Mayor
• Robert Dandoy

City Manager
• Matt Andrews

Council Members
• Jan Burrell
• Joe Paul
• Bryon Saxton
• Diane Wilson
• Ann Jackson

ROY CITY COUNCIL MEETING AGENDA (ELECTRONIC)

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. The anchor location shall be the Roy City Council Chambers located at 5051 South 1900 West, Roy Utah.

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

ROY CITY COUNCIL WORK SESSION AGENDA (ELECTRONIC)

APRIL 21, 2020 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS – 5051 SOUTH 1900 WEST

***** To view this meeting please watch via our Youtube channel (**https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA**). 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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ROY CITY COUNCIL MEETING AGENDA

MARCH 3, 2020 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS – 5051 SOUTH 1900 WEST

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. <u>Presentations</u>

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 weas 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 fond 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. <u>City Manager's Report</u>

- 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.

ROY CITY COUNCIL WORK SESSION

MARCH 3, 2020 – 5:30 P.M.

ROY CITY BASEMENT CONFERENCE ROOM – 5051 SOUTH 1900 WEST

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 its 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 every 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. <u>Adjournment</u>

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/UC6zdmDzxdOSW6veb2XpzCNA
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

Robert Dandoy, Mayor

Morgan Langholf, City Recorder

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:	**CONTRACTOR:**
ROY CITY CORPORATION	COMFORT SYSTEMS USA
By:_____	By:_____
[CORPORATE SEAL]	[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 referral 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

STAFF REPORT

City Council

April 21, 2020

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 strength 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

The Planning Commission held a Public Hearing on February 11, 2020.

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.

HISTORY

City Council:

- June 5, 2018 –
  - Request to Rezone property from R-1-8 to R-1-6 – Approved.
- April 3, 2018 –
  - Request to Amend General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential – Denied
  - Request to Rezone property from R-1-8 to R-3 – Died.
- August 2, 2016 –
  - Request to Amend General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential – Denied
  - Request to Rezone property from R-1-8 to R-3 or R-4 – Died.

Planning Commission:

- May 8, 2018 –
  - Request to Rezone property from R-1-8 to R-1-6 – Approved.
- March 13, 2018 –
  - Request to Amend General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential – Approved
  - Request to Rezone property from R-1-8 to R-3 – Approved.
- June 28, 2016 –
  - Request to Amend General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential – Denied
  - Request to Rezone property from R-1-8 to R-3 or R-4 – Denied

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 "A" – Aerial Map

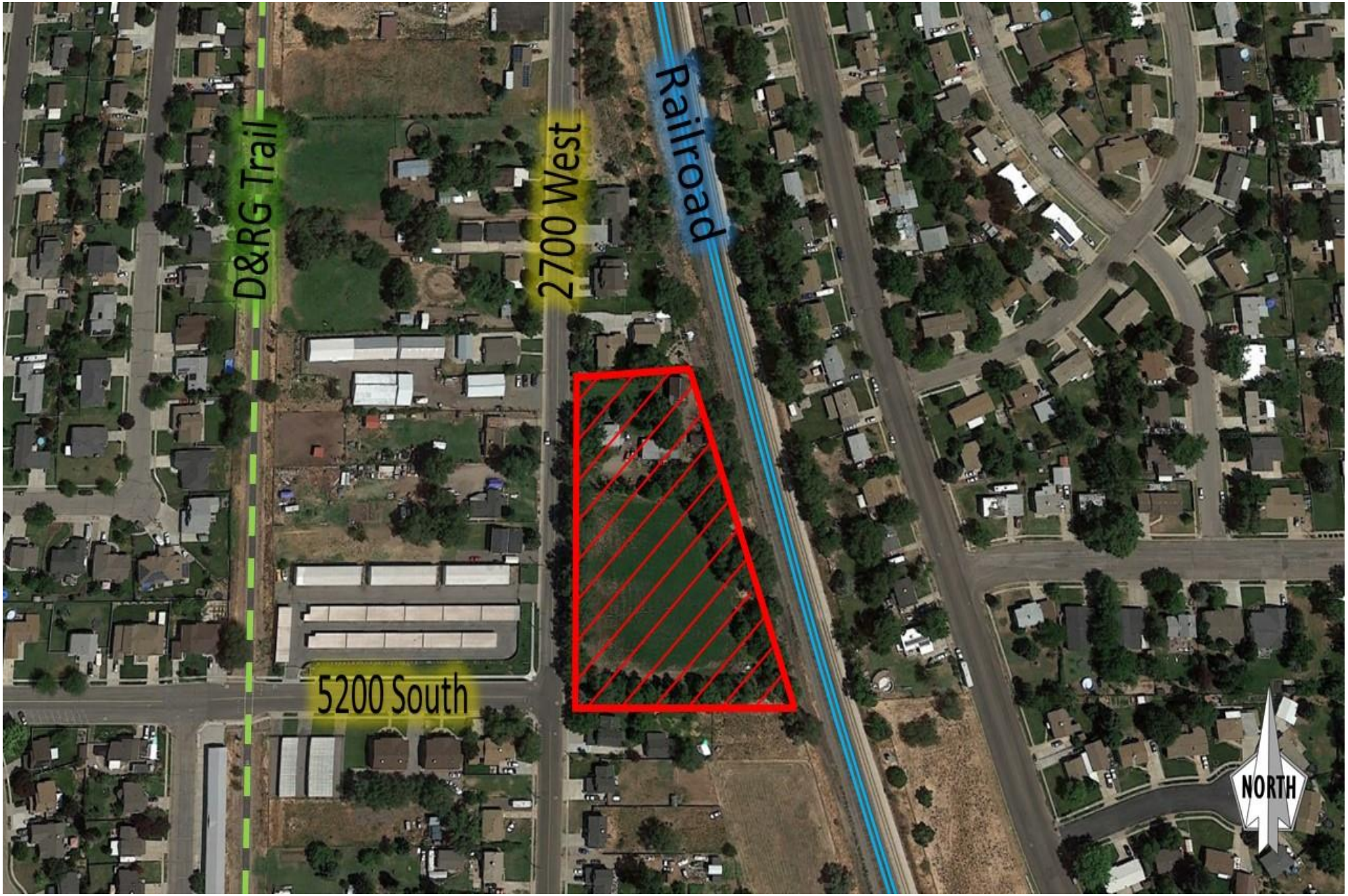


EXHIBIT "B" – FUTURE LAND USE MAP

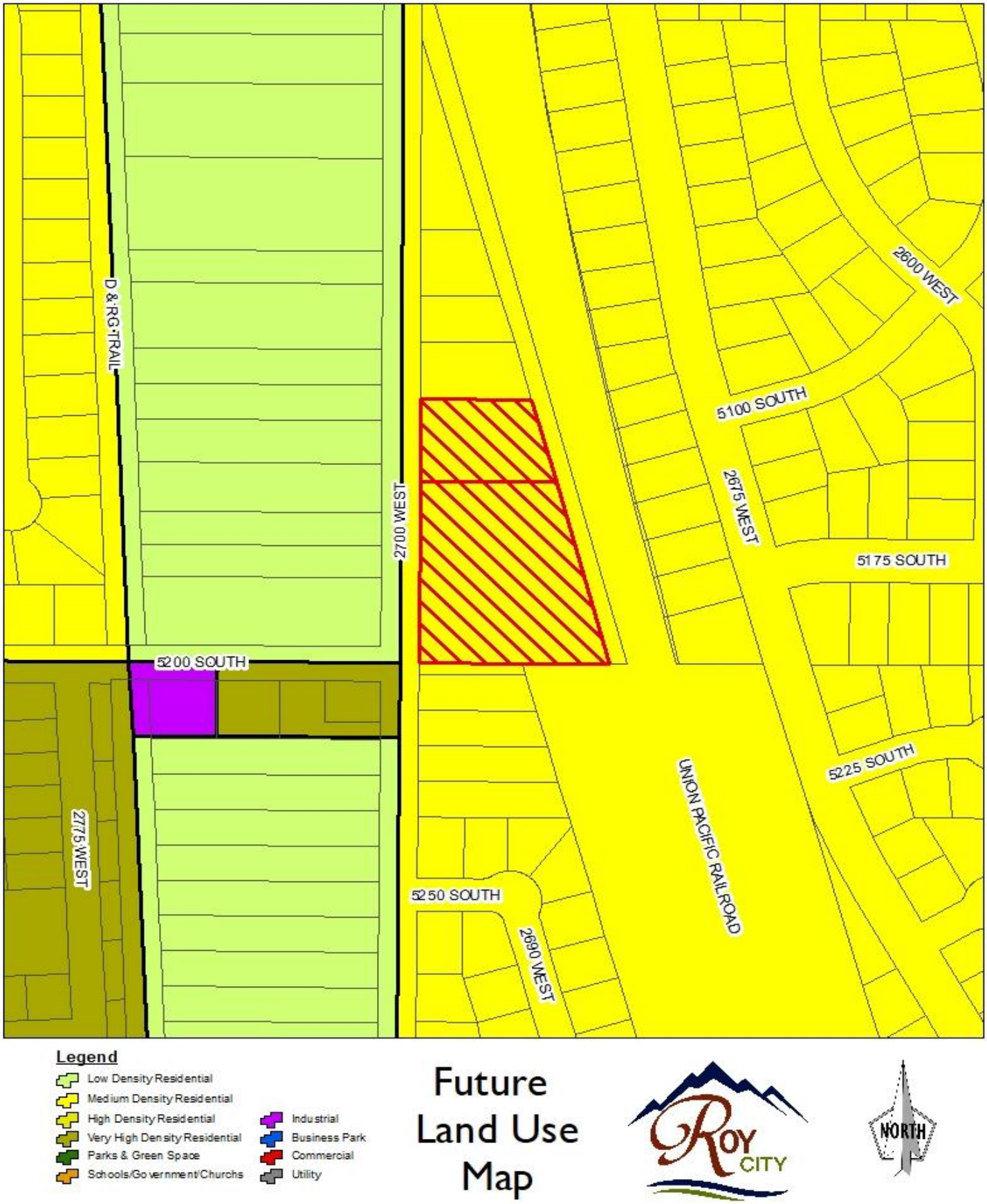
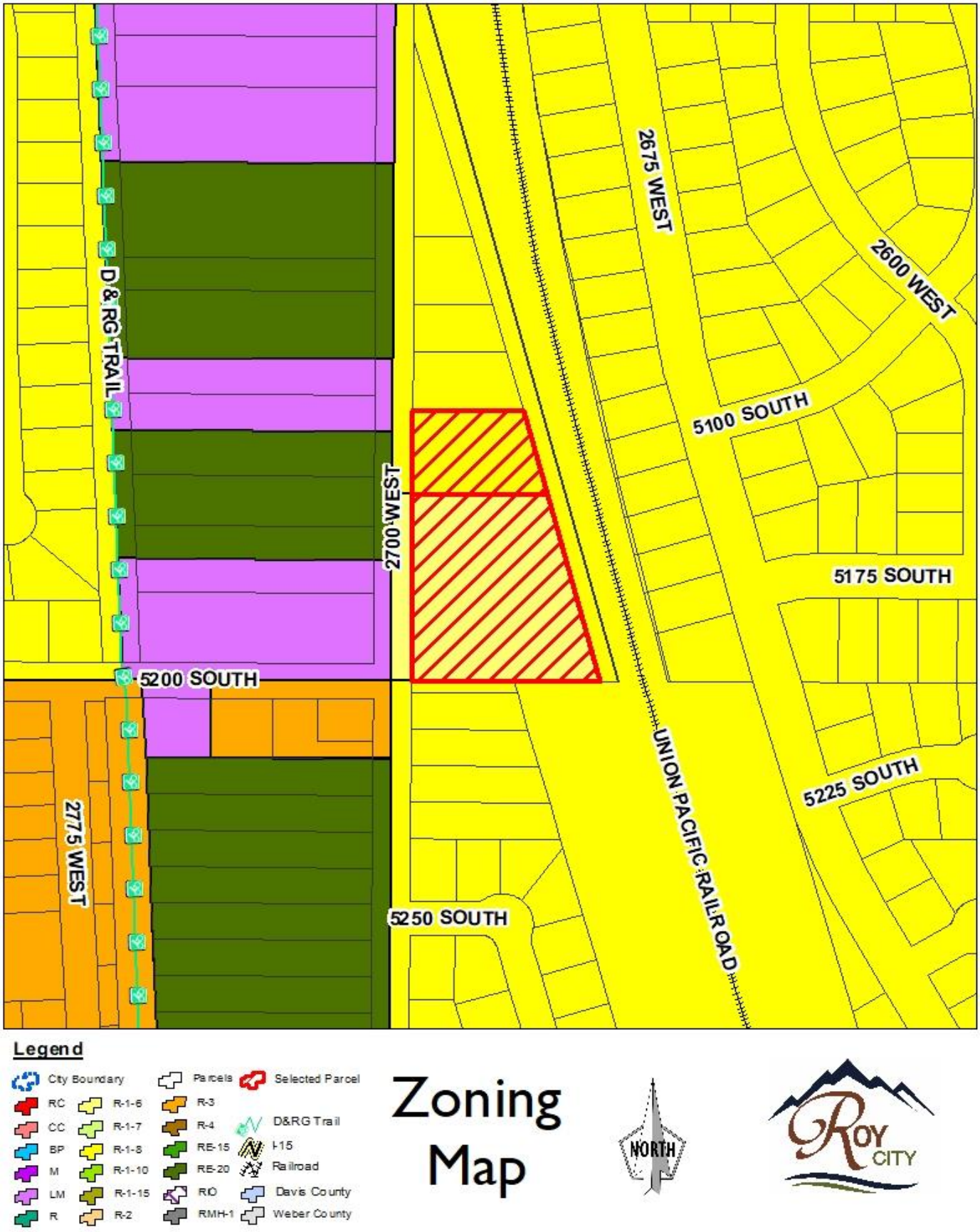


