

## 1. Planning Commission Meeting Documents

### Documents:

[2016-10-25 PLANNING COMMISSION AGENDA \(PDF\).PDF](#)  
[2016-10-25 PLANNING COMMISSION PACKET \(PDF\).PDF](#)



**Chair** – Lindsey Ohlin • **Vice Chair** – Douglas Nandell

**Members:** • Leland Karras • Gennie Kirch • Joe Paul • Claude Payne • Jason Sphar

## AGENDA

### October 25, 2016

6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

#### Agenda Items

1. Declaration of Conflicts
2. Approval of September 27, 2016 regular meeting minutes
3. Discussion on Table 17-1 & 17-2 regarding Conditional Uses.
4. Commissioners Comments
5. Staff Update
6. Adjourn

*In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: [ced@royutah.org](mailto:ced@royutah.org) at least 48 hours in advance of the meeting.*

#### **Certificate of Posting**

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this the 21<sup>st</sup> day of October, 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 21<sup>st</sup> day of October, 2016.

STEVE PARKINSON;  
PLANNING & ZONING ADMINISTRATOR





**Chair** – Lindsey Ohlin • **Vice Chair** – Douglas Nandell

**Members:** • Leland Karras • Gennie Kirch • Joe Paul • Claude Payne • Jason Sphar

## AGENDA

### October 25, 2016

6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

#### Agenda Items

1. Declaration of Conflicts
2. Approval of September 27, 2016 regular meeting minutes
3. Discussion on Table 17-1 & 17-2 regarding Conditional Uses.
4. Commissioners Comments
5. Staff Update
6. Adjourn

*In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: [ced@royutah.org](mailto:ced@royutah.org) at least 48 hours in advance of the meeting.*

#### **Certificate of Posting**

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this the 21<sup>st</sup> day of October, 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 21<sup>st</sup> day of October, 2016.

STEVE PARKINSON;  
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2  
3 September 27, 2016

4  
5 Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City  
6 Municipal Building on September 27, 2016, at 6:00 p.m.

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

11  
12 The following members were in attendance:

13  
14 Doug Nandell, Vice Chair Steve Parkinson, Planner  
15 Leland Karras Trent Nelson, Assistant City Attorney  
16 Gennie Kirch  
17 Claude Payne  
18 Jason Sphar

19  
20 Excused: Chair Lindsey Ohlin, Joe Paul

21  
22 Others present were: Ren Gonzalez, Andy McCrady, Joe Taylor, Joe Mueller

23  
24 Pledge of Allegiance: Commissioner Sphar

25  
26 1. DECLARATIONS OF CONFLICT

27  
28 There were none.

29  
30 2. APPROVAL OF SEPTEMBER 13, 2016, MINUTES

31  
32 **Commissioner Kirch moved to approve the September 13, 2016, minutes as written.**  
33 **Commissioner Karras seconded the motion. Commission members Karras, Kirch, Nandell,**  
34 **Payne, and Sphar voted “aye.” The motion carried.**

35  
36 3. PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE APPROVAL  
37 FOR ALBION INTERNATIONAL INC. FOR A “MANUFACTURING – MINOR” BUSINESS  
38 LOCATED AT 1821 WEST 4000 SOUTH, STE A.

39  
40 Steve Parkinson, City Planner, presented the staff report as well as an aerial map of the subject  
41 property, and explained that the business, Albion International Inc., would be going in an existing  
42 building. They previously operated in Clearfield City, but were looking to relocate operations due to  
43 a fire. Operations included testing products that were already in production to ensure that they met  
44 quality standards. Within City Ordinance, the Planning Commission needed to review criteria in  
45 order to grant a conditional use. Criteria included the following: (1) uses listed in the ordinance; (2)  
46 whether or not the use complied with setback and zoning standards, as well as ordinance  
47 regulations; (3) if any potential sound, noise, fumes or dust issues were properly mitigated; (4) if the  
48 proposed use was adequate in size and not detrimental to surrounding uses. Mr. Parkinson said  
49 that while this business would produce some noise, none of it would be heard from the parking lot.  
50 Furthermore, there would be fumes inside the building, but nothing the HVAC system couldn't  
51 control. Lastly, a conditional use permit would be issued if the proposed use was consistent with the  
52 goals and policies of the General Plan. Based on the above criteria, staff recommended approval of  
53 the applicant's request for a conditional use permit.

54 **Commissioner Kirch moved to open the public hearing at 6:05 p.m. Commissioner Sphar**  
55 **seconded the motion. Commission members Karras, Kirch, Nandell, Payne, and Sphar voted**  
56 **“aye.” The motion carried.**  
57

58 Vice Chair Nandell opened the floor for public comments.  
59

60 Ren Gonzalez, 34 Fairway Lane, Logan, stated that he was employed at Albion Laboratories Inc. as  
61 a Laboratory Manager. The facility they were trying to move into would be under his management  
62 jurisdiction.  
63

64 Commissioner Kirch asked Mr. Gonzalez if there was any further information he wanted to provide  
65 the Planning Commission. Mr. Gonzalez said that he was a chemist, and it was his understanding  
66 that he would be answering any questions in order to assuage any concerns from the Commission.  
67 Mr. Gonzalez explained that Albion Laboratories has been in business for about 60 years, and were  
68 recently purchased by Val-Chem Company Inc. in February 2016. Their original product line was  
69 based on animal nutrition. They had since expanded into human nutrition products as well as plant  
70 nutrition products, such as fertilizers. About eight years ago, they sold off the original division of the  
71 business – the animal division – and thereafter continued to produce solely human and plant  
72 nutrition products. Mr. Gonzalez explained that his responsibility as Lab Manager was to conduct  
73 the quality control operations, thereby ensuring that all of their products conformed to customer  
74 requirements, as well as the safety and regulatory requirements as set forth by the U.S. Food and  
75 Drug Administration (FDA).  
76

