Theater/Entertainment</td>
<td>5%</td>
<td>30%</td>
</tr>
</tbody>
</table>

Table 8.2 (3). Cooperative or Shared Vehicular Parking Spaces.
4. Parking Credits.

Vehicular parking standards in Table 8.2.1 may be reduced by achieving one or all of the following credits.

(2) On-Street Parking Credit. For all non-residential uses, on-street parking spaces that meet the following shall be credited one for one against the parking requirement.

(a) Spaces shall be designated on-street parking available 24 hours of every day.

(b) On-street spaces must be located a minimum of 50% adjacent to the property line of the lot.

(2) Public Parking Credit. For all non-residential uses, public parking spaces located within 660 feet of any property line may be credited against the parking requirement at a rate of one credit for every three public parking spaces.

(3) Transit Credit. For all uses, vehicular parking requirements may be reduced with proximity to any commuter rail station or transit line with up to 50 minutes headways. Proximity is measured along a walking path from any point along the property line to the platform or transit stop.

(a) Within 500 feet. A reduction of 15% of the required off-street parking.

(b) Within 1,000 feet. A reduction of 10% of the required off-street parking.

(4) Car-Share Parking Credit. The vehicular parking requirements can be reduced with the inclusion of car-share parking spaces as follows.

(a) Per each car-share parking space provided, required parking spaces shall be reduced by four spaces.

(b) Required parking spaces may be reduced up to 40%.

(c) Approval. Applicant must provide documentation of an agreement with a car-share company. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.

(5) Other Parking Reductions. Additional reductions may be approved by the Zoning Administrator with the submittal of a parking study illustrating the reduction.
8.0 Parking

8.3 Parking Design Standards.

1. Vehicular Off-Street Parking Lots.
   The design or redesign of all off-street parking facilities shall be subject to the site plan approval procedure.

   (3) Vehicular Parking Space Dimensions. The appropriate dimensions for parking spaces are outlined in Table 8.3 (1) Parking Space Dimensions and Figure 8.3 (1) Parking Lot Layout.
   - (a) The width of a parking space shall be measured from the center of a stripe.
   - (b) Each space shall have a vertical clearance of at least seven feet.

   (2) Wheel Stops. Install wheel stops or bumper guards when parking is adjacent to a pedestrian pathway to limit vehicles overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.

   ![Diagram of Double Loaded Aisle](image)

   ![Diagram of Minimum of 6" width pedestrian pathways](image)

   ![Table of Parking Space Dimensions](image)

   **Table 8.3 (1): Parking Space Dimensions.**

<table>
<thead>
<tr>
<th>Angle (degrees)</th>
<th>Curb Length (feet)</th>
<th>Stall Width (feet)</th>
<th>Stall Depth (feet)</th>
<th>Travel Lane Width: One-Way (feet)</th>
<th>Travel Lane Width: Two-Way (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>20</td>
<td>7</td>
<td>-</td>
<td>12</td>
<td>20</td>
</tr>
<tr>
<td>45</td>
<td>12</td>
<td>8.5</td>
<td>17</td>
<td>12</td>
<td>20</td>
</tr>
<tr>
<td>60</td>
<td>10</td>
<td>8.5</td>
<td>18</td>
<td>13</td>
<td>20</td>
</tr>
<tr>
<td>90</td>
<td>9</td>
<td>8.5</td>
<td>18</td>
<td>22</td>
<td>22</td>
</tr>
</tbody>
</table>

   Note: Stall depth may be reduced 2" when stall directly abuts an interior parking lot median that includes an additional area beyond the minimum width outlined in 614.3, permitting the overhang of the adjacent parked vehicle's front bumper.
(8) Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-permeable material approved by the Zoning Administrator.

(10) Illumination. All off-street parking lots or parking structures shall provide a level of illumination at any point in the parking lot or structure not less than one foot-candle measured at the pavement. All lighting shall be shielded or otherwise optically controlled to provide glare-less illumination and limit trespass on adjacent properties.

2. Pedestrian Access.

All parking lots with two or more double-loaded aisles shall provide internal pedestrian pathway(s) within the parking area and outside of the parking drive aisle.

(1) Dimension. The pathway shall be a minimum of six feet in width.

(2) Quantity. One pathway is required for every three double loaded aisles.

(3) Location. The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.

(a) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.

(b) At least one pathway shall provide a direct connection between adjacent vehicular rights-of-way and/or trails and the principal structure’s entrance.

(4) Pathway Definition. Pedestrian pathways should be clearly marked with striping or through the use of alternative materials, such as pavers. Refer to Figure 8.3 (2).


Bicycle parking (refer to Table 8.2 (2)) Required Bicycle Parking for quantity required) shall be designed and located as follows.

(1) Dimensions.

(a) Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.

(b) An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.

(c) A minimum of two feet shall be provided beside each parked bicycle to allow access. This access may be shared by adjacent bicycles.

(d) Racks shall be installed a minimum of two feet from any walk or other obstruction.

(2) Location. Bicycle parking should be located within 50 feet of the entrance of the use.

(a) Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.

(b) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.

(c) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation,

ADD:

Preferred Site and Building Lighting Types:

- Indirect Lighting.
- Recessed Lighting.
- “Shielded” or “hooded” Fixtures.
- “Bollards” or other low-level walkway lighting.
- Ground Lighting.
- Decorative building and site lighting.

Prohibited Lighting Types:

- Exposed Bulb Fixtures
- Directional Floodlights.
- Excessive or intense lighting of any kind.

Change to: “allow”
8.0 Parking

8.4 Loading Requirements.

1. General Requirements.

All loading facilities shall adhere to the following requirements, unless otherwise approved during Site Plan Approval (refer to Section 10.1.3).

(3) Use of Off-Street Loading Areas. Space allocated to any off-street loading use shall not be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

(2) Location. Unless otherwise specified, all required loading facilities shall be located on the same lot as the use to be served. No loading space shall block or project into a street, alley, access drive, or parking area.

(3) Building Frontage. Loading facilities shall be located per 8.0 Building Type requirements.

(4) Access. Loading facilities shall have clear access onto an alley or be connected to an alley or street via a driveway.

(a) Direct access to a public way, other than an alley, is prohibited.

(b) Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

2. Loading Requirements.

All uses except in the residential & lodging, open space, and civic & institutional categories shall provide off-street loading spaces in compliance with Table 8.4 (1) Required Loading Facilities.

3. Computation.

Loading facilities shall be calculated using the following information.

(3) Gross Square Footage. Unless otherwise expressly stated, loading standards for non-residential buildings shall be computed on the basis of gross floor area in square feet.

(2) Fractions. When computation of the number of required off-street loading spaces results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.

<table>
<thead>
<tr>
<th>Gross Floor Area (sq. ft.)</th>
<th>Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5,000</td>
<td>0</td>
</tr>
<tr>
<td>5,001 to 20,000</td>
<td>1</td>
</tr>
<tr>
<td>20,001 to 40,000</td>
<td>2</td>
</tr>
<tr>
<td>40,001 to 70,000</td>
<td>3</td>
</tr>
<tr>
<td>70,001 to 100,000</td>
<td>4</td>
</tr>
<tr>
<td>100,001+</td>
<td>4 + 1 for each 100,000 over 100,000</td>
</tr>
</tbody>
</table>

Table 8.4 (1). Required Loading Facilities.