EXHIBIT "C" – ZONING MAP



ROY CITY
Planning Commission Regular meeting
February 11, 2020 – 6:00 p.m.
City Council Chambers/Courtroom
5051 South 1900 West

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 Hollein, 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 Magruder, 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 four-plexes 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" PROPOSED ELEVATIONS

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

ORDINANCE NO. 20-5

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-4designation 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

Roy City
Downtown
Form Based Code

MARCH 6, 2020 - DRAFT

1.0 Place Types

1.1. Introduction

In 2017, the document titled "Focus Roy City" was adopted. The document "provides guidance for how Roy should grow in the future and sets forth the opportunities and actions needed to address the challenges present today. The plan identifies two areas in Roy to focus new growth and development - Downtown Roy and the Roy FrontRunner Station Area." The plan outlines the vision for these areas, and recommends updating the City's Zoning Ordinance to support this vision.

This code addresses the Downtown area and is created specifically to respond to the vision set forth in the "Focus Roy City" document.

1.2. Place Type Designations

The Place Type detailed in section 1.3, outlines the block configurations, districts, street types, and open spaces required. The purpose of the Place Types is to regulate the design, subdivision, and massing of parcels designated within a specific Place Type District on the Zoning Map of the City.

1. Establishment of Place Type Districts.

The following Place Type District is hereby created. Refer to the Place Type for specific descriptions and requirements in section 1.3. Refer to Figure 1.2 (1) Place Type Map for Place Type locations.

(1) Downtown Place Type

Figure 1.2 (1): Place Type Map.

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 1900 West, from the southern edge of the Ray 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 Ray, as stated in the Focus Ray 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 Ray FrontRunner Station is about 2 miles from the heart of the downtown area.

Figure 1.3 (1). Downtown Place Type.

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 sizes. 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 2.0 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 faces.

4. Maximum Block Size.

An appropriate block size is an important element of a walkable downtown. Currently, Roy 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' (800' perimeter length) to 600' 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 1.2 (4), will result in most blocks falling within the ideal range described above, though some blocks may be larger.

Change to read: … block sizes should range between approximately 200' X 200' to …

Change to read: Figure 1.3 (4)

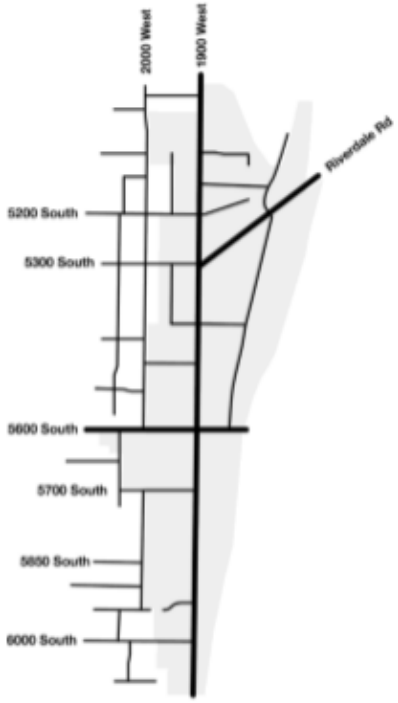


Figure 1.3 (3). Existing Street Network.

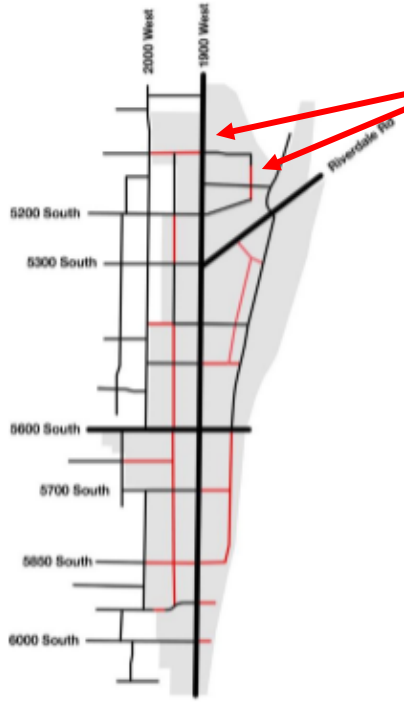


Figure 1.3 (4). Proposed Additional Streets.

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

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.

(1) The following street and frontage designations apply to the Downtown Place Type. Figure 1.3 (5) creates Primary Frontage Streets and Residential Frontage Streets, based on the proposed street network as demonstrated in Figure 1.3 (4).

(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 fronting the street.

(2) Lots without a Primary Frontage Street should consult with staff to determine with 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.

(1) Requirement. A minimum of two access points is required for each property.

(2) Recommendation. A minimum of one per every 1,500 feet of boundary is recommended.

Figure 1.3 (5). Street and Frontage Designations.

Site Plan should determine the number of access points. Remove this statement from the document.

1.0 Place Types

7. Lots.

(1) Typical Lot Dimensions. All lots of record shall be developed to meet the requirements outlined in 5.0 Building Type requirements.

(2) Typical Lot Configuration. All lots shall have frontage along a public street unless otherwise specified in 5.0 Building Type requirements.

(a) Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.

8. Block Access Configurations.

(1) Vehicular access should not be located off a Primary Street, unless the parcel is fronted by more than two Primary Streets, in which case, staff shall determine which is the appropriate street for vehicular access. The determination shall be based on locations of existing and proposed vehicular access points of other developments along the Primary Streets.

(2) Blocks may include alleys, drives, or driveway entrances with the following recommended configurations. See Figure 1.2 (6).

(a) Mid-Block Access. This configuration includes an alley or drive running through the center of the block.

(b) "T" Configuration. This configuration includes two alleys within a Block that are perpendicular to each other, forming a "T," allowing development to front on three block faces.

(c) "H" Configuration. Similar to the "T" configuration, this configuration allows development to front on all four block faces.

(3) Access to blocks shall be aligned, located on opposite sides of the block as well as aligned across the street from access to other blocks.

(4) Mid-Block Pedestrianways. Blocks longer than 500 feet should contain Mid-Block pedestrianways, where practical.

(a) When combined with mid-block street crossings, these pathways should align to facilitate easy pedestrian movements.

(b) Mid-Block pedestrianways should be located in the middle third of a block face.

(c) Minimum width for mid-block pedestrianways rights-of-way or easements is 20 feet.

9. General Open Space Requirements.

The following are requirements for provision of civic open space.

(1) Development parcels over 5 acres are required to provide 5% of total lot size as civic open space.

(2) Types of Open Space. Refer to 6.0 for Open Space Types for Open Space Types permitted by district.

(3) Open Space Requirements. Refer 6.0 for Open Space Types for specific Open Space Requirements

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.

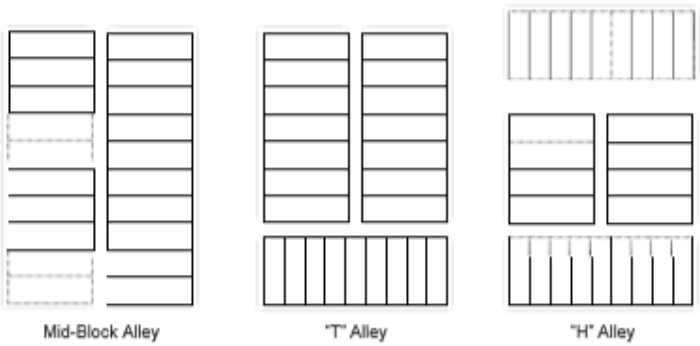


Figure 1.2 (6). Alley Configuration.

2.0 Street Types

2.1 General Requirements.

1. Intent.

The standards outlined in this section are intended to:

(1) 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.

(5) 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.

(6) 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 rights-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 Place Types.

3. General Requirements.

All proposed streets, landscape or furnishings zones, and sidewalks shall be located in dedicated vehicular Rights-of-Way as required by this article.