77 Mr. Gonzalez explained that their building burned down on July 25, 2016. It was an old building and  
78 they were in the process of doing a major electrical system renovation. A lot of their administrative  
79 space was also relocated, and the company still had a manufacturing plant that existed in Ogden.  
80 However, they were still lacking space to conduct lab work. Mr. Gonzalez said there were some  
81 options to potentially build out in spaces they already owned; however, it would be a very time  
82 intensive project and they needed additional space in the meantime. They found available lab space  
83 for the interim in what was the old Iomega building, and were under the impression that there  
84 wouldn't be any zoning problems. Mr. Gonzalez reviewed the process by which he went about  
85 finding a new location and properly equipping it for their operations. This process also included a  
86 plan for replacing the equipment that was destroyed in the fire. Mr. Gonzalez stated that it wasn't  
87 until it came time to finalize the lease with the ownership of the building, that they discovered they  
88 would not be able to gain approval for a business license in this building.  
89

90 Mr. Gonzalez explained some of the operations conducted by Albion International Inc., and said that  
91 much of what they do can be done in a regular kitchen. With regards to health, safety and  
92 environmental waste, they conducted two types of operations that were of interest. First, he  
93 explained that the process of conducting an analysis on the metals content in fertilizers and other  
94 products required acid digestion processing. The acids they used were relatively small volumes per  
95 use, and the process took place in a controlled system, known as a microwave digestion system.  
96 This system was designed to contain and withstand all of the acids and compressed them down into  
97 a liquid state; subsequently, these liquids would be injected into their instrumentation. Mr. Gonzalez  
98 said there were extensive safety protocols and equipment associated with this process.  
99

100 The next operation entailed diluting the acids. In this process, they would have to open the  
101 container, which could potentially release fumes. Mr. Gonzalez explained that they had specialized  
102 HVAC systems to contain all of this material. These systems served to first and foremost protect  
103 their analysts, and secondly to protect the environment from exhaust. He noted that the densities of  
104 the fumes were heavier than air. Most of this material would never actually evolve from the samples

105 as they conducted these dilutions.

106  
107 After completing the dilution process, they moved into the instrumentation. The instrumentation  
108 process involved another HVAC system that eliminated exhaust potentially leaked from the samples.  
109 Mr. Gonzalez noted that 99.9% of all the liquid that would have gone through the dilution process  
110 would be re-captured and contained next to the instrument. Therefore, none of that material would  
111 ever be sent into the environment directly. Lastly, acids were neutralized and sent to a third party  
112 company.

113  
114 Mr. Gonzalez stated that the main concern would be fumes being exhausted through the HVAC  
115 system. He stated that generally the process was mild, and that there was no cause for concern for  
116 the owner of the building or any nearby tenants. He reiterated that they had extensive safety  
117 protocols and good equipment to contain these processes.

118  
119 Secondly, the company conducted microbiological analyses to ensure they didn't have any  
120 pathogens in their product, which would subsequently be consumed by customer. Mr. Gonzalez  
121 noted that pathogens have never been found in their products because they were microbicidal; in  
122 other words, anything that could've grown was killed by their product. The company also made an  
123 intermediary product, also known as a dietary ingredient as opposed to a dietary supplement. The  
124 product was highly concentrated and diluted as it moved to the customer base. Mr. Gonzalez said  
125 they went through these processes as a requirement of the FDA.

126  
127 Commissioner Kirch asked if all biowaste was destroyed properly. Mr. Gonzalez answered  
128 affirmatively, and explained that they had their own autoclave sterilization process. Furthermore,  
129 they wrapped waste in a biohazard bag and disposed of it immediately. In addition, they conducted  
130 extensive environmental monitoring to make sure nothing ever escaped. Commissioner Kirch asked  
131 if any of their processes exceeded five milligrams of nitric acid exposure, which was the maximum  
132 permissible exposure limit. Mr. Gonzalez said that they did not.

133  
134 Commissioner Sphar asked if a government agency inspected the lab to make sure it was in  
135 compliance, and Mr. Gonzalez answered affirmatively. They had several bodies conduct  
136 inspections, including the FDA and several voluntary external audits in order to obtain certifications.  
137 It was noted that the external audits took place more frequently than the one annual audit conducted  
138 by the FDA, and were based on the same criteria.

139  
140 The Commission discussed whether or not a dog grooming business recently went in at the same  
141 building. They determined that the business in question was located elsewhere.

142  
143 Commissioner Kirch asked Mr. Gonzalez if his business would occupy the whole building. Mr.  
144 Gonzalez said they'd only occupy a section of the building, and noted that a call center would be  
145 located immediately next door to them.

146  
147 Andy McCrady, 978 Chambers Street, Ogden, read a letter from Jay Wood of Jensen Precision  
148 Machines, which stated that they did not have any reservations about having laboratories located in  
149 the same building. In his letter, Mr. Wood expressed that he did not feel Albion International Inc.  
150 would be a hindrance or hazard to the surrounding businesses and community.

151  
152 Joe Taylor, 1120 Canyon Road #6, Ogden, said he owned a neighboring hot dog business in Roy.  
153 He was completely supportive of Albion International Inc. moving into the building.