(3) Shared or Central Loading Facilities. Shared or central loading facilities are permitted if the following conditions are met:

(a) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys.

(b) Each off-street loading space provided shall meet the minimum requirements herein specified, based on the sum of the several types of uses served unless reviewed and approved by the Zoning Administrator through site plan review.

(c) No zoning lot served shall be more than 500 feet from the central loading area.

4. Dimensions.

A standard off-street loading space shall be a minimum of ten feet in width by 20 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisles and maneuvering space and shall have a minimum vertical clearance of 15 feet.

---

Change “inch” to “feet”

Remove
8.5 Site Access and Driveways.

1. General Requirements.

These standards shall supplement the provisions for access provided in 5.0 Building Type Standards. Each driveway providing site access from a street, alley, or other vehicular right-of-way shall be designed, constructed, and permanently maintained as follows.

2. Quantity of Driveways.

The number of driveways permitted for each building type is located in 5.0 Building Type Standards.

3. Dimensions and Design.

(1) Driveway Width at Property Line. All driveways shall have a maximum width of 22 feet as measured at the property line (Figure 8.5 (1) Driveway Width) except as stated below.

(a) Maximum width for one-way driveways is 12 feet at the property line.

(b) Maximum Width. When a garage door is located on the front facade of the structure, the driveway shall be no more than two feet wider than the garage door at any location.

(c) Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.

(d) Shared Driveway Width. When access is shared between three or more non-residential users, a dedicated turn lane may be constructed, allowing an increase in the maximum driveway width from 22 feet to 32 feet provided that a traffic impact study states its necessity.

(4) Sidewalk Pavement. Sidewalk pavement elevation, width, design, scoring, material, and design shall extend continuously over the driveway pavement with the intent of prioritizing the sidewalk path over the driveway. If the driveway and sidewalk are of the same material, the sidewalk path shall be scored or designated linearly over the driveway.

4. Location.

Specific location information can be found in 5.0 Building Type Standards. Refer to Figure 8.5 (1).

(1) Driveways accessing rear yard garages are permitted within the side or rear yard setback, no closer than two feet from a side or rear property line, unless the driveway is shared.

(2) Driveways shall not be closer than 25 feet from the intersection of two streets (corner), unless otherwise stated in 5.0 Building Type Standards.

---

Figure 8.5 (1). Driveway Width and Location.

8.0 Parking
**9.0 Sign Types**

**9.1 General Requirements.**

1. **int.**
This section seeks to enhance the economy and aesthetic appeal of the Downtown Peace Park through reasonable, orderly, safe, and effective display of signage.

2. **Applicability.**
These standards shall apply to signage in all zoning districts for non-residential uses only.

3. **General Compliance.**
Compliance with the regulations outlined shall be obtained under the following situations:

   (1) Newly Constructed or Reconstructed Signage. All new signs and structural improvements to existing signs.

   (2) Change in Use for Single Business Signage. For signage serving one business, whenever the existing use is changed to a new use resulting in a change in signage, including reworking.

   (3) Multiple-Business Signage. For signage serving multiple businesses, whenever 50% or more of the existing uses are changed to new uses resulting in a change in signage, including reworking.

4. **Damage or Destruction.** When a sign has been damaged or destroyed by fire, collapse, explosion or other cause and the cost of restoration is greater than 50% of the replacement value at the time of the destruction or damage, the replacement sign shall comply with the standards in this article.

5. **Prohibited, Temporary, Exempt Signage**
Refer to Title 13 of the Roy City Code for information on Prohibited, Temporary, and Exempt Signs.

6. **Sign Location.**
Unless otherwise specified, signs shall only be located within the boundaries of the lot and not in the right-of-way or on public property:

   (1) Certain Sign types may extend beyond a property line into the right-of-way or public property with permission from the City and in accordance with the regulations outlined in this section.

   (2) No sign shall be attached to a utility pole, tree, standpipe, gutter, or drain.

   (3) Signs shall be erected so as to permit free ingress to or egress from any door, window, the roof, or any other exit-way required by the building code or by fire department regulations.

   (4) No sign shall be erected or maintained in such a manner as to obstruct view and clear vision of, interfere with, or be confused with any authorized traffic sign, signal, or device.

7. **Illumination.**
All signs shall be illuminated according to the following provisions unless otherwise stated.

   (1) Signs shall be illuminated only by steady, stationary light sources directed solely at the sign or internal to it, except as permitted for Electronic Message Boards.

   (2) Individual letters or logos may be internally illuminated as permitted per each sign type, no other portion of the sign shall be internally illuminated, except as permitted for Electronic Message Boards or unless otherwise stated.

   (3) When an external artificial light source is used to illuminate a sign, the lamp (or bulbs) shall be located, shielded, and directed so as to not be visible from any public street or private residence.

   (a) No receptacle or device housing a permitted light source which is attached to the sign itself shall extend more than 18 inches rom the face of the sign.

   (b) If ground lighting is used to illuminate a sign, the receptacle or device should not extend more than 12 inches above ground and must be fully screened and housed.

   (c) The illumination of any sign, resulting from any internal or external artificial light source, shall not exceed 500 lumens at the sign face during the day and 250 lumens at the sign face after sunset, with no light trespass onto adjacent property.

   (d) Signs located within Downtown “Core A” and “Core B” Districts are exempt from this standard.

   (e) Electronic Message Center (EMC) Signs are allowed as part of some sign types. See Roy City Code 13.0-4.3(4) for EMC regulations.

8. **Construction Specifications.**
Refer to Title 13 of the Roy City Code for information on Sign Construction Specifications.

9. **Computation.**
The following standards generally apply to computing the area of signs by type and by building lot. Refer to the Sign Types 9.3 - 9.11 for more information.

   (1) Exempt and temporary signs are not included in the maximum signage area calculations, unless otherwise specified.

   (2) Height for freestanding signs is measured from the average grade at the most property line to the top of the sign, sign cabinet, or cap, whichever is highest.

---

**ADD: Home occupation signs.** Home occupation signs are allowed within Districts based upon issuance of a business license. Home occupation signs shall not exceed two (2) square feet in area and must be attached to the home.

**ADD: Signs on public bus benches or attached to bus enclosures located on public or private property are approved by the Planning Commission. Approval shall be subject to the following criteria:**

- No public nuisance or hazard is created.
- The signage shall not advertise tobacco, alcoholic beverages or allow the depiction of any matter deemed by the Planning Commission to be obscene, harmful to minors or in violation of law.
- The signage shall always be maintained, including at a minimum:
  - Removal of trash and emptying of any receptacle.
  - Snow removal.
  - Graffiti removal.
- The owner shall respond within twenty-four (24) hours of any request from the City to clean or service any bench, shelter or trash receptacle.
- In the event the Director deems that any shelter, bench or trash receptacle is unsafe needing immediate repair or removal, the owner shall respond within two (2) hours of notification.
- The city may remove any bus bench or shelter placed wholly or partly within the public right of way or any public property contrary to the provisions of this chapter.
ADD: Pole Signs. Reference requirements from Title 13-4-3. A (3.) Pole Signs. To establish a standard Pole Sign in the District requires Planning Commission approval on the Site Plan.
9.0 Sign Types

9.3 Wall Signs.

1. Description.
Wall Signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to Figures 9.3 (1) and 9.3 (2).

2. General Requirements.
Wall Signs shall be developed according to the standards in Table 9.3 (1).

(1) Building Openings. Wall Signs shall not cover windows or other building openings.