(1) Street Types. All new vehicular rights-of-way shall match one of the street types, refer to 2.4 through 2.7, whether publicly dedicated or privately held.

(2) Public Use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted.

4. Street Construction Specifications.

All construction in the right-of-way shall follow specifications defined by the Department of Public Works.

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 of a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 2.2 (1): Typical Right-of-Way Elements.

(1) Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.

(2) Pedestrian Realm. The pedestrian realm is typically comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path, and a buffer area, consisting of a landscape zone or furnishings zone that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm.

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

(b) Furnishings Zone. A hardscape 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.

4. Vehicular Travel Lanes

The number and width of vehicular travel lanes are determined by the Street Type.

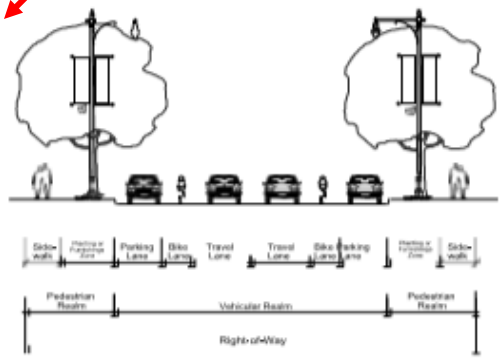


Figure 2.2 (1). Typical Right-of-Way Elements.

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.

6. Bicycle Facilities.

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 separated 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 slotted curbs into the Landscape Zone or permeable paving in the parking lane.

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)
0	20	7	7
45	12	8.5	17
60	10	8.5	18
90	9	8.5	18

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

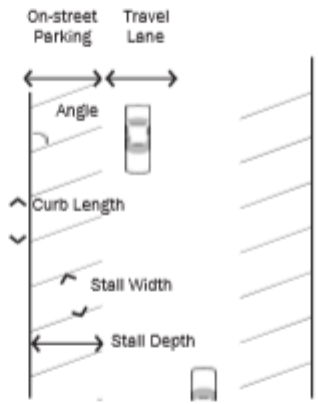


Figure 2.2 (2). On-Street Parking Layout.

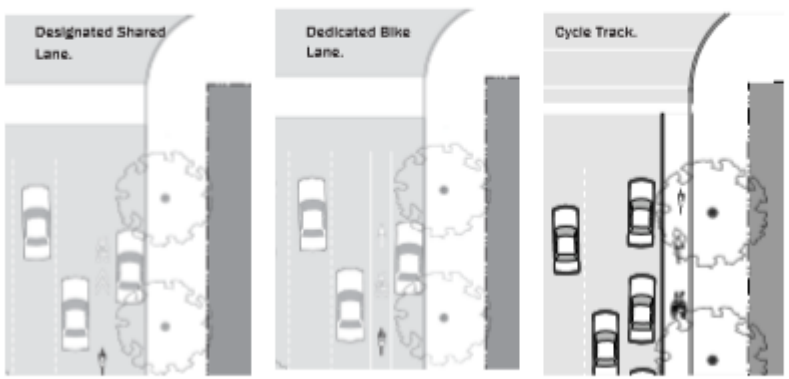


Figure 2.2 (3). On-Street Bicycle Facilities.

2.0 Street Types

8. Street Trees.

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

(1) 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.

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

(3) Spacing for street trees shall be no less than 50 feet on center. Recommended spacing in residential locations is 35 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.

(1) 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.

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

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

2. Disconnected Streets.

Disconnected streets may take the following form:

(1) 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.

(a) Where abutting property is not subdivided, stub streets shall be provided at intervals as stated in the maximum block length and width recommended in 1.3 Place Types.

(b) Existing stub streets adjacent to a proposed subdivision shall be connected.

(2) 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.

(a) Proposed half streets along the periphery of the subdivision shall have no less than one-half of the right-of-way dedicated and constructed.

(b) Existing half streets adjacent to a proposed subdivision shall be completed with the dedication of the remaining right-of-way and the complete construction of the street with the development of said proposed subdivision and property development.

(3) Cul-de-Sac Streets. Cul-de-sac streets are not permitted in any Place Type except where natural features prohibit the inclusion of a U-shaped street accessing the location. The following parameters shall be incorporated when the exception is taken:

(a) The Cul-de-sac shall not be more than 300 feet in length as measured along the centerline from the closest intersection.

(b) The Cul-de-sac shall have a maximum outside turning radius of 50 feet.

(c) A pedestrian sidewalk connection from the cul-de-sac through to the next closest street or sidewalk.

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".

4. Intersections.

(1) 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).

(d) Larger Radius. When the design vehicle requires a larger curb radius and no on-street parking exists, a 30 foot radius may be utilized with the approval of the Department of Public Works.

(e) 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.

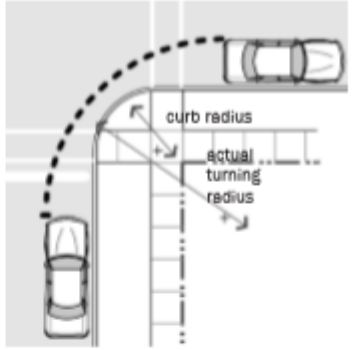


Figure 2.3 (1). Actual Right Turn Radius with On-Street Parking.

Figure 2.3 (2). Wide Street Crossing with Pedestrian Refuge Median.

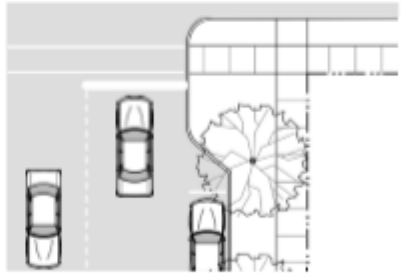


Figure 2.3 (3). Bulb Out.

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.

2.0 Street Types

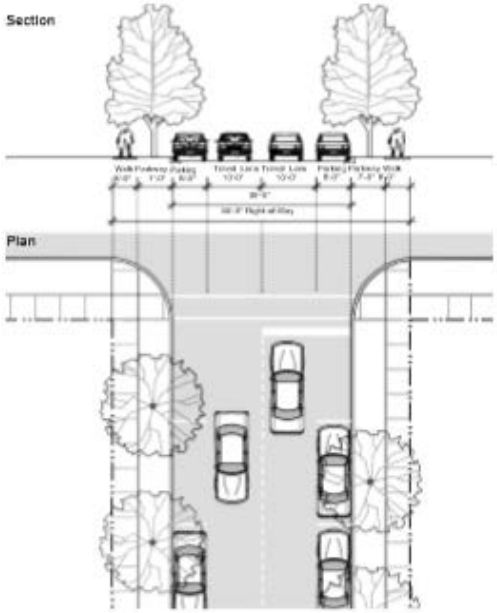
2.4 Connector Street.

1. Intent.

The Connector Street is a medium capacity street for slow speeds with a standard right-of-way, and is the most common street type in the Downtown Place Type. Refer to the typical plan and section, Figure 2.4 (1).

2. General Requirements.

Connectors shall be developed using the standards in Table 2.4 (1).



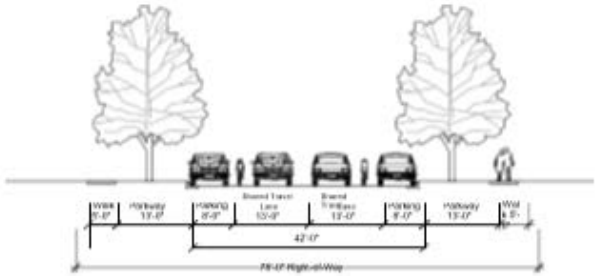


Figure 2.4 (1). Alternative 80' Shared Right-of-Way Connector.

Connector Street Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	80' to 70'
Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	10'
Allowable Turn Lanes	Right permitted in place of parking at intersections; left only with median alternative
Parking Lanes [1]	Parallel required on both sides of street.
Pavement Width	38'; 40' for alternative
Median	Permitted with 80' or greater right-of-way.
Bicycle Facilities [2]	Shared
Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides
Street Buffer	Minimum 7' wide planting zone or furnishings zone; adjacent to Residential Districts, Open Space Districts, the planting zone is required

[1] Reference 2.2.5 for on-street parking requirements
[2] Reference 2.2.8 for bicycle facility types and requirements

Table 2.4 (1). Connector Requirements.

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).

Neighborhood Street Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	60'
Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	18' to 18'
Allowable Turn Lanes	Not applicable
Parking Lanes [1]	Parallel required on one side of street
Pavement Width	32', 20' for alternative
Median	Permitted
Bicycle Facilities [2]	Shared
Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides
Street Buffer	Minimum 8' wide Landscape Zone

[1] Reference 2.2.5 for on-street parking requirements
[2] Reference 2.2.8 for bicycle facility types and requirements

Table 2.5 (1). Neighborhood Street Requirements.

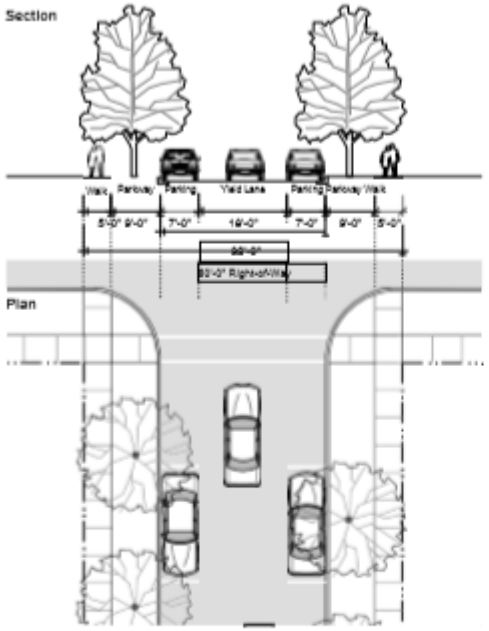


Figure 2.5 (1). Typical Neighborhood Street.

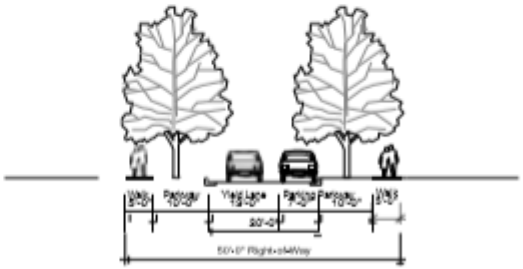


Figure 2.5 (2) Alternative 50' Right-of-Way Neighborhood Street.

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.

2.0 Street Types

2.6 Alley.

1. Intent.

The Alley is a very low capacity drive located at the rear of parcels. From the Alley, access to parking facilities, loading facilities, and service areas, such as refuse and utilities is possible without a curb cut or driveway interrupting a street type. Refer to the typical plan and section in Figure 2.6 (1).

2. General Requirements.

Alleys shall be developed using the standards in Table 2.6 (1).