154  
155 Joe Mueller, 1890 West 4000 South, expressed concerns with whether or not there was enough

156 power to run the facility. He said they had a lot of power outages in the area, and asked if Rocky  
157 Mountain Power had reviewed Albion's equipment needs.

158  
159 Commissioner Kirch asked Mr. Parkinson if it would be possible to make the aforementioned  
160 suggestion a part of the motion. After continued discussion, Mr. McCrady explained that they had  
161 their electricians check the building extensively in this complex. The inspections indicated that they  
162 had more than enough power. He was not concerned about whether or not power would be an  
163 issue.

164  
165 Mr. Gonzalez said they used an extensive amount of power. As such, Albion International Inc. had  
166 Positive Power LLC – a company with whom they would be conducting business for their laboratory  
167 build-out project – review the power capability in the area. Albion International Inc. would essentially  
168 be in a self-contained area, in that they would be bringing in their own equipment to run their own  
169 rigger systems. Therefore, their equipment would not be connected to the rest of the building. As  
170 long as they had sufficient power coming in from the pole lines, there wouldn't be any issues.

171  
172 **Commissioner Karras moved to close the public hearing at 6:23 p.m. Commissioner Sphar**  
173 **seconded the motion. Commission members Karras, Kirch, Nandell, Payne, and Sphar voted**  
174 **“aye.” The motion carried.**

175  
176 **Commissioner Kirch moved to recommend that the City Council approve a conditional use**  
177 **for Albion International a “Manufacturing – Minor” business located at 1821 West 4000**  
178 **Southalong with staff's findings and conditions. Commissioner Sphar seconded the motion.**  
179 **Commission members Karras, Kirch, Nandell, Payne, and Sphar voted “aye.” The motion**  
180 **carried.**

181  
182 4. DISCUSSION ON TABLES 17-1 AND 17-2 REGARDING CONDITIONAL USES  
183

184 Mr. Parkinson asked the Commission if there were any items of concern or suggested changes.  
185 Commissioner Kirch read a line from City Ordinance, and asked if Conditional Use Permits were  
186 restricted to zoning matters, to which Mr. Parkinson answered affirmatively. Commissioner Kirch  
187 explained that they needed to assess whether or not certain conditional uses could be permitted  
188 uses based on the zoning requirements. As an example, she stated that the previous item probably  
189 could have been a permitted rather than conditional use.

190  
191 The Commission discussed the fact that conditional uses would give them more authority as a  
192 Commission to mitigate unique or unusual proposals, if need be. The Commission could not  
193 mitigate a use if it was permitted.

194  
195 The Commission reviewed each the conditional uses listed in Table 17-1. The following issues were  
196 discussed:

- 197  
198 • Daycare Center/Assisted Living Centers  
199

200 Commissioner Kirch stated that these uses should generally be conditional uses. Mr. Parkinson  
201 asked what conditions would be in place for this use to be denied. In response to further questioning  
202 from the Commission, Mr. Parkinson explained that different types of day care uses existed based  
203 on the age and need of patrons; therefore, they were categorized separately in the ordinance.

204  
205 Commissioner Kirch raised questions concerning truck loading and unloading at assisted living  
206 centers. Mr. Parkinson asked if this was a zoning concern, or more related to building operations.

207 Commissioner Kirch mentioned that this item was addressed in Clearfield's ordinances, to which she  
208 was referring in posing the question. She asked if these uses would normally be addressed for  
209 permitted uses, or if they would be conditions listed in a permit. Mr. Parkinson said that if the  
210 Commission wanted to make certain care facilities a permitted rather than conditional use, they  
211 could expand the definition to include different conditions of approval.

212  
213 A concern was raised with overregulation acting as a deterrent from businesses coming to Roy.  
214 Furthermore, the Commission discussed what the most appropriate zones would be for certain care  
215 facilities. Another consideration was making sure they were within legal boundaries when making  
216 decisions that affected protected classes, such as disabled persons. The Commission further  
217 discussed which zones would work best for certain care facilities. Commissioner Karras stated there  
218 were a lot of moving parts involved in the decision, as each care facility would serve different patrons  
219 with a variety of needs.

220  
221 • Dwelling Units/Condominiums

222  
223 Mr. Parkinson explained that multifamily housing units were conditional in the R3 and R4 zones.  
224 Vice-Chair Nandell asked why multifamily housing was only a conditional use, since they fit the  
225 criteria of the R3 and R4 zones. He felt that it was unnecessary for them to be conditional rather  
226 than permitted uses. The only difference between the zones was that offices were also allowed in  
227 the R4 zone. Members of the Commission indicated that they did not have a problem changing  
228 multifamily housing units from a conditional to permitted use within these zones. They questioned  
229 whether or not they could reverse this decision later if an unusual proposal were to come forward  
230 which prompted such a change. Staff explained that in this scenario, the Commission would still  
231 have to entertain the proposal at-hand, but they could reassess permitted and conditional uses  
232 thereafter. There was brief discussion as to when Tables 17-1 and 17-2 were last revised, and Mr.  
233 Parkinson noted this process last took place around 2005.

234  
235 • Home Daycare Centers

236  
237 With regards to whether or not home daycare centers should be allowed in condominiums,  
238 townhomes or mobile homes, Commissioner Kirch mentioned that the State had to go in and assess  
239 how many children could be allowed in the center based on the square footage of the home. Mr.  
240 Parkinson stated this was more of a licensing issue than a zoning issue.