(2) Architectural Features. Wall Signs shall not cover architectural building features.

(3) Murals. Murals, a type of Wall Sign painted onto the building face displaying the business name or activity, are prohibited on front facades.

3. Computation.
The area of a Wall Sign is calculated using the following information.

(1) Wall Signs. Area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements, as is illustrated in Figure 9.3 (2).

(a) Area Credit. All areas that utilize individual alphanumeric characters or logos (including only those using wood, wood substitute, metal, or masonry) may use a total area of 90% of the calculation as outlined above.

(b) Mural Sign. Area is calculated by measuring the area of the smallest square or rectangle that can be drawn around all of the sign elements, including any painted background.

<table>
<thead>
<tr>
<th>Wall Sign Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Districts</td>
</tr>
<tr>
<td>Sign Area</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Location on the Building or Site</td>
</tr>
<tr>
<td>Placement on the Building or Site</td>
</tr>
<tr>
<td>Quantity</td>
</tr>
<tr>
<td>Internal Illumination</td>
</tr>
<tr>
<td>Materials</td>
</tr>
</tbody>
</table>

Table 9.3 (1). Wall Sign Requirements

Figure 9.3 (1). Wall Sign
Figure 9.3 (2). Measuring Wall Sign
9.4 Projecting Sign.

1. Description.
A Projecting Sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than 45 degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 9.4 (1).

2. General Requirements.
Projecting Signs shall be developed according to the standards in Table 9.4 (1).

3. Computation.
The area of a Projecting Sign is equal to the area of one of the sign's faces.

### Projecting Sign Requirements

<table>
<thead>
<tr>
<th>Permitted Districts</th>
<th>All districts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sign Area</strong></td>
<td>No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td>8' maximum sign length, 8' minimum clearance to walk required</td>
</tr>
<tr>
<td><strong>Location on the Building or Site</strong></td>
<td>Permitted on all facades; Sign and structural supports shall not extend above the eave or parasol</td>
</tr>
<tr>
<td><strong>Placement on the Building or Site</strong></td>
<td>Shall not project closer than 3' from back of curb</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot</td>
</tr>
<tr>
<td><strong>Internal Illumination</strong></td>
<td>Permitted for individual letters and logos</td>
</tr>
<tr>
<td><strong>Materials</strong></td>
<td>Solid wood, metal, masonry &amp; neon glass; Plastic &amp; synthetics permitted only as separate alphanumeric characters or logos</td>
</tr>
</tbody>
</table>

Table 9.4 (1). Projecting Sign Requirements.

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![Figure 9.4 (1). Projecting Sign.](image)

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9.0 Sign Types
9.0 Sign Types

9.5 Projecting Marquee Sign.

1. Description.
A Projecting Marquee Sign is a projecting sign designed to have manually changeable copy and two to three sign faces. Refer to Figure 9.5 (1).

2. General Requirements.
Projecting Marquee Signs shall be developed according to the standards in this section and Table 9.5 (3).
   (1) Manually Changeable Copy Boards. Manually Changeable Copy Boards are permitted on Projecting Marquee Signs in the Core Districts by right, provided the following conditions are met:
   (2) The area of the boards cannot equal or greater than 30% of the area of the sign face on which it is located or 82 square feet, whichever is less.
   (3) One sign of any type containing a Manually Changeable Copy board is permitted per lot.

3. Computation.
The sign area is calculated by combining the area of all exposed sign faces and the cabinet or structure surrounding them.

<table>
<thead>
<tr>
<th>Projecting Marquee Sign Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Districts</td>
</tr>
<tr>
<td>Sign Area</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Location on the Building or Site</td>
</tr>
<tr>
<td>Placement on the Building or Site</td>
</tr>
<tr>
<td>Quantity</td>
</tr>
<tr>
<td>Internal Illumination</td>
</tr>
<tr>
<td>Materials</td>
</tr>
</tbody>
</table>

Table 9.5 (1), Projecting Marquee Sign Requirements

Figure 9.5 (1), Projecting Marquee Sign

Figure 9.5 (2), Projecting Marquee Sign Plan
9.0 Sign Types

5.0 Awning Sign.

1. Description.
A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figures 9.6 (1) and 9.8 (2).

2. General Requirements.
Awning Signs shall be developed according to the standards in Table 9.6 (1).

3. Computation.
The area of an Awning Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the awning, as is illustrated in Figure 9.6 (2).

<table>
<thead>
<tr>
<th>Awning Sign Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
</tr>
<tr>
<td>Districts</td>
</tr>
<tr>
<td>Sign Area</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Location on the Building or Site</td>
</tr>
<tr>
<td>Placement on the Building or Site</td>
</tr>
<tr>
<td>Quantity</td>
</tr>
<tr>
<td>Internal Illumination</td>
</tr>
<tr>
<td>Materials</td>
</tr>
</tbody>
</table>

Table 9.6 (1): Awning Sign Requirements.
9.7 Canopy-Mounted Sign.

1. Description.
A sign with individual alphanumeric characters and/or logos that is mounted on top of a permanent canopy. Refer to Figures 9.7 (1) and 9.7 (2).

2. General Requirements.
Canopy-Mounted Signs shall be developed according to the standards in Table 9.7 (1).

3. Computation.
The area of a Canopy-Mounted Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the Canopy-Mounted Roof Sign, as is illustrated in figure 9.7 (2).

<table>
<thead>
<tr>
<th>Permitted</th>
<th>All districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Area</td>
<td>No maximum area for sign type;</td>
</tr>
<tr>
<td></td>
<td>Refer to Table 9.2 (1) for maximum per lot</td>
</tr>
<tr>
<td>Height</td>
<td>2’ maximum letter or element height. Cannot project more than 2’ above roof line of canopy</td>
</tr>
<tr>
<td>Location on the Building or Site</td>
<td>Permitted or all facades; not intended for the principal roof of the building</td>
</tr>
<tr>
<td>Placement on the Building or Site</td>
<td>Shall not project beyond the front edge of the canopy; Shall not block any window, door, or the building roof</td>
</tr>
<tr>
<td>Quantity</td>
<td>1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot</td>
</tr>
<tr>
<td>Internal Illumination</td>
<td>Permitted for individual letters and logos</td>
</tr>
<tr>
<td>Materials</td>
<td>Solid wood, metal, &amp; neon glass. Plastic &amp; synthetics permitted only as separate alphanumeric characters or logos</td>
</tr>
</tbody>
</table>

Table 9.7 (1). Canopy-Mounted Sign Requirements.

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9.0 Sign Types

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Figure 9.7 (1). Canopy-Mounted Sign.