Alley Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	20'
Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	18'
Allowable Turn Lanes	Not applicable
Parking Lanes	Not applicable
Pavement Width	Minimum 18' Maximum 20'
Median	
Bicycle Facilities [1]	Shared
Pedestrian Realm	
Pedestrian Facilities	Shared; travel lanes are shared among drivers, pedestrians and bicyclists
Street Buffer	None required

[1] Reference 2.2.8 for bicycle facility types and requirements

Table 2.6 (1). Alley Requirements.

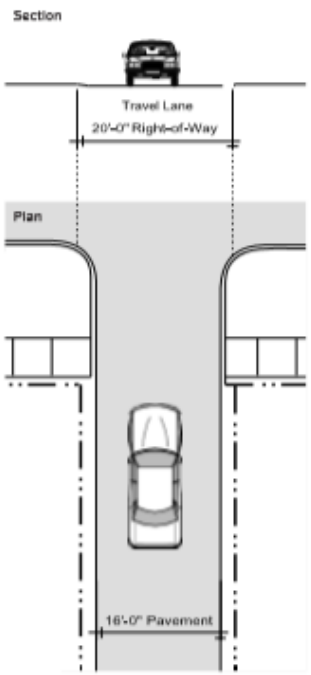


Figure 2.6 (1). Typical Alley.

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, 5600 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 10 foot setback is required on all new development along an Arterial Street.

(2) All setback areas must contain either landscape, trees, patio 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.

Arterial Requirements	
Existing Arterial Streets	1900 West 5600 South Riverdale Road
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	100' - 120'
Vehicular Realm	
Travel Lanes	See Roy City Transportation Master Plan
Lane Width	See Roy City Transportation Master Plan
Allowable Turn Lanes	See Roy City Transportation Master Plan
Parking Lanes	See Roy City Transportation Master Plan
Pavement Width	See Roy City Transportation Master Plan
Bicycle Facilities	See Roy City Transportation Master Plan
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 mixes 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 (1). 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 arterials (5600 South, 1900 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 5600 South and 1900 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 A" 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 a functional, mixed-use, and walkable district.

3.0 Districts

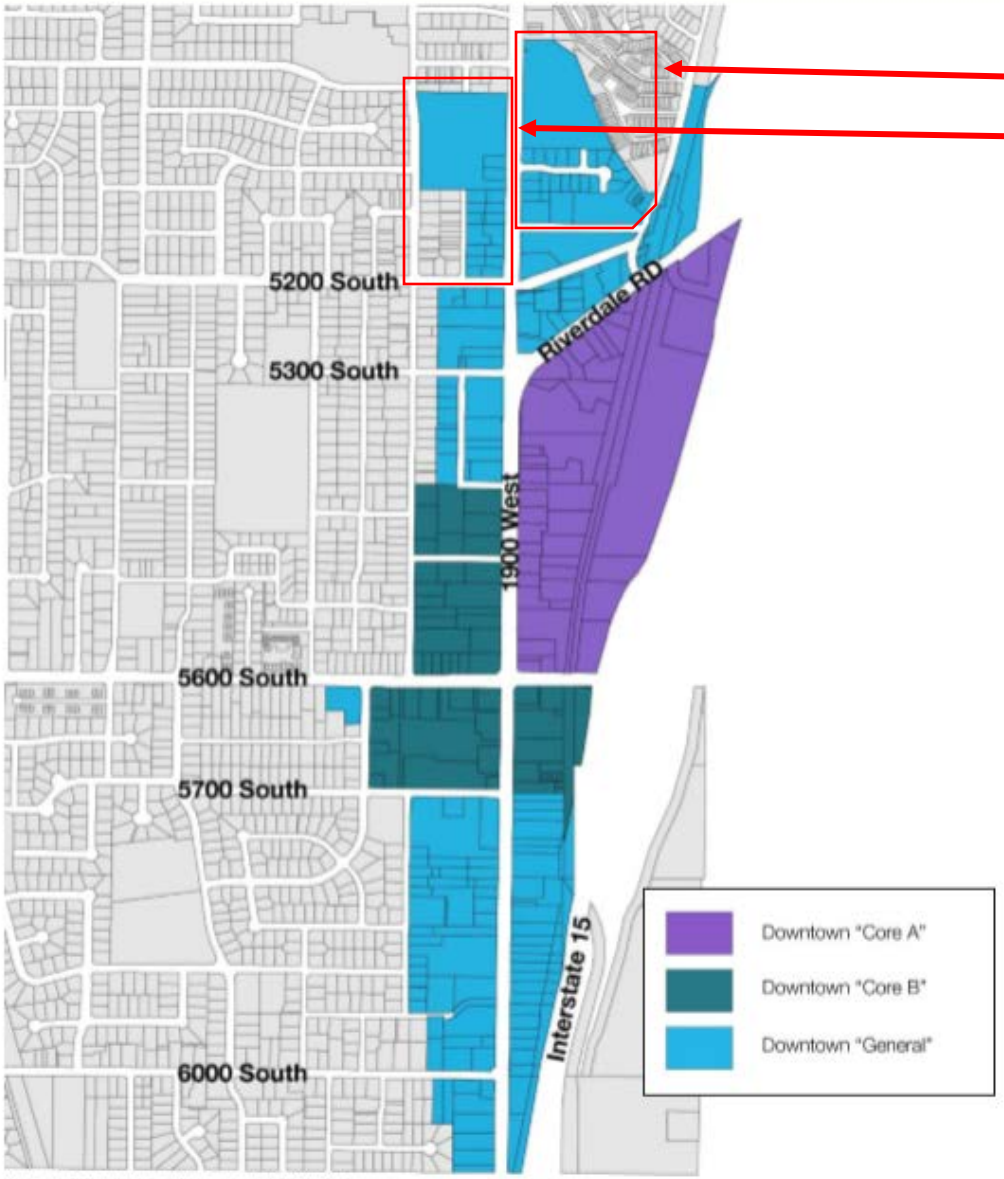


Figure 3.2 (1). Downtown Place Type Zoning Districts.

Remove from 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.

1. General Provisions.

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

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

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

(3) 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 10.2.7) 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.

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

(2) 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 30 feet from the front facade.

(3) 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.

(1) 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 accessed 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) Bed and Breakfasts and pensions are permitted.

(3) 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 accessed 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.

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

Change to read; "All uses not included in 4.2 -Definition of Uses are determined to be Prohibited Uses within the Roy City Downtown District".

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… .

Uses	Districts		
	Downtown "Core A"	Downtown "Core B"	Downtow n
Residential & Lodging			
Residential	P	P	P
Hotel & Inn	P	P	P
Residential Care	P	P	P
Civic			
Assembly	P	P	P
Transit Station	P	P	P
Hospital & Clinic	P	P	P
Library/Museum/Post Office (no distribution)	P	P	P
Police & Fire	C	C	C
School	P	P	P
Retail			
Neighborhood Retail	P	P	P
General Retail	P	P	P
Outdoor Sales Lot			C
Service			
Neighborhood Service	P	P	P
General Service	P	P	P
Vehicle Service			C
Office & Industrial			
Office	P	P	P
Craftsman Industrial	D	D	P
Infrastructure			
Parking Lot	D	D	D
Parking Structure	D	D	D
Utility & Infrastructure	C	C	C
Open Space	D	D	D
Accessory Uses			
Home Occupation	P	P	P
Outdoor Storage of Goods			D
Parking Lot	P	P	P
Parking Structure	D	D	D

Table 4.1 (1). Uses by District.

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

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 ("D"), 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.

(2) 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.

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

(3) 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.

(4) 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.

(5) Post Office. A publicly accessed 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.

(6) 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.

(1) 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.

(2) 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 (1). Typical Retail Uses.

(3) 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 ("C"), 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 patrons 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.

(1) 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 (2).

(2) 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 ("D"), the following apply:

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

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

(3) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up 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 windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

Neighborhood Retail	General Retail
Antique Shop	All Neighborhood Retail
Apparel & Accessory Store	
Art & Education Supplies	Liquor Store - State Owned (refer to Title 3 Chapter 2 in the Roy City Code for Alcoholic Beverage regulations)
Bakery, Retail	Appliance & Electronic Sales & Service
Bicycle Sales & Repair	Automotive Supply (no service)
Book, Magazine, & Newspaper Store	Computer Software Sales & Leasing
Building Materials, Hardware, and Garden Supply	Department Store
Camera & Photo Supply Store	Gun Shop
China & Glassware Shop	Home Furnishings & Accessories Sales & Rentals
Convenience Store	Medical Supply Store & Rental
Drug Store/Pharmacy	Motorcycle & Motor Scooter Sales
Medical Cannabis Pharmacy (refer to Title 10-17-1 in the Roy City Code for Medical Cannabis Pharmacy regulations)	Heating, Air Conditioning & Plumbing Supplies, Sales, & Service
Fabric & Craft Store	Cabinet Supply (display only)
Florist	Machine Sales and Rental
Gift, Novelty, & Souvenir Shop	Agriculture Equipment and Supply
Grocery Store	Electrical Supplies
Hardware Store	Merchandise Vending Machine Operators
Hobby Shop	Medical Supply Store & Sales
Jewelry Sales & Repair	
Luggage & Leather Goods	
Music Store	
Musical Instrument Repair & Sales	
Office Supply	
Optical Goods	
Paint & Wallpaper	
Party Supply Shop	
Pawn Shop	
Pet & Pet Supply	
Smoke Shop	
Specialty Food Market (Butcher, Candy, Fish Market, Produce, etc.)	
Sporting Goods Sales & Rental	

Table 4.2 (1). Typical Retail Uses.

Neighborhood Service	General Service
Arcade	All Neighborhood Services
Bank or other Financial Service	
Barber Shop, Beauty Salon, & Spa	Animal Boarding (interior only)
Billiard Hall	Aquatic Facilities
Catering	Batting Cages
Check Cashing	Bowling Alley
Day Care, Adult or Child	Concert Hall
Dry Cleaning & Laundry	Exterminating & Disinfecting Service
Emergency Care Clinic	Funeral Home
Fitness, Dance Studio, & Gym	Miniature Golf Course
Framing	Recreation, Commercial Indoor
Home Furniture & Equipment	Repair of Small Goods & Electronics
Repair	Shooting & Archery Ranges (indoor only)
Locksmith	Skating Rink
Mailing Services	Tattoo/Piercing Parlor
Mobile Food Trucks (refer to Title 10-17-1 in the Roy City Code for Mobile Food Truck regulations)	Microbrewery
Pet Grooming	Tavern (refer to Title 3 Chapter 2 in the Roy City Code for Alcoholic Beverage regulations)
Photocopying & Printing	Nightclub (refer to Title 3 Chapter 2 in the Roy City Code for Alcoholic Beverage regulations)
Photography Studio & Supplies (on-site processing permitted)	
Restaurants (refer to Title 3 Chapter 2 in the Roy City Code for Alcoholic Beverage regulations)	
Shoe Repair	
Tailor & Seamstress	
Tanning Salon	
Tattoo/Piercing Parlor	
Theater	
Training Center	

Table 4.2 (2). Typical Service Uses.