241  
242 Trent Nelson, City Attorney, said he was not sure if there were other boundaries they needed to  
243 research first prior to the Commission making a decision on the matter. Commissioner Kirch  
244 mentioned that all children – including those of the person operating the business – were to be  
245 included in the total number of children allowed at a given site. Mr. Parkinson stated that his wife  
246 ran a daycare at one point and their kids were not included in the total number; however, this was a  
247 long time ago, and the rules may have changed since then. Mr. Parkinson stated that they needed  
248 to find out what was required in terms of the business license, so as to avoid overlapping  
249 requirements in both the ordinance and business license.

250  
251 • Major Facilities with Public Utilities

252  
253 Mr. Parkinson suggested keeping this item the same, as they do not review very many of these  
254 proposals. Commissioner Kirch stated it was important to keep this item listed in the ordinance, so  
255 they could still hold public hearings in the future if a proposal were to come forward.  
256



- 257 • Nursing Homes/Convalescence Centers

258  
259 Mr. Parkinson stated that staff needed to further research this category, as it could affect the  
260 protected class of persons with disabilities.

- 261  
262 • Public Park and Rides

263  
264 Mr. Parkinson noted that Park and Rides were a conditional use. Commissioner Kirch expressed  
265 concerns with traffic flow, lighting and security. Mr. Parkinson asked the Commission to consider  
266 whether or not Park and Rides belonged in residential zones. There was discussion as to whether  
267 or not they could be allowed in certain residential zones but excluded from others based on proximity  
268 to the frontrunner station. If they moved in that direction, the Park and Ride at the train station would  
269 have been non-conforming; however, it could have been grandfathered in. Any larger organizations  
270 needing more space would likely approach the City about rezoning, if the current zoning didn't meet  
271 their needs.

272  
273 Commissioner Kirch suggested removing Park and Rides from the R2 zone with the consideration of  
274 the airport, as well as how properties surrounding the R2 zone could potentially develop. It was  
275 noted that the frontrunner station was not a Park and Ride, but rather a public commuter and light  
276 rail station. After subsequent discussion on the matter, the Commission decided that Park and  
277 Rides should not be permitted in any residential zones.

- 278  
279 • Residential Facilities for Persons with Disabilities and Substance Abuse

280  
281 Mr. Parkinson stated that these facilities pertained to protected classes. He explained that one  
282 condition currently outlined within State Statute was that these types of facilities had to be within 500  
283 feet of a school. He said he would conduct more research on the matter.

284  
285 The Commission reviewed Table 17-2 and identified which uses would remain conditional versus  
286 those that could be changed. The following uses were discussed:

- 287  
288 • Accessory Caretaking Dwelling Units

289  
290 Commissioner Kirch suggested they create setback requirements for accessory dwelling units. Mr.  
291 Parkinson said that all requirements pertaining to the building were outlined in Chapter 10 of the  
292 ordinance. This item was referring to dwelling units for employees who resided onsite of a business,  
293 such as in the case of a storage unit facility or motel.

- 294  
295 • Animal Hospitals and Veterinary Holding Facilities

296  
297 Commissioner Kirch said she didn't have a problem permitting these types of uses in light  
298 manufacturing zones, but felt they needed to put a limit on how many animals could be housed in a  
299 given facility. There was discussion on which zones would be more appropriate for this use to be  
300 conditional rather than permitted due to its impacts. The Commission decided to require a buffer of  
301 200 feet from residential zones for all animal hospitals and veterinary clinics.

- 302  
303 • Adult Stores

304  
305 Mr. Parkinson suggested they maintain this use as conditional, but change the zone in which the use  
306 may be conditionally approved from commercial to manufacturing. He noted that Clinton and

307 Kaysville have moved this use to a manufacturing type zone. As long as a zone was offered for  
308 these types of businesses, the City hadn't legally crossed any lines. He mentioned there was only  
309 one manufacturing zone in Roy, which was located up on 3300 South and 1900 West. Mr.  
310 Parkinson explained that these types of stores were heavily regulated in other cities, especially in  
311 providing buffers from residential areas.

312  
313 Commissioner Kirch advised Mr. Parkinson to do additional research on the matter to make sure that  
314 there wouldn't be any unforeseen negative impacts from making this change. Mr. Nelson said that  
315 all decisions had impacts. This change would simply modify the location of these businesses and  
316 move them away from Roy's main thoroughfare. Mr. Parkinson said that further discussion on the  
317 matter would take place next month.

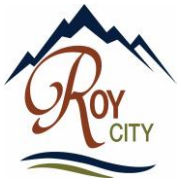
318  
319 5. ADJOURN

320  
321 **Commissioner Karras moved to adjourn at 7:09 p.m. Commissioner Payne seconded the**  
322 **motion. Commission members Karras, Kirch, Nandell, Payne, and Sphar voted "aye." The**  
323 **motion carried.**

324  
325  
326 \_\_\_\_\_  
327 Douglas Nandell  
328 Vice-Chair


329  
330 Attest:  
331  
332 \_\_\_\_\_  
333 Amy Mortenson  
334 City Recorder

335  
336 dc: 09-27-16



Date: 21 October 2016

To: Planning Commission

From: Steve Parkinson – Planning & Zoning Administrator 

Subject: Review of Conditional Uses

During the last meeting the Commission reviewed most of the Conditional uses within table 17-1, which is for all of the “Residential” zones. The uses that were not reviewed were those dealing with Residential Facility’s for Persons with a Disability / Elderly Persons.