Figure 9.7 (2). Measuring Canopy-Mounted Signs.
9.0 Sign Types

9.8 Window Sign.

1. Description.
A Window Sign is posted, painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Refer to Figure 9.8 (1).

2. General Requirements.
Window Signs shall be developed according to the standards in Table 9.8 (1).

3. Computation.
A series of windows that are separated by frames or supporting material of less than six inches in width shall be considered a single window for the purposes of computation.

(1) Measurement. To measure sign area percentage, divide the total sign area by the total window area, as illustrated in Figure 9.8 (1).

(2) Maximum Allowance. Window Signs are not counted toward a site's maximum signage allowance.

(3) Exempt Signs. Address and hours of operation are considered exempt Signs and are not counted in the Window Sign area calculation. Refer to 9.2.1 (2) Exempt Signs.

(4) Temporary Window Signs. Temporary Window Signs must be included in the total percentage of signage per window calculation. Refer to 9.2.1 (2) Temporary Signs.

(5) Window Signs may not be internally illuminated except for neon or similar illuminated window signs.

<table>
<thead>
<tr>
<th>Window Sign Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Districts</strong></td>
</tr>
<tr>
<td><strong>Sign Area</strong></td>
</tr>
<tr>
<td><strong>Height</strong></td>
</tr>
<tr>
<td><strong>Location on the Building or Site</strong></td>
</tr>
<tr>
<td><strong>Placement on the Building or Site</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Internal Illumination</strong></td>
</tr>
<tr>
<td><strong>Materials</strong></td>
</tr>
</tbody>
</table>

Table 9.8 (1). Window Sign Requirements.

![Figure 9.8 (1). Measuring Window Signs.](image)
9.3 Monument Sign.

1. Description.
A Monument Sign is freestanding; it is located in a front or side yard of a lot. Refer to Figures 9.9 (1) and 9.9 (2).

2. General Requirements.
Monument Signs shall be developed according to the standards in Table 9.9 (2).

(1) Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 900 feet, measured across the front property line, may have signage with the following parameters:
- Up to two Monument Signs on one frontage.
- Signs shall be at least 150 feet apart.

(2) Pole-Mounted Signs. Monument Signs may not be pole-mounted.

(3) Manually Changeable Copy. The area of any Manually Changeable Copy cannot equal greater than 25% of the area of the sign face on which it is located or 20 square feet, whichever is less.

3. Computation.
The area of a two-sided Monument Sign is equal to the area of one Sign face. The area of a three- or four-sided Monument Sign is equal to the total area of each sign face. This measurement includes the sign, any cabinet in which it is enclosed and the electronic message center, but excludes the base of the sign.

(1) Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

### Monument Sign Requirements

<table>
<thead>
<tr>
<th>Permitted Districts</th>
<th>All Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Area</td>
<td>Maximum 70 sq ft per Sign face</td>
</tr>
<tr>
<td>Height</td>
<td>Maximum height 6'</td>
</tr>
<tr>
<td>Location on the Building or Site</td>
<td>Front or Corner Yards</td>
</tr>
<tr>
<td>Placement on the Building or Site</td>
<td>10' setback from driveaways &amp; side property line; 3' setback from front &amp; corner property lines</td>
</tr>
<tr>
<td>Quantity</td>
<td>1 per public ROW frontage</td>
</tr>
<tr>
<td>Internal Illumination</td>
<td>Permitted for individual letters and logos</td>
</tr>
<tr>
<td>Materials</td>
<td>Solid wood, metal &amp; masonry; Plastic &amp; synthetics permitted on Sign face; Electronic Message Center permitted in all Downtown Place Type Districts</td>
</tr>
</tbody>
</table>

*If placed closer than 100 feet from the front and corner side property lines, sign must not be located in a sight triangle extending 10 feet from either side at an intersection of a driveway and a vehicular right-of-way or two vehicular right-of-ways.

Table 9.9 (1). Monument Sign Requirements.

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Figure 9.9 (1). Monument Sign.

Figure 9.9 (2). Monument Sign with EMB.

9.0 Sign Types
9.0 Sign Types

9.10 Pedestrian-Scale Pole-Mounted Sign.

1. Description.
A Pedestrian-Scale Pole-Mounted Sign is freestanding and may be mounted on one or two poles. Three configurations are permitted. Refer to Figure 9.10(1).

- A sign mounted onto a double set of poles
- A sign mounted on a single pole
- A sign hanging from a single pole

2. General Requirements.
Pedestrian-Scale Pole-Mounted Signs shall be developed according to the standards in Table 9.10 (1).

3. Computation.
The area of a Pole-Mounted Sign is equal to the area of one sign face, including the Electronic Message Center.

<table>
<thead>
<tr>
<th>Ped-Scale Pole-Mounted Sign Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted</strong></td>
</tr>
<tr>
<td><strong>Districts</strong></td>
</tr>
<tr>
<td><strong>Sign Area</strong></td>
</tr>
<tr>
<td><strong>Height</strong></td>
</tr>
<tr>
<td><strong>Location on the Building or Site</strong></td>
</tr>
<tr>
<td><strong>Placement on the Building or Site</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Internal Illumination</strong></td>
</tr>
<tr>
<td><strong>Materials</strong></td>
</tr>
</tbody>
</table>

Table 9.10 (1). Pedestrian-Scale Pole-Mounted Sign Requirements.

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Figure 9.10(1). Three Types of Pedestrian-Scale Pole-Mounted Signs.
10.0 Administration

10.1 General Provisions.

1. Purpose.
It is the intent of this code to promote public health, safety, and
general welfare of the community, reflecting the goals established
within the Villasich Choice for 2040 plan. It includes but is not limited
to the specific purposes below.

(2) To achieve mixed use development that is appropriate in scale
and intensity for the neighborhoods and sites proximate to transit
stops and stations.

(2) To establish a relationship between buildings, streets, and open
spaces that is pedestrian, bicycle, and transit-oriented.

(3) To preserve and enhance the City's natural resources, energy,
water, and open spaces, and to promote innovative development
that sustainably addresses these issues, including stormwater
runoff management and urban heat island effect mitigation.

(4) To ensure that a variety of housing types and sizes can be
developed to meet the needs of the entire community.

(5) To promote a variety of transportation options for residents and
visitors.

2. Scope of Regulations.

(1) New Development. All development, construction, and
establishment of uses within the limits of this code occurring after
the effective date of this code shall be subject to all applicable
regulations of this code.

(2) Renovated structures. All building renovations affecting
greater than 30% gross square footage of a structure within the limits
of this code shall be subject to all applicable regulations of this
code.

(3) In-Process Development. Where a building permit for a
development has been applied for in accordance with the prior
law in advance of this code's effective date, said development
may comply with the plans from which the permit was approved
and, upon completion, receive a certificate of occupancy or zoning
certificate (provided all conditions are met, provided the
following):
(a) Work or construction is begun within one year of the effective
date of this code.
(b) Work or construction continues diligently toward completion.

(4) Nonconformance. If the effective date of this code, existing
buildings and uses that do not comply with the regulations of this
code shall be considered nonconforming and are subject to the
standards of 10.4 Nonconformances.