Office	
Architecture/Engineering/Design	Recording & Sound Studio
Building Contractor (office only)	Research & Development
Business Consulting	Research Agency
Charitable Institutions	Surveying
Computer Programming & Support	
Detective Services	
Educational Services (tutor & testing)	
Employment Agency	
Financial & Insurance	
Government Offices	
Legal Services	
Management Services	
Physical Therapy/Physical Rehabilitation	
Medical & Dental with Laboratory	
PR & Advertising	
Property Development	
Radio & TV Studio	
Real Estate	

Table 4.2 (3). Typical Office Uses.

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 (3). In the districts where an office use is permitted with development standards ("b"), 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.

Craftsman Industrial

Apparel & Finished Fabric Products
Bakery & Confections
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
Engraving
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
Pottery, Ceramics, & Related Products
Printing, Publishing & Allied Industries
Shoes & Boots
Signs & Advertising
Small Goods Manufacturing
Smithing
Taxidermy
Textile, Fabric, Cloth
Toys & Athletic Goods
Upholstery
Woodworking

Table 4.2 (4). Typical Craftsman Industrial Uses.

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 ("b"), 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.

Add: if not properly screened.

8. Parking Lot.

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 ("b"), 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.

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

(3) Single Family. Parking lot cannot be associated with a single family use.

(4) Distance. Parking lot must be within 1,300 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.

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".

9. Parking Structure.

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 ("b"), 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.

Add: "or the structure is architecturally treated".

(4) Distance. Parking lot must be within 1,300 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 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 ("c").

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 ("D"), 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.

12. Accessory Uses.

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

(1) Home Occupation. An occupational use that is clearly subordinate to the principal use as a residence and 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 Type. 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 ("D"), 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 at a minimum 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.

Remove: ... and shall be covered.

Add: "All electrical power supplied will be underground".

Remove: ... with no service access.

Change to read from "does not" to "does".

5.0 Building Types

5.1. Introduction to Building Type Standards.

1. Introduction.

The Building Types detailed in 5.0 Building Types outline the required building forms for new construction and renovated structures within the Districts defined in 3.0.

2. General Requirements.

All Building Types must meet the following requirements.

(1) Zoning Districts. Each Building Type shall be constructed only within its designated districts. Refer to Table 5.1 (1) Permitted Building Types by Districts.

(2) Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to 4.0 Uses for uses permitted per district. Some Building Types have additional limitations on permitted uses.

(3) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the zoning district of the lot.

(4) 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.

(5) Accessory Structures.
- (a) Attached accessory structures are considered part of the principal structure.
- (b) Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
  - (i) Detached accessory structures are not permitted in the front yard.
  - (ii) Detached accessory structures shall be located behind the principal structure in the rear yard.
  - (iii) Detached accessory structures shall not exceed the height of the principal structure.

Building Types by Districts

		Districts		
		Downtown "Core A"	Downtown "Core B"	Downtown "General"
Building Types	Storefront	P	P	P
	General Stoop	P	P	P
	Limited Bay			P
	Large Format	P	P	P
	Row Building			P
	Civic Building	P	P	P

P = Permitted

Table 5.1 (1). Permitted Building Types by District

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 5.8.

1. Building Siting.

The following explains the line 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 facade 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 this number set to also allow the development of a courtyard 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 of 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, patio 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, patio space, or sidewalk space.

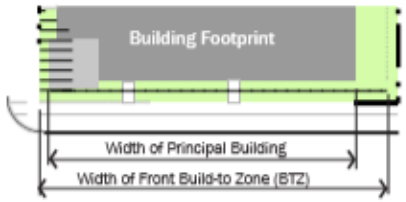


Figure 5.2 (1). Measuring Front Property Line Coverage

Change to read from "required " to "suggested".

Might be too restrictive! Form Based Codes is land development regulation that fosters predictable built results and a high-quality public domain by using physical form as the organizing principle for the code. There could be a case were a building design would fit that is not one of the 6 Building Types listed in Table 5.1.

Add: Exceptions to the 6 Building Types listed will be considered and require the approval of the City Council.

(6) Minimum Side Yard Setback. The minimum required setback along a side property line.

(7) Minimum Rear Yard Setback. The minimum required setback along a rear property line.

(8) Minimum & Maximum Lot or Building Width. Depending on the Building Type, either the minimum or maximum building or unit width will be noted or the minimum and maximum width of a lot, all measured at or parallel to the front property line.

(9) Parking & Loading Location. The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.

(10) Vehicular Access. The permitted means of vehicular ingress and egress to the lot.

(a) Alleys, when present, shall always be the primary means of access.

(b) When alleys are not present, a driveway may be permitted per Building Type and, if an alternative is available, shall not be located off a Primary Street.

2. Height.

The following explains the line item requirements for each Building Type Table within the second section entitled "Height".

(1) Minimum Overall Height. The minimum overall height for the building shall be located within the build-to zone; stories above the required minimum height may be stepped back from the facade.

(2) Maximum Overall Height. The sum of a building's total number of stories.

(a) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.

(b) A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

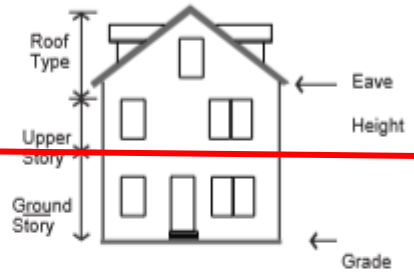
(c) Some Building Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.

(3) Ground Story and Upper Story, Minimum and Maximum Height. (Refer to Figure 5.2 (2). Measuring Height). Each frontage type includes a permitted range of height in feet for each story. Additional information is as follows:

(a) Floor height is measured in feet between the floor of a story to the floor of the story above it.

(b) Floor height requirements apply only to street facing facades.

(c) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.



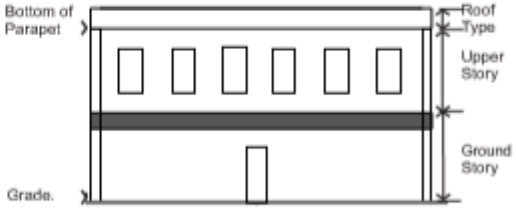


Figure 5.2 (2). Measuring Height

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

30 Foot

(4) Existing Single Family Residential Buffer. In order to assure compatibility of new construction with adjacent single family neighborhoods.

(a) Transitions for Single Family Homes Sharing a Property Line. A 20-foot setback is required from the property line adjacent to a single family detached home. At 20 feet, 25-foot building height is permitted in between the property line and 30 feet. After 30 feet, every 1 foot in additional horizontal distance from the property line permits 1 foot of additional vertical building height. After 40', building heights, as permitted in 5.0 Building Types, is allowed. See figure 5.2 (3).

(b) Transitions for Single Family Homes Across a Public Street. A 10-foot setback is required from the right-of-way line for any building directly across the street from an existing single-family or two-family zoned parcel. At 10 feet, a 35-foot building height is permitted in between the property line and 30 feet. After 30 feet, building heights, as permitted in 5.0 Building Types, is allowed. See figure 5.2 (4).

20 Foot

40 Foot

50 Foot

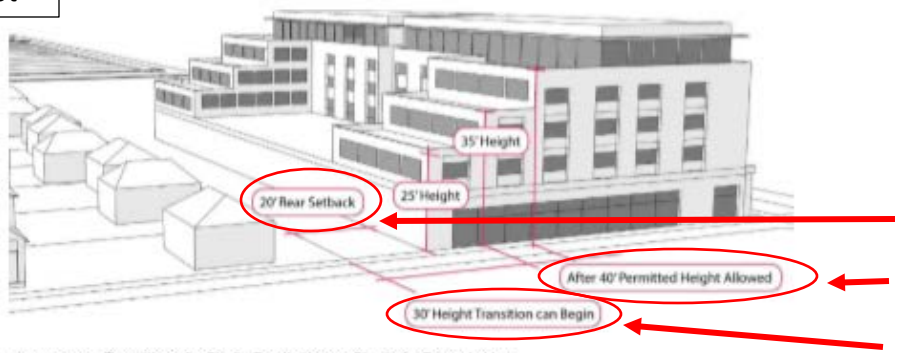
3. Uses.

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 (3), 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 storage areas, utility space, or parking.

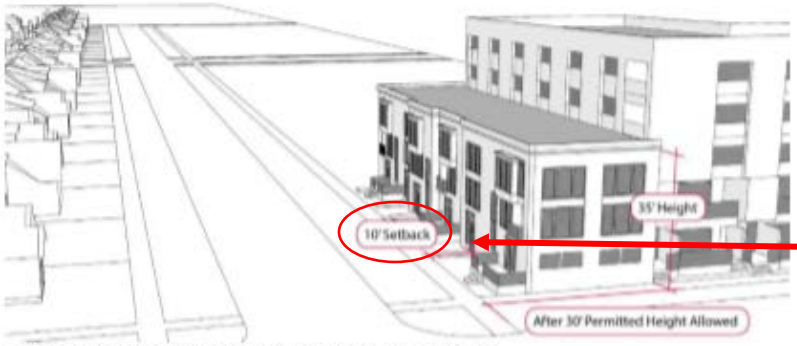


30 Foot

50 Foot

40 Foot

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



20 Foot

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 5.8, 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.
   (i) 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.
   (ii) 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; and
   (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 Types may be utilized. Refer to 5.9 Entrance Types 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.

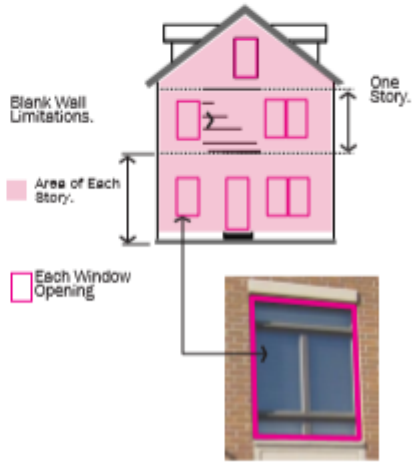
5. Roof Type.

The following explains the line item requirements for each Building Type Table in Sections 5.3 through 5.8, 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.

Measuring Ground Floor Transparency on a Storefront base.



Measuring Transparency on Each Story.

Figure 5.2 (5). Measuring Transparency.

5.0 Building Types

Storefront Building

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 on 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.