While reviewing the Conditional Uses you need to ask yourself, “Is this a use we want in this zone?” If it is a uses you feel should be in the zone and you are wondering if it should be Permitted or Conditional ask yourself if there are any potential risks that are detrimental to the health, safety and general welfare of the citizens of Roy City.

I have attached table 17-1 for you final review.

TABLE 17-1 - TABLE OF ALLOWED USES - RESIDENTIAL ZONING DISTRICTS

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P	P	P	P	P
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot as the primary use.	P	P	P	P	P	P	P	P	P	P
<u>Barn, Corral, Stable, Coop, Pen or Animal Run.</u> A structure or fenced area, and its associated buildings and structures, for the feeding, housing, or confinement of domestic animals, as defined herein. Stable includes a building, or a portion thereof, used to shelter and feed horses and ponies.  * Conditional Use on parcels located within the Utah Power & Light Utility Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for Conditional Use.	P	X	X*	X*	X*	X	X	X	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	P	P	P	P	P	P	P	P	P	P
<u>Day Care Center/Assisted Care Center.</u> A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	X	X	X	X	X	X	X	C	C	X

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<p><u>Domestic Livestock and Fowl.</u> Limited to the following: (1) The keeping of not more than two (2) animals of the Equine family (Horses), or two (2) animals of the Bovine family (Cows), or two (2) animals of the Orvis family (Sheep), or two (2) animals of the Capra family (Goats) or twenty (20) rabbits, or fifty (50) chickens, or fifty (50) pheasants, or ten (10) turkeys, or ten (10) ducks, or ten (10) geese, or ten (10) pigeons, or five (5) beehives. Fractional combinations of domestic livestock and fowl may be kept in amounts that do not exceed a ratio of 1 (e.g. one (1) horse and ten (10) rabbits). The keeping of domestic livestock and fowl requires a minimum lot area of twenty thousand (20,000) square feet. Any offspring shall be included upon attaining the normal age of weaning. Additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl, identified above, for each one (1) acre of area in addition to the minimum area of twenty thousand (20,000) square feet.</p> <p>In the Country Acres and Venstra Subdivisions additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl identified above, for each one (1) acre of area, including the minimum area of twenty thousand (20,000) square feet Not more than five (5) times the allowable numbers listed above shall be permitted at any one time. (Ord. 1011, 5-5-2009)</p> <p>* Conditional Use on parcels located within the Utah Power &amp; Light Utility Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for Conditional Use.</p>	P	X	X*	X*	X*	X	X	X	X	X
<p><u>Dwelling Unit, Condominium.</u> An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which are typically maintained by an association of the owners. Must meet allowed Density Requirements of the applicable Zone.</p>	X	X	X	X	X	X	X	C P	C P	X
<p><u>Dwelling Unit, Multiple-Family.</u> A building containing three (3) or more dwelling units.</p>	X	X	X	X	X	X	X	C P	C P	X
<p><u>Dwelling Unit, Single-Family.</u> A building containing one (1) dwelling unit.</p>	P	P	P	P	P	P	P	P	P	P
<p><u>Dwelling Unit, Two-Family.</u> A building containing two (2) attached dwelling units.</p>	X	X	X	X	X	X	P	P	P	X
<p><u>Educational Facility.</u> Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.</p>	P	P	P	P	P	P	P	P	P	P
<p><u>Home Day Care.</u> The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than five (5) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6). Home Day Care may use the entire residential living area and additionally may use yard space for play purposes. This use is required to comply with all business licensing requirements of Roy City.</p>	P	P	P	P	P	P	P	C P	C P	C P

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Home Occupation.</u> Any use or activity conducted entirely within a dwelling and carried on by the persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade. The home occupation is limited to members of the family who reside on the premises; no outside help may be hired. The home occupation shall not involve the use of any accessory building, attached garage, or yard space or activity, outside of the primary building, not normally associated with residential use. Home occupations shall include the use of not more than twenty five percent (25%) of the living area of the home.	P	P	P	P	P	P	P	P	P	P
<u>Household Pets.</u> Domesticated animals and birds ordinarily permitted in a dwelling unit and kept for company or pleasure of the owner, including, but not limited to two (2) dogs, cats, and caged birds, Household Pets do not include inherently or potentially dangerous animal, fowl, reptiles, exotic animals, or domestic livestock or fowl as defined herein.	P	P	P	P	P	P	P	P	P	P
<u>Limited Domestic Livestock and Fowl.</u> Allowing the keeping of Chickens (Hens), Rabbits and Bees. Refer to Sections 1111 and 1112 for Regulations for the keeping of these animals.	X	P	P	P	P	P	X	X	X	X
<u>Major Facility of a Public Utility.</u> Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	C	C	C	C	C	C	C	C	C	C
<u>Medical and Dental Clinic.</u> An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	X	X	X	X	X	X	X	X	P	X
<u>Minor Facility of a Public Utility.</u> A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	P	P	P	P	P	P	P	P	P	P
<u>Nursing Home, Convalescent Care Center.</u> A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	X	X	X	X	X	X	X	C	C	X
<u>Office.</u> A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	X	X	X	X	X	X	X	X	P	X