3. Administration & Enforcement.
The provisions of this code shall be administered and enforced by
the Zoning Administrator unless otherwise specifically stated. For the
purposes of this code, the term Zoning Administrator shall be inclusive
of his or her designee.

Where provisions of this code differ from the City's code, the
requirements of this code shall apply.

Applications (form, fees, and plan sets) shall be filed with the Zoning
Administrator.

(1) Application Form. Application forms are available from the City.

(2) Fees. Fee amounts are available from the City and are due at the
time the application is made; the application will be considered
incomplete if fees are not paid.

(3) Plan Set Requirements. Number of copies and minimum scale of
drawings shall be noted on the application form. All plans shall be
submitted in both paper and as approved digital format using
ND1983 state plane coordinates.

(4) Filing Deadline. Filing deadlines are established by the City and
available at City location.

(5) Withdrawal of Application. Applicant may withdraw application
wholly or in part at any point in the process prior to being acted or
ruled upon. New application form, fees, and plan sets are required
for resubmission.

(6) Records on File. Applications and the resulting recommendations
and rulings shall be kept on file by the Zoning Administrator
and shall be considered public record.

(7) Notice requirements for each process are detailed in City Code.

5. Zoning Map.
The areas and boundaries of the districts listed in 3.0 are hereby
established to scale as shown on the map entitled Zoning Map of the
city/country and referred to herein as `Zoning Map`.

Any development within an established District shall be administered
in accordance with the procedures defined in 10.2 and Title 10 of the
City Code.

(1) The application shall include the following processes
(a) Pre-Application Meeting. Refer to 10.2.2.
(b) Site Plan Approval, including building, site, and streetscape.
Refer to 10.2.3.

The Planning Commission shall serve to approve, deny, or approve with
conditions all submissions for legislators, rules and site plans within the
established Districts upon review by a Development Review Committee.
2. The Planning Commission shall meet regularly to process applications within the time lines established by 10.2.1 through 10.2.7.

3. The decision regarding approval or denial of a Site Plan shall state in writing the reasons for approval or denial.

4. If a Site Plan is denied by the Zoning Administrator, the applicant may appeal the decision. See Roy City Code Title 10 Chapter 26 for appeals process.


The Development Review Committee (DRC) is a technical committee, which is established to assure proposed development within the Districts listed in 3.0 is consistent with the City's General Plan, requirements of this Ordinance, and all other applicable Ordinances, statutes, and provisions.

1. The Development Review Committee shall consist of persons representing City Departments, and other persons, as may be designated by the Zoning Administrator.

2. The Development Review Committee shall act under the direction of the Zoning Administrator and have the following duties and responsibilities.

(a) Before any application is considered by the Commission, Council, or Zoning Administrator the DRC shall review the application to determine its consistency with General Plan and compliance with all applicable City Ordinances.

(b) The DRC shall provide a report identifying the consistency with General Plan and compliance with all applicable Ordinances for any application for an approval, permit, or license, required by this Ordinance, prior to a final decision being made by the Commission, Council, or Zoning Administrator.

(c) The DRC shall present findings or recommend conditions for consideration by the Commission, Council, or Zoning Administrator upon request by the Commission, Council, or Zoning Administrator.

(d) The DRC may establish procedures for the preparation and conduct of Development Review Committee meetings, the scheduling of meetings, and the conduct of meetings and field trips, such procedures being reviewed and approved by the City Manager before taking effect.

10.2 Development Review Procedures.

1. General Requirements.

The processes included in this section, 10.2, are required for approval of new development in the Downtowm Place Type.

(a) Appeal. If any application is disapproved, applicant may appeal the decision through the appeals process (refer to existing City Code Title 10.28).

(b) Expiration of approval. Approval of any application shall expire 12 months from the date of approval, if permits for development have not been submitted for review or construction has not begun.

(c) Applicant can request an extension if done so in writing to the Zoning Administrator at least 7 days prior to the end of the 12 month period.

(d) Failure to act within the 12 month period shall require a new application, including all forms, fees, and plan sets.

(e) Review Criteria. All Site Plan and Exception applications shall be reviewed using the following criteria.

2. Pre-Application Meeting.

(a) Intent. To afford the applicant an opportunity to receive the advice and assistance of the professional staff before preparing formal plans and making an official application.

(b) Eligible Applicant. Applicant is strongly encouraged to apply for a pre-application meeting prior to submitting an application for Regulating Plan Approval, Exception, or Variance.

(c) Application. Applicant shall submit the following.

(i) Application, Form, and Applicable Fees.

(ii) Sketch Plan. A sketch plan or plans shall detail the proposal, including the following:

(A) General rough layout of block, and lots, with types of streets and Open Space Type noted.

(B) Existing conditions such as topography, water bodies, aerial photograph, and food plan.

(C) Approximate distribution of Districts, Building Types, and Uses.

(D) Anticipated method of achieving parking requirements.

(E) Site survey if available.

(1) Exceptions or Variances. A description of any desired Exception or Variance (per 10.3).
10.0 Administration

Refer to the City's Code for information on the rezoning process.

4. Subdivision Plat Approvals.
Refer to Title 11 in the City Code for information on the subdivision plat approvals process.

5. Site Plan Approval.
(3) Intent. To establish a process that allows the City staff to administratively review development and redevelopment of sites and Building Types, uses, and other site requirements within the Downtown Place Type to ensure that the full standards and intents of this code are met.
(2) Eligible Applicant. Applicant shall apply for Site Plan Approval for all projects within established Districts.
(5) Application. The following information shall constitute a complete application. Application shall be submitted with 0 large copies (24" x 36"), 1 small copy (11" x 17"), and 1 digital copy.
(a) Complete Application, Form, and Applicable Fees.
(c) Applicant shall submit the following in a complete application with the requirements of 5.0 Districts, 4.0 Uses, 5.0 Building Types, 6.0 Open Space Types (when submitting an application for development of a Open Space Type), 7.0 Landscape, 9.0 Parking, and 9.0 Sign Types. All maps and plans shall include data of preparation, north arrow, and scale.
(i) Site Location Map, Legal Description/Limits of Plan.

10.2.4 Regulating Plan Approval.
Applicant submits application to Zoning Administrator.
Zoning Administrator determines Application Completeness.
Zoning Administrator distributes application information to DRC and schedules meeting for technical review.
Following DRC technical review, the Zoning Administrator schedules a meeting with the Commission.
The Commission considers the application information and report provided by the DRC.
Approval expires after 12 months.

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Change to read: ... illustrating compliance with approved building project.

(3) Application for a permit for the construction, alteration, or relocation of a sign shall be made to the Department upon a form provided by the Department and shall include the following information.

(a) Name and address of the owner of the sign.
(b) Proof of current Roy City Business License.
(c) Street address or location of the property on which the sign is to be located, along with the name, phone number and address of the property owner.
(d) Contractor information; to include license number, phone number and address.
(e) Value of sign.
(f) The type of sign or sign structure as defined 9.0 Sign Types.
(g) For wall signs.
(i) Scale drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination.
(ii) A profile drawing of how the sign will appear from the street/parking area and on the building.
(iii) Detail sign construction and attachment including electrical plan.
(h) For monument or freestanding sign.
(i) Number of acres and length of linear frontage of property.
(ii) A site plan showing the relationship of sign to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways along with the locations and square footage areas of all existing signs on the same premises and adjacent premises within one hundred (100) feet.
(iii) Specifications and scale drawing showing the materials, design, dimensions, structural supports, method of attachment and electrical components of the proposed sign.