	Permitted Districts		
	Downtown "Core A"	Downtown "Core B"	Downtown "General A"
(1) Building Siting Refer to Figure 5.3 (1).			
Multiple Principal Buildings	permitted	permitted	permitted
Front Property Line Coverage	80% [1]	80% [1]	70% [1]
Occupation of Corner	required	required	required
Front Build-to Zone	0' to 5' [4]	0' to 5' [4]	0' to 10' [4]
Corner Build-to Zone	0' to 5'	0' to 5'	0' to 10'
Minimum Side Yard Setback	0'	0'	5'
Minimum Rear Yard Setback	5'	5'	5'
Minimum Lot Width Maximum Lot Width	none none	none none	none none
Parking & Loading Location	rear & side yard[4]	rear & side yard[4]	rear & side yard[4]
Vehicular Access	Alley only; if no alley exists, 1 driveway is permitted per non-primary street	Alley; if no alley exists, 1 driveway is permitted per non-primary street	Alley; if no alley exists, 2 driveways are permitted off non-primary streets
(2) Height Refer to Figure 5.3 (2).			
Minimum Overall Height	1 story	1 story	1 story
Maximum Overall Height	12 stories	10 stories [3]	5 stories [3]
Ground Story: Minimum Height Maximum Height	14' 24' [2]	14' 24' [2]	14' 24' [2]
Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'
(3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.			
Ground Story	retail, service, office	retail, service, office	retail, service, office
Upper Story	any permitted use		
Parking within Building	permitted fully in any basement and in rear of upper floors		
Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.3 (2).			
Minimum Ground Story Transparency Measured between 2' and 8' above grade	60% front only	60% front only	60% front only
Minimum Transparency per each Story	15%	15%	15%
Blank Wall Limitations	required per floor (refer to 5.2.4 (2))		
Front Facade Entrance Type	storefront, arcade	storefront, arcade	storefront, arcade
Principal Entrance Location	front or corner facade	front or corner facade	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade	1 per each 100' of front facade	1 per each 100' of front facade
Vertical Facade Divisions	every 50' of facade width	every 50' of facade width	every 75' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story, and every fifth floor above the first floor		
(5) Roof Type Requirements Refer to Figure 5.3 (3).			
Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat	parapet, pitched, flat
Tower	permitted	permitted	permitted

Notes

[1] Lots 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 coverage.

[2] Above the third story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

[3] If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

[4] Buildings along Riverdale Road, 1800 West and 5800 South are exempt from Front Build-to Zone requirements, and shall follow setback requirements as outlined in Section 2.0 Streets.

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'

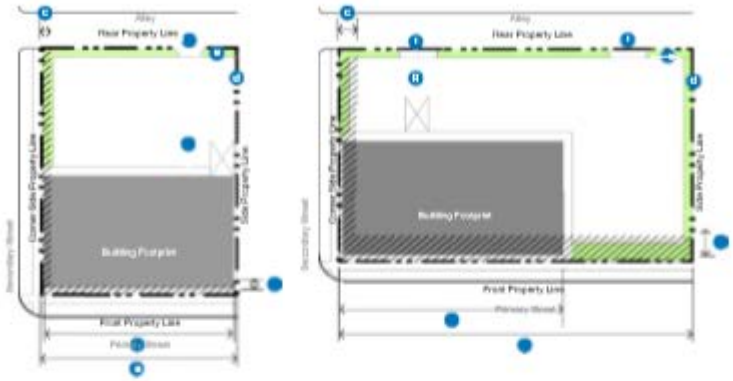
Change: Maximum Overall Height

- Downtown "Core A" From 12 stories to 7 stories
- Downtown "Core B" From 10 stores 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.



Typical Site Plan

Site Plan with Side Yard Parking

Figure 5.3 (1). Building Siting.

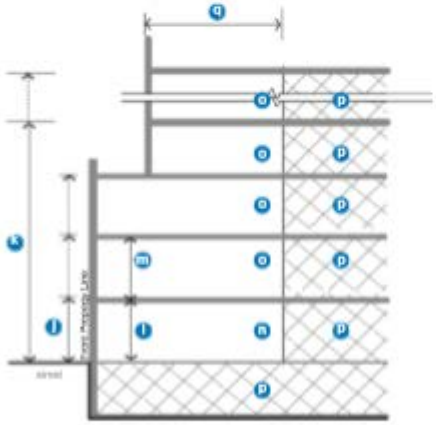


Figure 5.3 (2). Height & Use Requirements.

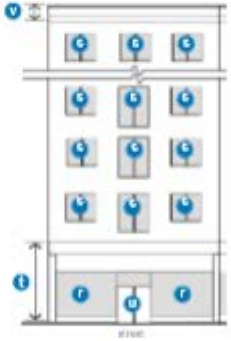


Figure 5.3 (3). Street Facade Requirements.

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 passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or 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.

		Permitted Districts		
		Downtown "Core A"	Downtown "Core B"	Downtown "General"
	(1) Building Siting Refer to Figure 5.4 (1).			
	Multiple Principal Buildings	permitted	permitted	permitted
a	Front Property Line Coverage	80% [1,2,3]	80% [1,2,3]	70% [1,2,3]
	Occupation of Corner	required	required	required
b	Front Build to Zone	0' to 10'	0' to 10'	0' to 10'
c	Corner Build to Zone	0' to 5'	0' to 5'	0' to 10'
d	Minimum Side Yard Setback	0'	0'	5'
e	Minimum Rear Yard Setback	5'	5'	5'
f	Minimum Lot Width Maximum Lot Width	none none	none none	none none
g	Parking & Loading Location	rear & side yard[2]	rear & side yard[2]	rear & side yard[2]
i	Vehicular Access	Alley; if no alley exists, 1 driveway is permitted per non-primary street	Alley; if no alley exists, 1 driveway is permitted per non-primary street	Alley; if no alley exists, 2 driveways are permitted per non-primary street
	(2) Height Refer to Figure 5.4 (2).			
j	Minimum Overall Height	1 story	1 story	1 story
k	Maximum Overall Height	12 stories	10 stories [4]	5 stories [4]
l	All Stories: Minimum Height Maximum Height	9' 14	9' 14'	9' 14'
	(3) Uses Refer to Figure 5.4 (3). Refer to 4.0 Uses for permitted uses.			
n	All Stories	any permitted use		
p	Parking within Building	permitted fully in basement and in rear of upper floors		
q	Required Occupied Space	30' deep on all full floors from the front facade		
	(4) Street Facade Requirements Refer to Figure 5.4 (3).			
	Minimum Transparency per each Story	15%	15%	15%
	Blank Wall Limitations	required per floor (refer to 5.2.4 (2))		
	Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront	stoop, porch storefront
	Principal Entrance Location	front or corner facade	front or corner facade	front or corner facade
u	Required Number of Street Entrances	1 per each 100' of front facade	1 per each 100' of front facade	1 per each 100' of front facade
	Vertical Facade Divisions	every 40' of facade width	every 40' of facade width	every 50' of facade width
	Horizontal Facade Divisions	required within 3' of the top of any visible basement and of the ground story, and at every fifth floor above the ground floor		
	(5) Roof Type Requirements Refer to Figure 5.4 (3).			
v	Permitted Roof Types	parapet, flat	parapet, flat	parapet, flat
w	Tower	permitted	permitted	permitted

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] Lots 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 coverage.

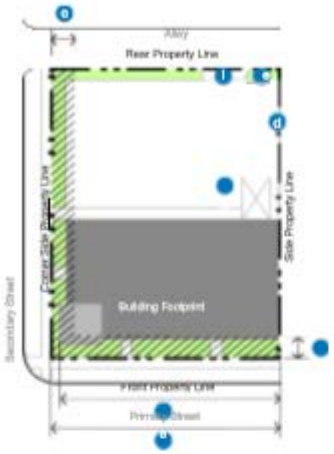
[3] Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

[4] Buildings along Riverdale Road, 1800 West and 5800 South are exempt from Front Build-to Zone requirements, and shall follow setback requirements as outlined in Section 2.0 Streets.

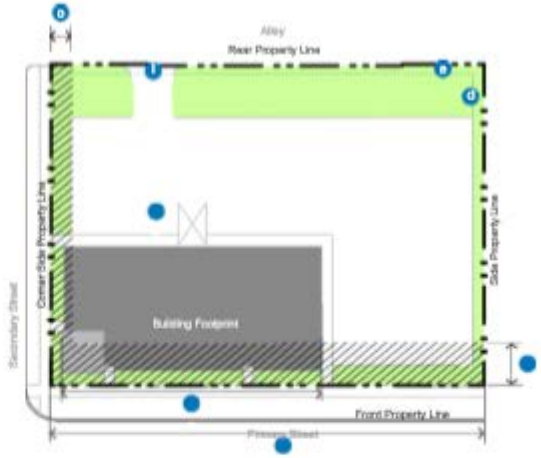
Change:
Front Build-to Zone
- Downtown "Core A" From 0'- 10' to just 5' – 10'
- Downtown "Core B" 0'- 10' to just 5'- 10'
- Downtown "General A" 0'- 10' to just 5' – 10'

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



Typical Site Plan



Site Plan with Side Yard Parking

Figure 5.4 (1). Building: Building Siting.

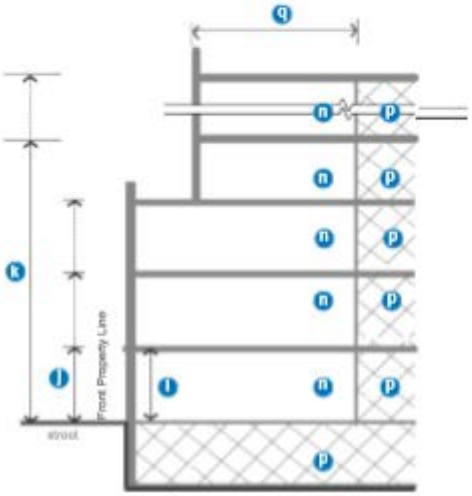


Figure 5.4 (2). Building: Height & Use Requirements.

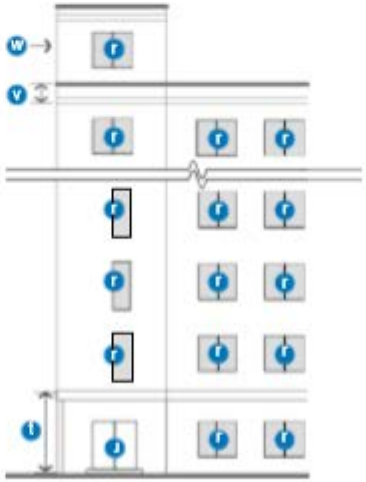


Figure 5.4 (3). Street Facade Requirements.

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 this Building Type, including craftsman 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, internally in 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.