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Outside Storage of Recreational Vehicles (Limited).</u> The storage and parking of not more than two (2) recreational vehicles, including motor homes, boats, caravans, trailers, or similar, for a period exceeding forty-eight (48) hours, and owned by the property owner.	P	P	P	P	P	P	P	P	P	P
<u>Personal Care Service.</u> An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	X	X	X	X	X	X	X	X	P	X
<u>Public Park-And-Ride Lots.</u> Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	☐ N	☐ N	☐ N	☐ N	☐ N	☐ N	☐ N	☐ N	☐ N	☐ N
<u>Public Commuter and Light Rail Facilities and Station.</u> A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C	C	C	C	C
<u>Residential Facility for Elderly Persons.</u> A single-family or multiple-family dwelling unit that does not operate as a business and is owned by one of the residents, or an immediate family member of one of the residents, or the title is placed in trust for a resident, and that meets the requirements of Sec. 10- 9-103; Sec. 10-9-501; and Sec. 10-9-502, Utah Code Annotated, as amended, meeting all applicable International Building Code, Zoning and Health Code requirements, and is occupied on a 24-hour-per-day basis by eight (8) or fewer elderly persons in a family-type arrangement. Adequate off-street parking shall be provided and the facility must be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character.  No person being treated for alcoholism or drug abuse shall be placed in a residential facility for elderly persons; and placement in a residential facility for elderly persons is on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. Elderly Person means a person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently. Residential Facility for Elderly Persons does not include a health care facility as defined by §26-21-2, Utah Code Annotated, 1953, as amended.	P	P	P	P	P	P	P	P	P	P
<u>Residential Facility for Persons with a Disability.</u> A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.	P	P	P	P	P	P	P	P	P	P

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School).</u> A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability means a physical or mental impairment that substantially limits one or more of a person’s major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.	C	C	C	C	C	C	C	C	C	C
<u>Swimming Pool.</u> An artificial body of water having a depth in excess of eighteen inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women or children, and located on a same lot or parcel as a dwelling, or dwellings.	P	P	P	P	P	P	P	P	P	P
<u>Telecommunications Site/Facility.</u> A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but is required to meet location requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or amateur radio service adopted under 47 C.F.R. Part 97. A facility may be located on any property owned by the City.	X	X	X	X	X	X	X	X	X	X
<u>Temporary Use.</u> A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.	T	T	T	T	T	T	T	T	T	T
<u>Tennis Court/Sports Court.</u> An improved area used for the playing of tennis or other sports activities, including, but not limited to, basketball and volleyball, and located on a same lot or parcel as a dwelling, or dwellings.	P	P	P	P	P	P	P	P	P	P

Other uses we should consider within the residential zones, include:

- Public Buildings
- Public Parks
- Private Parks
- Cemetery

Should any other types of uses be allowed? Should any of the existing uses be eliminated? Altogether OR from just certain zones?

**TABLE 17-2 - TABLE OF ALLOWED USES - NON-RESIDENTIAL ZONING DISTRICTS**

Below is the Table for the Commercial areas of the City.

USE	CC	RC	LM	M	BP	R
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P
<u>Accessory Caretaker Dwelling Unit.</u> An attached or detached dwelling unit for an employee or owner and incidental and clearly subordinate to an existing primary building or use and located on the same lot as the primary building or use.	X	C	C	C	C	C
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot or in the same building as the primary use.	P	P	P	P	P	P
<u>Adult Arcade.</u> Any place to which the public is permitted or invited wherein coin operated or slug operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas. An Adult Arcade shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Bookstore, Adult Novelty Store, Adult Video Store.</u> A commercial establishment which has significant or substantial portion of its stock in trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; B. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others. Adult Bookstores, Adult Novelty Stores, and Adult Video Stores shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Cabaret.</u> A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: A. Persons who appear seminude; B. Live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities; or C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas. An Adult Cabaret shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Motel.</u> A motel, hotel or similar commercial establishment which: A. Offers public accommodations, for any form of consideration, and which regularly provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas and which regularly advertises the availability of such material by means of a sign visible from the public right of way, or by means of any off premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; and B. Offers a sleeping room for rent for a period of time less than ten (10) hours. An Adult Motel shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X