(2) Permit Fees. All applications for permits filed with the Department shall be accompanied by a payment of the initial permit fee for each sign according to a fee schedule set by resolution of the Roy City Council.

(3) Permit Conditions and Penalties

(a) A permit issued by the Department becomes null and void if work is not commenced within one hundred eighty (180) days of issuance. If work authorized by the permit is suspended or abandoned for one hundred eighty (180) days, the permit must be renewed with an additional payment one-half of the original fee.

(b) if any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person or any other requirements or penalties prescribed in this title.
### 10.0 Administration

#### 7. Conditional Use Permit

1. **Intended to establish a process to review requests for the following:**
   - Development of Uses permitted within a Zoning District, but that may not be appropriate for development on every lot within that District because of potential negative impacts associated with the Use.

2. **Eligibility and Application:**
   - Applicant shall apply for a Conditional Use Permit prior to the development, installation, or opening of a use in any District, designated as a Conditional Use in 4.0.

3. **Application Requirements:**
   - The following information shall constitute a complete application. Application shall be submitted with 8 copies (24" x 36"), 1 small copy (11" x 17"), and 1 digital copy.
   - Complete Application, Form, and Applicable Fees.
   - Applicant shall submit the following in compliance with the requirements of 4.0 Uses:
     - Site Location Map, Legal Description/Limits of Plan.
     - Survey Plat. Dimensions of property lines, easements, rights-of-way.
     - Development Boundaries and Proposed Phasing, if applicable.
     - Map of existing category of uses and use descriptions on parcel and all adjacent parcels within 600 feet, utilizing nomenclature found in 4.0.
     - Map of proposed category of uses and use descriptions, utilizing nomenclature found in 4.0.
     - Statement of Intent, statement describing existing and proposed Use and zoning classification.

4. **Application Process and Timeline:**
   - Upon submittal of a complete application, the application will be reviewed using the following process and timeline:
     - An application for a Conditional Use Permit shall be considered by the Zoning Administrator for application completeness.
     - The Zoning Administrator shall submit copies of the complete Conditional Use Application to the CRC or public agencies providing utilities or services to the proposed site for review and compliance with City Ordinances, building codes, or other development requirements.
     - Review shall be completed within 30 days of submission.
     - Commission Decision. The Commission shall consider the reports by the CRC, and all other input received on the application. The Commission may approve, approve with conditions, or deny the Conditional Use Application.
     - Commission Decision shall be made within 45 days of the submission of a complete application.
     - 45 days may be extended with the applicant's written consent.
     - If a Site Plan Approval is being sought for the same property, the Conditional Use Permit shall be submitted concurrently and the timelines shall match.

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**Diagram:**

- Conditional Use Application filed with Zoning Administrator.
- Zoning Administrator reviews for completeness.
- Zoning Administrator distributes application information to CRC.
- Zoning Administrator schedules meeting with the CRC for technical review.
- Following CRC technical review, the Zoning Administrator schedules a public meeting with the Commission.
- Approval copy after 12 months.

**Timeline:**

- 30 Days
- 45 Days

**Status:**

- Approval
- Approval with Conditions
- Disapproval

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10.3 Exceptions and Variances.

1. Exceptions.

(1) Intent. To establish relief and flexibility in standards that may be administratively reviewed and approved, if certain criteria are met.

(2) Eligible Applicant. Applicant is eligible to apply for an Exception to the code upon submittal of an application for Regulating Plan or Site Plan Approval, in cases that involve such standards as the following:

(a) Regulating Plan Requirements
   (i) Distribution of permitted Districts within 100’ of required amount. (Substitution of districts is not permitted.)
   (ii) Block Size within 100’ of required dimensions and with the provision of a Mid-Block Pedestrianway (refer to 1.0).
   (iii) Street Type Requirements within one foot of required dimensions. (Refer to 2.0)
   (iv) Open Space Requirement within 100’ of required distance for no more than ten units and with the availability of two Open Spaces within that dimension. (Refer to 1.0 and 6.0)
   (v) Building Type Requirements within one foot of required dimensions. (Refer to 5.0)

(b) Site Plan Requirements
   (i) Landscape Requirements within one foot of required dimensions. (Refer to 7.0).
   (ii) Parking and Loading Facilities within one foot of required dimensions. (Refer to 8.0).
   (iii) Sign Type Requirements within one foot of required dimensions. (Refer to 9.0).
   (iv) Building Type Requirements within one foot of required dimensions. (Refer to 5.0).

(c) Application Process Time Line. An Application for Exception shall be submitted concurrently with the process seeking exception from, either Regulating Plan Approval or Site Plan Approval.

(d) Staff Review Committee. The Staff Review Committee shall review and make recommendations on the application within the same time line as the applicable process, Regulating Plan or Site Plan approval.

(e) The Zoning Administrator shall render a decision to approve or disapprove the application within the same time line as the applicable process, Regulating Plan or Site Plan approval.

2. Variances.

Refer to Title 10-25 of the Roy City Code for information on the variance process.

10.4. Nonconformances.

1. General Requirements.

(1) Intent. To provide a set of regulations for legal nonconforming buildings and uses and to specify those circumstances and conditions under which those nonconformances shall be gradually eliminated.

(2) Applicability. The standards in this section apply as follows:

(a) The provisions detailed in this section apply to all structures, uses, or site characteristics that lawfully existed prior to the adoption or amendment to this code, but that may not occur under the current provisions of this code.

(b) Structures, uses, and site characteristics that did not lawfully exist prior to the effective date or amendment to this code shall not be considered legal nonconformances and therefore are not protected under the provisions of this section.

(3) Continuation. All nonconformances are permitted to continue subject to the restrictions outlined in this section.

(4) Maintenance. All nonconformances shall be maintained as required by law to protect public health, safety, and welfare, provided said maintenance does not result in the expansion of the nonconformity.


(1) Intent. To provide regulations for the continuation of a structure that was legally constructed prior to the adoption or amendment to this code, but that could not occur under the current provisions of this code.

(2) Restrictions on Continuation. A nonconforming structure may continue based upon the following conditions:

(a) Alterations. The standards of this code shall apply to alterations under the following circumstances:

(i) Where the renovation includes an addition of more than 30 percent in gross building square footage, the building shall be brought into conformance.

(ii) Where a renovation of the front facade occurs with no added building square footage, the street facade requirements and entrance type requirements (refer to 5.0) shall be met when the existing building front or corner facade is located within the build to zone and the renovation includes any one of the following:

   i. Installation of additional doors or a change in location of a door.
   ii. Expansion or change in location of 30% of windows on any street facade.
   iii. Replacement of 10% or more of facade materials on any street facing facade with a different facade material.