	Permitted Districts
	Downtown "General"
(1) Building Siting Refer to Figure 5.5 (1).	
Multiple Principal Buildings	permitted
a Front Property Line Coverage	70%[1]
Occupation of Corner	required
b Front Build to Zone	0' to 10'
c Corner Build to Zone	0' to 10'
d Minimum Side Yard Setback	5'
e Minimum Rear Yard Setback	5'
f Minimum Lot Width Maximum Lot Width	50' none
g Parking & Loading	rear & side yard
h Street Facade Service Bay Entrance	limited to one per street facade, maximum width 18'
i Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage
(2) Height Refer to Figure 5.5 (2).	
j Minimum Overall Height	1 story
Maximum Overall Height	5 stories [2]
l Ground Story: Minimum Height Maximum Height	14' 24' [3]
m Upper Stories: Minimum Height Maximum Height	9' 14'
(3) Uses Refer to Figure 5.5 (3). Refer to 4.0 Uses for permitted uses.	
Ground Story	retail, service, office, craftsman industrial
Upper Story	any permitted use
Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor
Required Occupied Space	30' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.5 (3).	
Minimum Ground Story Transparency Measured between 2' and 8' above grade	40%. Minimum 50% of Service Bay door shall be transparent
Minimum Transparency per each Story	15%
Blank Wall Limitations	required per floor (refer to 5.2.4 (2))
Front Facade Entrance Type	storefront, stoop
Principal Entrance Location	front or corner facade
Required Number of Street Entrances	1 per 100' of facade; service bay door not included; 1 per 150' of facade
Vertical Facade Divisions	every 30' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story for all buildings over 2 stories
(5) Roof Type Requirements Refer to Figure 5.5 (3).	
Permitted Roof Types	parapet, pitched, flat
Tower	permitted

Notes

[1] Lots 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 coverage.

[2] 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.

[3] If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

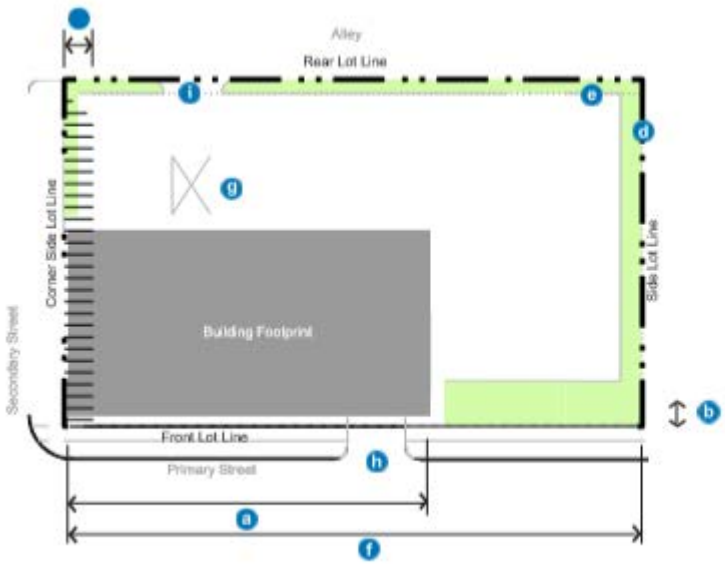


Figure 5.5 (1). Limited Bay Building: Building Siting.

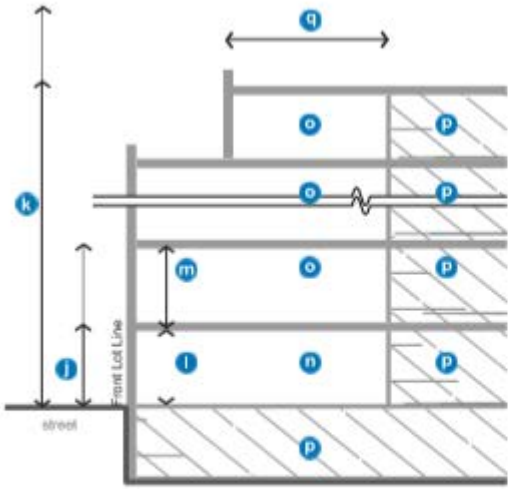


Figure 5.5 (2). Limited Bay Building: Height & Use Requirements.

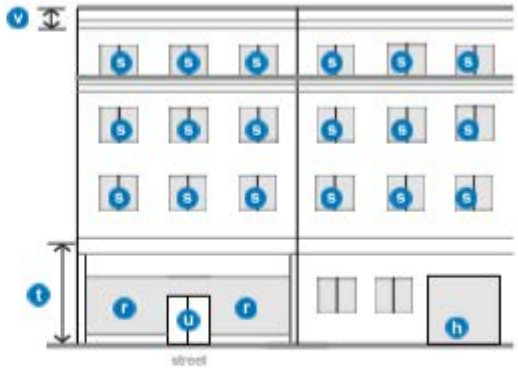


Figure 5.5 (3). Limited Bay Building: Street Facade Requirements.

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 is usually provided only single certificate of occupancy, and is commonly referred to as a "big-box" or "mid-box" 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 loaded aisle 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.

	Permitted Districts		
	Downtown "Core A"	Downtown "Core B"	Downtown "General"
(1) Building Siting Refer to Figure 5.5 (1).			
Multiple Principal Buildings	not permitted	not permitted	not permitted
a Front Sidewalk Coverage	80% [1]	80% [1]	70% [1]
b Occupation of Corner	required	required	required
c Front Build to Zone	0' to 15'	0' to 15'	0' to 15'
d Corner Build to Zone	0' to 10'	0' to 10'	0' to 10'
e Minimum Side Yard Setback	5'	5'	5'
f Minimum Rear Yard Setback	5'	5'	5'
Minimum Lot Width Maximum Lot Width	150' 400'	150' 400'	150' 400'
g Parking & Loading Location	rear and side yard		
h Vehicular Access	Alley; if no alley exists, 1 driveway is permitted per non-Primary Facade, or as approved by the City Zoning Administrator		
(2) Height Refer to Figure 5.5 (2).			
j Minimum Overall Height	1 story	1 story	1 story
k Maximum Overall Height	3 stories	3 stories	3 stories
l Ground Story: Minimum Height Maximum Height	18' 24'	18' 24'	18' 24'
Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'
(3) Uses Refer to Figure 5.5 (3). Refer to 4.0 Uses for permitted uses.			
n Ground Story	retail		
o Upper Story	retail, service, office		
p Parking within Building	permitted fully in basement and in rear of all floors. Permitted full on upper floors	permitted fully in basement and in rear of all floors. Permitted full on upper floors	permitted fully in basement and in rear of all floors. Permitted full on upper floors
q Required Occupied Space	50' deep on all full floors from the front facade	50' deep on all full floors from the front facade	50' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.5 (3).			
Minimum Ground Story Transparency measured between 2 and 8' above grade	50% front and corner-side facades only	50% front and corner-side facades only	50% front and corner-side facades only
Minimum Transparency per each Upper Story	15%	15%	15%
Blank Wall Limitations	required, see 5.2.4 (2)		
t Front Facade Entrance Type	storefront	storefront	storefront
u Principal Entrance Location	front or corner facade	front or corner facade	front or corner facade
Required Number of Street Entrances	1 per each 150' of front facade	1 per each 150' of front facade	1 per each 150' of front facade
Vertical Facade Divisions	every 50' of facade width	every 50' of facade width	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of the ground story for all buildings over 2 stories		
(5) Roof Type Requirements Refer to Figure 5.5 (3).			
v Permitted Roof Types	parapet, flat	parapet, flat	parapet, flat
Tower	permitted	permitted	permitted

Notes

[1] 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 coverage, is permitted.

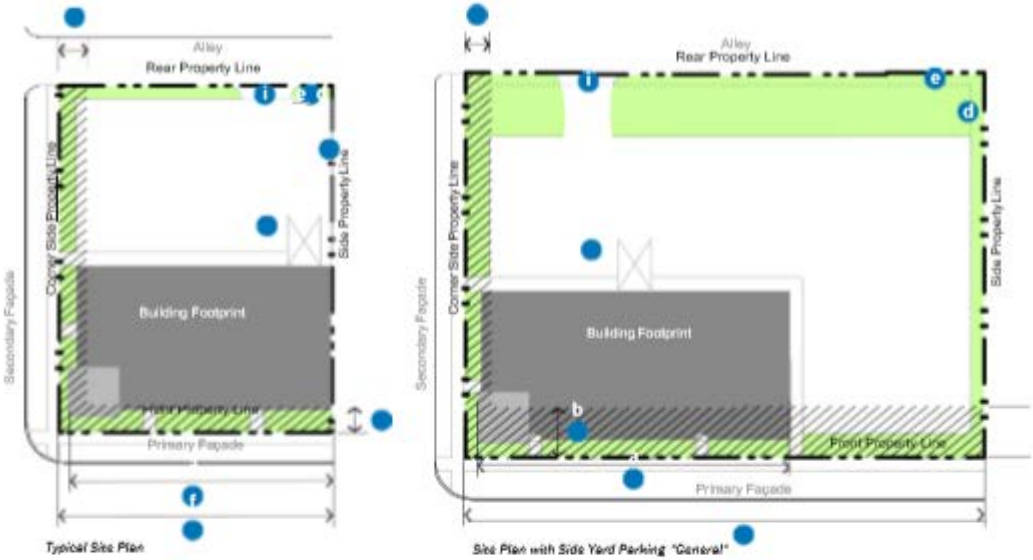


Figure 5.6 (1). Building Siting.

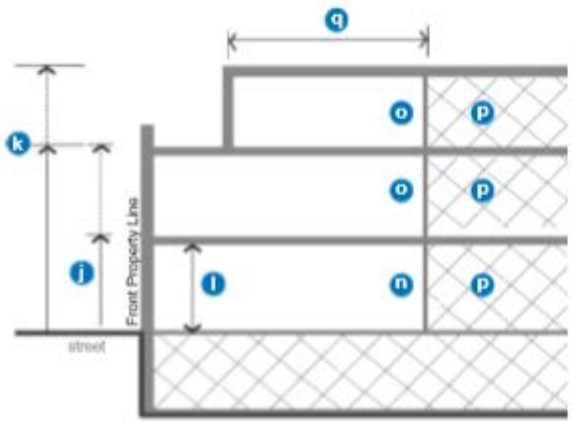


Figure 5.5 (2). Height & Use Requirements.

Figure 5.5 (3). Street Facade Requirements.

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 garaged 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.

	Permitted Districts
	Downtown "General"
(1) Building Siting Refer to Figure 5.6 (1).	
Multiple Principal Buildings	permitted[1]
Front Property Line Coverage	65% [2]
Occupation of Corner	required
Front Build to Zone	0' to 15'
Corner Build to Zone	0' to 15'
Minimum Side Yard Setback	0' per unit; 15' between buildings
Minimum Rear Yard Setback	10' [3]
Minimum Unit Width	22' per unit maximum of 8 units per building
Maximum Building Width	
Parking	rear yard/facade
Vehicular Access	From alley; if no alley exists, 1 driveway per building per street frontage
(2) Height Refer to Figure 5.6 (2).	
Minimum Overall Height	2 story
Maximum Overall Height	3.5 stories
All Stories: Minimum Height	9'
Maximum Height	14'
(3) Uses Refer to Figure 5.6 (2). Refer to 4.0 Uses for permitted uses.	
Ground Story	residential, service, office, limited craftsmen industrial
Upper Story	residential only
Parking within Building	permitted fully in basement and in rear of all floors
Required Occupied Space	30' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.6 (2).	
Minimum Transparency per each Story	15% [4]
Blank Wall Limitations	required per floor (refer to 5.2.4 (2))
Front Facade Permitted Entrance Type	stoop, porch, limited storefront [5]
Principal Entrance Location per Unit	front or corner side facade
Vertical Facade Divisions	not required
Horizontal Facade Divisions	for buildings over 3 stories, required within 3' of the top of any visible basement or ground story
(5) Roof Type Requirements Refer to Figure 5.6 (2).	
Permitted Roof Types	parapet, pitched, flat
Tower	not permitted

Notes

[1] 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.