USE	CC	RC	LM	M	BP	R
<u>Adult Motion Picture Theater.</u> A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration. An Adult Motion Picture Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Theater.</u> Theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in state of semi nudity or live performances which are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities. An Adult Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Animal Hospital (Veterinary Clinic). With Holding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities But which may include indoor holding and boarding facilities.	C	C	X	C	X	X
<u>Animal Hospital (Veterinary Clinic). Without Holding or Boarding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.	P	P	X	P	X	X
<u>Bank, Credit Union or other Financial Institution.</u> A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money. A bank, credit union or other financial institution proposing to provide drive-through service shall be required to secure a Conditional Use Permit approval for such drive through facility as provided herein.	P	P	X	X	P	X
<u>Billboard.</u> A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.	X	X	X	X	X	X
<u>Car Wash.</u> A structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.	C	C	X	C	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	C	C	X	X	C	X
<u>Class A Beer Licenses - Off Premises Consumption.</u> A Class A retail license shall entitle the licensee to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	X	X
<u>Class B Beer Licenses - On Premises Consumption, Restaurants.</u> 1. A Class B retail license shall entitle the licensee to sell beer in the original containers or on draft for consumption on the premises. 2. Only bona fide restaurants whose food sales constitute at least seventy percent (70%) of the gross dollar value of licensee's business shall be entitled to Class B licenses. (Utah Code Annotated section 32A-4-106(30)). A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Beer Licenses - On Premises Consumption, Taverns:</u> A Class C retail license shall entitle the licensee to sell on the premises beer on draft or in original container for consumption on the premises, and to all the privileges granted the holders of Class B retail licenses, all to be exercised in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of the City. A Class C retail license shall be issued only to an applicant engaged in good faith in the business of dispensing and selling beer at retail over a bar, and where such business is the principal business conducted on the licensed premises. A Class C License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Class D Beer Licenses: Temporary.</u> A Class D retail license shall entitle the licensee to sell beer in the original containers only upon such premises during such times as the Council, upon application of the licensee, may designate from time to time by resolution. Such sales may be made for consumption on or off the designated premises. The Council shall designate only those premises upon which public fairs, stock and other animal shows, celebrations, fiestas, occasional athletic contests, and similar events occur. A copy of the Council's resolution designating the premises upon which sales may be made under a Class D license shall be posted and conspicuously displayed with the license at such premises. A Class D License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
<u>Class E Beer Licenses - On Premises Consumption, Private Club.</u> A Class E retail license shall entitle the licensee to all of the privileges of a Class C license upon any premises licensed as a club pursuant to the Utah Nonprofit Corporations Act and the Utah Alcoholic Beverage Control Act, and all authority to be exercised shall be pursuant to the same and the ordinances of the city. A Class E License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class A Liquor Licenses – Private Club.</u> A Class A liquor license shall entitle the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. All sales under a private club license shall be to bona fide members of the licensed club, guest members or their visitors accompanied by members or guest members, and not to the general public.. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class B Liquor Licenses - Restaurants.</u> I. A Class B liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. Liquor is to be provided only in conjunction with a meal. A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Liquor Licenses - Temporary:</u> A Class C liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. A Class C liquor license shall be issued for a period not to exceed three (3) days, to be determined by the Council. No person under the age of twenty-one (21) years shall sell or serve liquor under a Class C liquor license and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
<u>Commercial Day Care/Preschool Center.</u> A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Day Care/Preschool Center excludes the following: (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or (c) Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; (d) or clearly identified as an Accessory Use.	C	C	X	X	C	X
<u>Commercial Plant Nursery.</u> A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	C	P	X	C	X	X
<u>Commercial Recreation (Indoor).</u> Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	C	C	X	C	X	X

USE	CC	RC	LM	M	BP	R
<u>Commercial Recreation (Outdoor)</u> . An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	X	C	X	X	X	C
<u>Construction Sales and Service</u> . An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	C	C	X	C	X	X
<u>Contractor's Office/Contractor's Storage Yard</u> . A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	X	X	C	X	X
<u>Convenience Store</u> . A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	C	P	X	X	X	X
<u>Day Care Center/Assisted Care Center</u> . A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	C	C	X	X	X	X
<u>Drive through/Drive up Facility</u> . A facility where goods and services are provided to customers within a vehicle.	C	C	X	X	C	X
<u>Educational Facility</u> . Privately or publicly owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, and including Charter Schools. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction.	P	P	X	X	C	X
<u>Emergency Care Facility</u> . A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.	C	C	X	C	C	X
<u>Golf Course</u> . A an area used for the purposes of playing golf, but which may include associated restaurant, commercial retail sales areas, staff offices and course maintenance facilities.	X	X	X	X	X	C
<u>Hospital</u> . A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.	C	C	X	X	C	X
<u>Hotel</u> . A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	C	P	X	X	X	X
<u>Kennel</u> . A commercial establishment having three (3) or more dogs for boarding, breeding, buying, letting for hire, training for profit, or selling. (Ord No. 16-10, 7-5-2016)	X	X	X	C	X	X
<u>Laundry, Self Serve or Dry Cleaning</u> . An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	C	P	X	X	X	X
<u>Liquor Store – State Owned</u> . An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<b>Manufacturing, Major.</b> Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	X	C	X	X
<b>Manufacturing, Minor.</b> Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	X	C	P	C	X
<b>Major Facility of a Public Utility.</b> Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	X	X	C	C	X	X
<b>Medical and Dental Clinic.</b> An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	P	P	X	X	C	X
<b>Medical or Dental Laboratory.</b> An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.	C	P	C	P	C	X
<b>Minor Facility of a Public Utility.</b> A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	C	C	C	C	C	C
<b>Mortuary, Funeral Home.</b> An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services.	C	P	X	X	X	X
<b>Motel.</b> A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.	C	P	X	X	X	X
<b>Nightclub.</b> A place of entertainment open at night usually serving food and liquor, having a floor show, and providing music and space for dancing. A Nightclub that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<b>Nursing Home, Convalescent Care Center.</b> A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	C	X	X	X	X	X
<b>Office.</b> A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	P	P	X	X	P	X

USE	CC	RC	LM	M	BP	R
<u>Pay-day Lending</u> : Lenders engaging primarily in the business of small, short term loans provided against a prearranged line of credit, post-dated check, deposits, vehicle titles or other instruments. The number of such facilities licensed within the City limits may not exceed one (1) per five thousand (5,000) or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. (Ord. 1018, 8-4-2009)	X	C	X	X	X	X
<u>Pawnshop</u> . Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; (c) Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or (d) Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property. The number of such facilities licensed within the city limits may not exceed one (1) per ten thousand (10,000), or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. Such facilities shall not be located closer than six hundred (600) feet to any residential zone or to another Pawn Shop. (Ord. No 1071; 11/18/14)	X	C	X	X	X	X
<u>Personal Care Service</u> . An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	C	P	X	X	X	X
<u>Personal Instruction Service</u> . An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	P	P	X	X	C	X
<u>Pet Grooming</u> . A commercial establishment for the grooming of pets. No boarding, breeding, buying, letting for hire, training or selling. (Ord No. 16-10, 7-5-2016)	C	P	X	X	X	X
<u>Private Club</u> . Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Public Park-And-Ride Lots</u> . Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C	C	C
<u>Public Commuter and Light Rail Facilities and Station</u> . A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C
<u>Reception Hall, Reception Center</u> . A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	C	P	X	X	X	X
<u>Recycling Collection Center</u> . A center for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged to not impede traffic flow. The operator of the collection enter shall remove products stored at the site at least once a week. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two (2) per site.	C	C	C	C	C	X