Change to 33%
10.0 Administration

(iii) When a renovation of the shape or style of the roof occurs with no added building square footage, the Roof Type Requirements (refer to 5.1.10) shall be met when the existing building front or corner facade is located within the build-to zone.

(b) Ordinary Repairs. Ordinary repairs required for safety and continued use of the structure, such as replacement of window or door glass, and interior alterations that do not affect the exterior of the building do not trigger conformance to this code.

(c) Impact on Nonconformity. No alteration or repair shall expand the existing or create a new nonconformity unless otherwise permitted by this section, 10.4.2 Nonconforming Structures.

(d) Damage or Destruction. A nonconforming structure may be repaired and its use continued if damaged by any means not within the control of the owner or per the Utah Code.

(e) Abandonment. The right to utilize a nonconforming structure shall be terminated if the structure is not utilized or abandoned for a period of 12 consecutive months.

(ii) If the owner is actively leasing another tenant for the use or structure, the 12 month period may be extended up to an additional 12 months with permission of the City Council.

(iii) To obtain this extension, the owner must provide evidence of this activity, including solicitation, showing the site to potential tenants, and maintenance of utilities and other site facilities for reuse, simply listing the site as available real estate is not sufficient.

3. Nonconforming Uses

ADD: Definition associated with Signs are found in Title 13-2-1.

Refer to Title 10-23 of the City Code for information on the nonconforming uses.

4. Nonconforming Lots

Refer to Title 10-23 of the City Code for information on the nonconforming lots.

5. Nonconforming Site Characteristic

(ii) Intent. To establish regulations for the continuation of site characteristics, such as impervious site coverage, curb cut quantity, signage, parking, landscaping, or other non-structural physical characteristics of a site, that was legally constructed or installed prior to the approval or amendment of this code, but that cannot be created under the provisions of this code.

Restrictions on Continuation. A nonconforming site characteristic may continue based upon the following conditions:

(a) 10% or less of the site characteristic may not exceed the nonconformance of 10% or less of this code's requirement.

(b) Changes in Associated Use. The right to continue shall be terminated if the associated use changes or changes in use intensity through such additions as an increase in the existing units, gross floor area, or capacity of 15% or more.

(i) Single or individual business signs within a business center are exempt from this standard. A new tenant is permitted to install an individual business sign even if the signboard on the lot as a whole is nonconforming, provided that the new sign does not increase the lot's nonconformance.

(c) Change in Associated Structure. The right to continue shall be terminated if the associated structure is altered to increase its gross floor area by 15% or more.

(d) Abandonment. The right to continue shall be terminated if the associated Use or structure, conforming or not, is abandoned for a period of 12 consecutive months.

10.5 Definitions.

1. Graphics

The graphics, tables, and text utilized throughout this code are regulatory. In case of a conflict, text shall control over tables and graphics and tables shall control graphics.

2. Defined Terms

For the purposes of this code, the following terms shall have the following meanings:

(i) Animal. All non-human members of the animal kingdom, including domestic and livestock species.

(ii) Applicant. The owner or a subject property or the authorized representative of the owner or the land development application being made.

(iii) Block. The aggregate of lots, parcels, lanes, and alleys bounded on all sides by streets.

(iv) Block-Depth. A block measurement that is the horizontal distance between the front property line on a block side and the front property line of the parallel or approximately parallel block face.

(v) Block Ends. The lots located on the end of a block; these lots are often larger than the lots in the interior of the block or those at the opposite end of the block and can be located on a more intense street type. They are typically more suitable for more intensive development, such as multiple family or mixed use development.

(vi) Block-Face. The aggregate of all the building facades on one side of a block.

(vii) Block-Length. A block measurement that is the horizontal distance along the front property line of the lots comprising the block.

(viii) Building. Any structure or portion thereof, the use of which is incidental to the use of a building shall be placed; it may or may not be located directly adjacent to a property line. The zone dictates the minimum and maximum distance a structure may be placed from a property line.
(10.5) Change to read 10.5 (1)
10.0 Administration

(25) Occupied Space. Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

(26) Open Space Type. The permitted and regulated types of open spaces in this code. Refer to 8.0 Open Space Types for more information and a list of the permitted types.

(27) Open Water. A pond, lake, reservoir, or other water feature with the water surface fully exposed.

(28) Owner. The legal or beneficial title holder of land or holder of a written option or contract to purchase the land.

(29) Pedestrianway. A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block’s perimeter.

(30) Permeable Surface. Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

(31) Plat. A map or chart of a division and/or combination of lots.

(32) Primary Street. A street designated on the Zoning Map that receives priority over other streets in terms of setting front property lines and locating building entrances.

(33) Property Line. Also referred to as lot line. A boundary line of a parcel of land or lot. Refer to Figure 10.5 (1) Lots.

(34) Property Line, Corner. A boundary of a lot that is approximately perpendicular to the front property line and is directly adjacent to a public Right-Of-Way, other than an alley or railroad. Refer to Figure 10.5 (2) Lots.

(35) Property Line, Front. The boundary abutting a right-of-way, other than an alley, from which the required setback to build zone is measured, with the following exceptions.

(a) Lot, or Through Lot that abuts a Primary Street shall have the front property line on that Primary Street.

(b) Lot, or Through Lot that abuts two Primary Streets or does not abut a Primary Street shall utilize the orientation of the two adjacent lots, or shall have the front property line determined by the Zoning Administrator.

(36) Property Line, Rear. The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an alley. Refer to Figure 10.5 (3) Lots.

(37) Property Line, Side. The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way. Refer to Figure 10.5 (4) Lots.

(38) Right-of-Way. Land dedicated or utilized for a street type, trail, pedestrianway, utility, railroad, or other similar purpose.

(39) Roof Type. A detail at the top of a building that finishes a facade, including a parapet roof with various permitted slopes and a parapet. Refer to 5.10 for more information and a list of the permitted Roof Types.

(40) Scale. The relative size of a building, street, sign, or other element of the built environment.

(41) Semi-Pervious Surface. Also referred to as semi-pervious material. A material that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

(42) Setback. The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other pervious surfaces are not permitted within a setback, unless specified specifically in this code. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.

(43) Sign. An object, device, or structure used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by such means as words, letters, figures, images, designs, symbols, or colors. Flags or emblems of any nation, state, city, or organization; works of art which in no way identify a product; and athletic field score boards are not considered signs.

(44) Solar Reflectance Index (SRI). A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surfac is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E1980-01 or the latest version.

(45) Story. A habitable level within a building measured from finished floor to finished floor.

(46) Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
(57) Story, Half. A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

(58) Story, Upper. Also referred to as upper floor. The floors located above the ground story of a building.

(59) Street Face. The facade of a building that faces a public right-of-way.

(60) Street Frontage. Also refer to lot frontage. The portion of a building or lot directly adjacent to a vehicular right-of-way.

(61) Street Type. The permitted and regulated types of streets in this code. Refer to 2.0 Street Types for more information and a list of the permitted Street Types.

(62) Streetwall. The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.

(63) Structure, Accessory. The general term for a subordinate structure detached from, but located on the same lot as the principal structure; it may or may not be inhabitable.

(64) Structure, Principal. Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot in the front build-to zone or behind the front yard setback.

(65) Swale. A low-lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.