USE	CC	RC	LM	M	BP	R
<u>Restaurant.</u> A building or facility for the preparation, retail sale, and on- site consumption of food and beverages, sells food and beverages over a counter, packages its food in wrappers, boxes or cartons regardless if the food is consumed on or off the restaurant premises; and may provide a drive through/drive up facility.	C	P	X	X	C	X
<u>Retail Sales and Services.</u> Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.	P	P	X	X	X	X
<u>Salvage yard.</u> The use of any lot, portion of a lot, or land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery and/or the storage and sale of dismantled or damaged vehicles or their parts.	X	X	X	X	X	X
<u>Seasonal Use.</u> A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots. This use and requirements to establish this use by Chapter 16, herein, shall become effective on January 01, 2006. All other seasonal uses not listed above are prohibited.	T	T	X	X	X	X
<u>Seminude Model Studio.</u> Any place where a person, who regularly appears in a state of semi nudity, is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons, except as may be allowed by Title 3-7 et. seq. Roy City Municipal Code.	X	C	X	X	X	X
<u>Tattoo &amp; Body Art.</u> Establishments engaged primarily in the practice of physical body adornment or modification, including but not limited to body piercing, tattooing, branding or scarification. All Tattoo & Body Art establishments shall obtain and maintain in good standing a proper license from the Weber-Morgan Health Department. Tattoo & Body Art establishments may not be located closer than six hundred (600) feet to any other such establishment as defined, or to any church, school or other community gathering place. The number of such facilities licensed within the city limits may not exceed one per every ten thousand (10,000) or portion thereof of the most recent United States Census Bureau estimated population of Roy City. The hours of operation are limited to between 10:00 a.m. and 10:00 p.m. No minors shall be allowed on the premises without an accompanying adult guardian. (Ord. 1060, 11-19-2013)	X	C	X	X	X	X
<u>Tavern:</u> An establishment licensed by the Utah Alcoholic Beverage Control Commission for serving beer by the drink to the general public.	X	C	X	X	X	X
<u>Telecommunications Site/Facility.</u> An unmanned structure consisting of antennas, antenna support structures, or other equipment used to provide personal wireless services as set forth in Section 704 of the Telecommunications Act of 1996, as amended. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located but is required to meet the locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part97. A facility may be located on any property owned by the City.	X	X	X	C	X	C
<u>Temporary Use.</u> A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.	T	T	T	T	T	T
<u>Theater, Indoor Picture.</u> A building or part of a building devoted to the showing of moving pictures on a paid admission basis.	X	P	X	X	X	X
<u>Tobacco Oriented Retail.</u> A commercial establishment with less than 10,000 square feet of total sales area, where the sale and/or display of tobacco and/or tobacco related products accounts for greater than 10% of the sales floor and display areas, or where the sale of tobacco and/or tobacco related products accounts for more than 30% of gross sales receipts, or any commercial establishment of any size declaring itself through name or advertising to be oriented specifically to the selling of tobacco and/or tobacco related products. Tobacco Oriented Retail uses may not be located within 600 feet of one another as measured at the closest property lines. (Ord. 1032, 9-7-2010)	X	C	X	X	X	X
<u>Trailer Camp Or Trailer Court.</u> Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.	X	X	X	X	X	C

USE	CC	RC	LM	M	BP	R
<u>Vehicle and Equipment Rental or Sale, New or Used, Major.</u> An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used heavy truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental. [also see § 1109]	X	C	X	P	X	X
<u>Vehicle and Equipment Rental or Sale, New or Used, Minor.</u> An establishment engaged in the retail sale or rental, from the premises, of new or used motorcycles, automobiles, and/or light trucks, with a Manufacturer's Gross Vehicle Weight Rating not to exceed 14,000 pounds, with incidental service or maintenance. Typical uses include dealers of motorcycles, automobiles, and light trucks. [also see § 1109]	X	P	X	P	X	X
<u>Vehicle and Equipment Repair, Major.</u> An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	C	X	P	X	X
<u>Vehicle and Equipment Repair, Minor.</u> An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings, but not including paint and body shops or other general vehicle repair services. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.	C	P	X	P	X	X
<u>Warehouse, Self-Service Storage.</u> An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property. (Ord. 1063, 4-1-2014)	X	X	C	P	X	X
<u>Wholesale and Warehousing, Major.</u> An establishment that is primarily engaged in the storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major mail distribution centers, frozen food lockers, moving and storage firms, and warehousing and storage facilities.	X	X	X	C	X	X
<u>Wholesale and Warehousing, Minor.</u> An establishment that is engaged in the small scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms and similar high volume, high turnover facilities. Limited wholesale and warehouse area will generally be less than 30,000 square feet in area and operate during conventional business hours.	X	X	C	P	C	X

Other uses we should consider within the residential zones, include:

- Food trucks
- Sidewalk Vendors

Should any other types of uses be allowed? Should any of the existing uses be eliminated? Altogether OR from just certain zones?