(66) Tree Canopy. The uppermost area of spreading branches and leaves of a tree.

(67) Tree Canopy Coverage. The area of ground covered or shaded by a tree's canopy, measured in square feet.

(68) Use. Also referred to as land use. A purpose or activity that may occur within a building or a lot.

(69) Use, Accessory. A use customarily, incidental, and subordinate to the principal use or structure and located on the same lot with such principal use or structure.

(70) Use, Principal. The specific, primary purpose for which a lot or building is utilized.

(71) Use, Special. A use that may not be appropriate in certain locations based on the potential negative impacts associated with the use and requires approval of a Special Use Permit.

(72) Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

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**Figure 10.5 (1). Lots.**

**10.0 Administration**
10.0 Administration

(73) **Water Body.** A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.

(74) **Yard.** The space on a lot which is unoccupied and unobstructed from the ground to the air by the principal structure. Lots without a structure do not have yard designations. Refer to Figure 10.5 (b) Yards.

(75) **Yard, Corner Side.** A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line.

(76) **Yard, Front.** A yard extending from the front facade of the principal structure along the full length of the front property line, between the side property lines or side and corner side property lines. Figure 10.5 (c) Yards.

(77) **Yard, Rear.** A yard extending from the rear building facade along the rear property line between the side yards or on a corner lot, the corner side and side yards. Figure 10.5 (d) Yards.

(78) **Yard, Side.** A yard extending from the side building facade along a side property line between the front yard and rear property line. Figure 10.5 (e) Yards.

(79) **Zoning District.** A designation given to each lot within the city that dictates the standards for development on that lot. Refer to 3.0 Zoning Districts for more information and a list of permitted zoning districts.

Figure 10.5 (c): Setback Line vs. Build-to-Zone.

![Setback vs. Build-to-Zone](image)

Figure 10.6 (c): Yards.
Form Based Code Research Synopsis

Information collected and compiled by Diane Wilson
April 2020
Why did I do this research?

- Understand scope of FBC from several perspectives
- Share information
- Determine if FBC modifiable or take different approach
References:

South Ogden—one councilmember
North Ogden—4 councilmembers, asst. city planner/principle developer of their FBC proposal
Clearfield—mayor, development director, city planner, 2 councilmembers
West Valley City—mayor, community development director
Sugar House—land use and zoning committee chair
Sandy City—planning director
Riverton—development services director
Clinton City—city planner
Chattanooga, Tennessee—development director
Northrop Grumman—recently appointed and previous Manager of State & Local Affairs
Developers—4 different individuals representing large and small businesses
Construction—major commercial construction company
Engineers—LA county—redevelopment projects, previous UDOT engineer, local structural/civil engineer, structural/civil engineer professor
Ogden City—2 council members
Weber County Sheriff
Police Chief
Utah Sign Association, Director State & Local Government Affairs
Program Coordinator, Weber State University
Location visits—Farmington Station, South Salt Lake, Sugar House, Ogden, North Ogden, West Valley City, South Ogden, Clearfield
Property/business owners/citizens as possible.
Notice and Public Awareness

- Business owners not notified (unless own property)
- Property owners--Letter did not convey impact of FBC
2 January 2020

AJE INVESTMENTS LLC
PO BOX 9223
OGDEN UT 84409-0223

Dear Property Owners,

The Roy City Planning Commission will be holding a Public Hearing to consider the following action:

- To amend the Roy City Zoning Map for properties as shown on the map below from R-C (Regional Commercial), R-2 (Two-Family Residential), R-3 (Multi-Family Residential) and R-4 (Multi-Family Residential) to a Mixed Use zone named Downtown District.

Consideration of this action will take place during an open and public Roy City Planning Commission meeting which will be held in the City Council Chambers of the Roy City Municipal Building located at 351 1 South 1900 West, Roy UT on Tuesday, January 14, 2020 at 6:00 p.m.

Sincerely,

Steve Parkinson
Planning and Zoning Administrator
(801) 774-1027
sparkinson@royutah.org

Roy City does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment of the provision of services. If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City 28 hours in advance of the meeting, and we will try to provide whatever assistance may be required. For assistance please call (801) 774-1400 (voice) or (801) 774-1013 (TDD).

9351 South 1900 West, Roy, Utah 84067 | Telephone (801) 774-1046 | Fax (801) 774-1070
Roy City Property Owner:

“I own business and rental properties. When I read the letter, I thought, ‘they are just changing the name to encompass all uses.’”
Perception of City's Attitude

No opinion

The City values citizen input and goes out of their way to foster a joint collaborative effort

The City only does the bare minimum to notify and involve citizens

The City isn't interested in citizen involvement

The City believes the issues are too complex and far-reaching for citizens, therefore...
When major City policy changes arise, how much notice and involvement would you like?

- Notify/Provide Input: 75%
- Notify/No Participation: 23%
- No Notification/No Involvement: 2%
Questions--from Leaders of other cities

- Why does Roy need FBC?
- What goals does Roy want to accomplish with FBC?
- FBC is a tool. Is FBC best tool to accomplish goals?
- FBC = Mixed use, Mixed use does NOT EQUAL FBC
FBC as a tool--
Leaders’ comments

- Good for increased housing density projects
- Doesn’t protect commercial well
- Increased administration work and time
- Decreased developer time
Recommendations---Leaders of other cities

- DON’T RUSH!
- Inform and include--businesses, property owners, citizens
- Clearfield: “it is absolutely worth every bit of time it takes”
- Protect commercial regions
- Consider--zoning option, one development at a time
Business owners

- Nonconformance
  - Cost prohibitive
  - "Are you trying to drive us out?"
  - "Why are you laying this on us now? We are just trying to survive!"

- Increased residential may help with business if traffic not too bad
Developers

- Like FBC if no commercial requirement
- Specific detail restrictions are costly and prohibit design, creativity
- Residential--where current market is
- Commercial/retail--currently not market supported
General Comments

● Like “spruce up” Downtown idea

● Want increased retail and restaurants

● Don’t lose commercial land

● Keep community feel! Lost with FBC high density

● Ok with careful mixed use
  ○ Shops on bottom ok
  ○ Not lots high rise density
More General Comments

● Avoid tunnel feel--high and close to sidewalk

● Traffic BIG CONCERN!

● Limited high-rise, high density housing

● Looks not a priority
Trees/Landscape

- Look nice at first
- Hard to maintain
- Businesses don’t like trees
- Medians not wanted
Property owner’s opinion of medians:

Are there more pros or cons to adding landscaped medians on 1900 West?
Signage

- Important for business success
- Critical component of “looks” in FBC
- Utah and International Sign Association found it was detrimental to businesses
  - Omit FBC signage section
  - Use current code for signage
How to connect?

- Electronic meetings/communication—difficult for free flow of ideas and discussion
- Need face to face town hall. Important for such a major proposal
Conclusion

- Work on notification! Inform and include--business/property owners, citizens
- Define goals we hope FBC to accomplish
- Can we modify current FBC to achieve goals without “leaving a trail of destruction in its wake”?
- Consider “Mixed use option”. Available for developers project by project
- We definitely need more TIME!
QUESTIONS