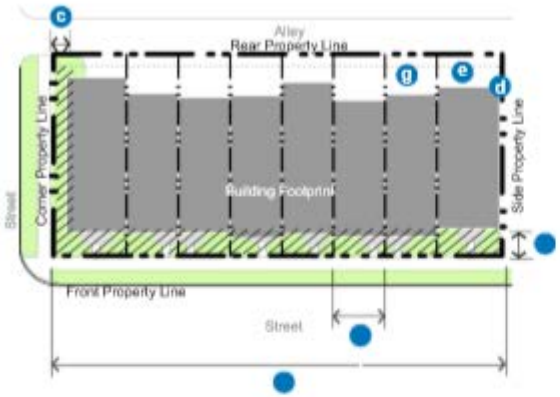
[2] Each building shall meet the front property line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

[3]

Rear yard setback on alleys is five feet.

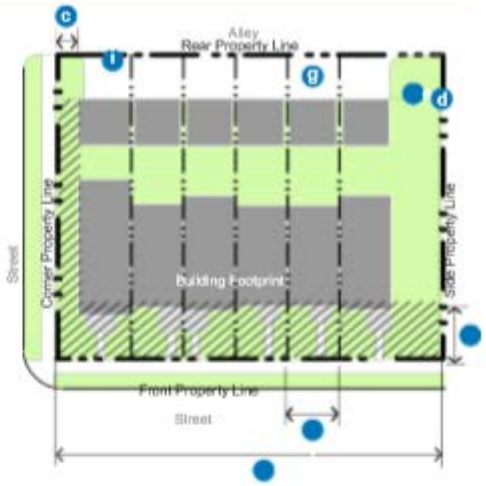
[4] When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55% as measured between two feet and eight feet above grade.

[5] The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.



Site Plan with Rear Access Attached Garage

Figure 5.7 (1) Row Building: Building Siting



Site Plan with Rear Yard & Detached Garage

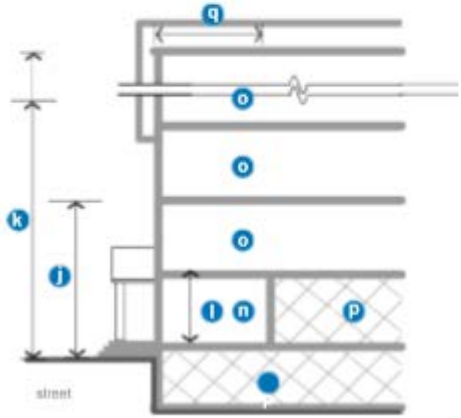


Figure 5.6 (2). Row Building: Height & Use Requirements

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

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 of 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.

Notes

[1] Lots 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 coverage.

[2] If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

	Permitted Districts		
	Downtown "Core A",	Downtown "Core B"	Downtown "General"
(1) Building Siting Refer to Figure 5.8 (1).			
Multiple Principal Buildings	permised		
Front Property Line Coverage	not required		
Occupation of Corner	not required		
D Front Setback	10'	10'	10'
E Corner Setback	5'	5'	5'
F Minimum Side Yard Setback	5'	5'	5'
G Minimum Rear Yard Setback	5'	5'	5'
H Minimum Lot Width Maximum Lot Width	50' none	50' none	50' none
I Parking & Loading	rear	rear	rear & interior side yard[1]
J Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage		
(2) Height Refer to Figure 5.8 (2).			
K Minimum Overall Height	1 story	1 story	1 story
L Maximum Overall Height	6 stories	6 stories	4 stories
M All Stories: Minimum Height Maximum Height	9' 20'[2]	9' 20'[2]	9' 20'[2]
(3) Uses Refer to Figure 5.8 (3). Refer to 4.0 Uses for permitted uses.			
N All Stories	limited to civic & institutional uses only		
P Parking within Building	permitted fully in basement and in rear of upper floors		
Q Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.8 (3).			
R Minimum Transparency per each Story	10%		
Blank Wall Limitations	not required		
T Front Facade Permitted Entrance Type	arcade, stoop		
U Principal Entrance Location	front or corner facade	front or corner facade	front or corner facade
Required Number of Primary Street Entrances	1 per 100' of facade	1 per 100' of facade	1 per 150' of facade
Vertical Facade Divisions	not required		
Horizontal Facade Divisions	not required		
(5) Roof Type Requirements Refer to Figure 5.8 (3).			
V Permitted Roof Types	parapet, pitched, flat; other roof types are permised by Conditional Use		
W Tower	permised		

Change: Maximum Overall Height

- Downtown "Core A" From 6 stories to 5 stories
- Downtown "Core B" From 6 stories to 5 stories

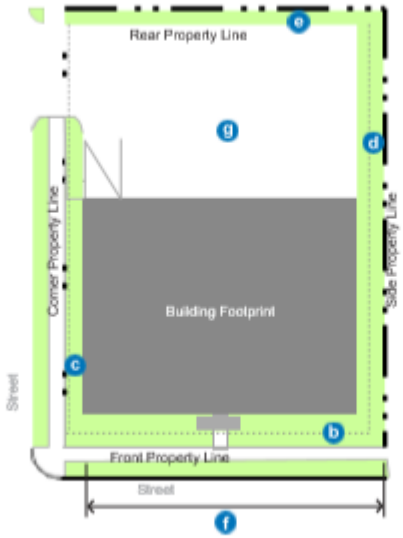


Figure 5.8 (1). Civic Building: Building Siting

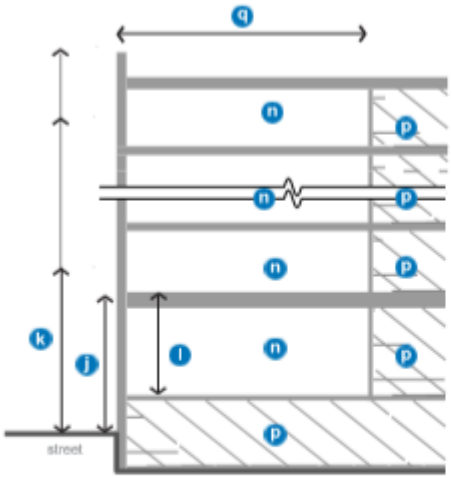


Figure 5.8 (2). Civic Building: Height and Use Requirements

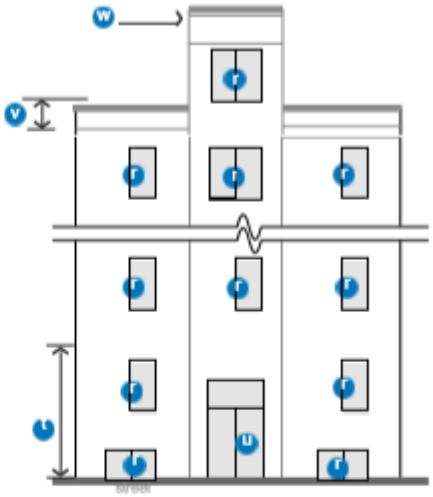


Figure 5.8 (3). Civic Building: Street Facade Requirements

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 each Building Type standard (refer to Building Types 5.3 through 5.8).

(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.

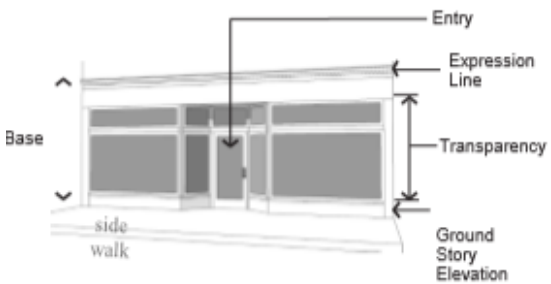


Figure 5.9 (1). Storefront Entrance Type

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.

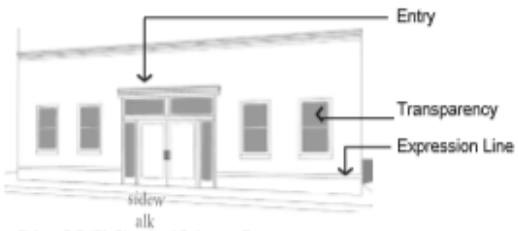


Figure 5.9 (2). Standard Entrance Type

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 12 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.

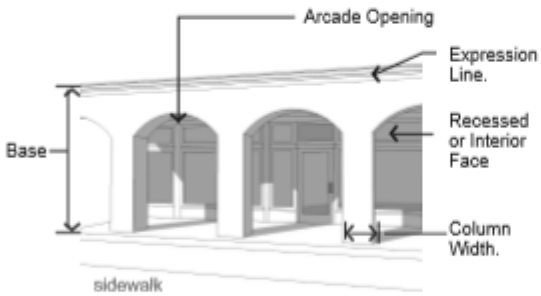


Figure 5.9 (3). Arcade Entrance Type

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.

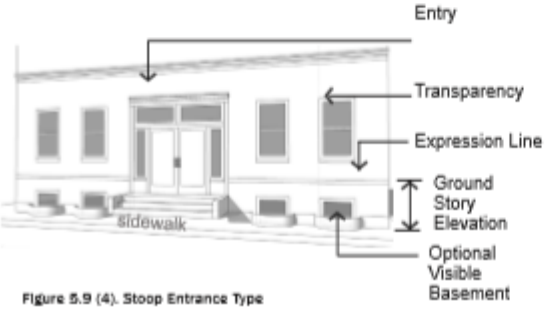


Figure 5.9 (4). Stoop Entrance Type

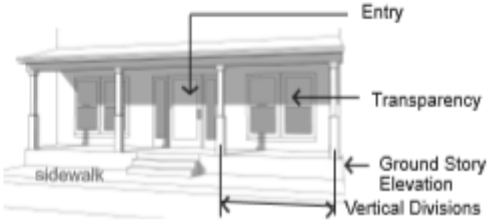


Figure 5.9 (5). Porch Entrance Type

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 5.3 through 5.8.

1. General Provisions.

The following provisions apply to all roof types.

(1) Intent. To guide the design of the cap of all buildings.

(2) Applicability. All buildings shall meet the requirements of one of the roof types permitted for the Building Type.

(3) Measuring Height. Refer to Section 5.2.2 for information on measuring building height.

(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:
   (a) The roof type shall not create additional occupiable space beyond that permitted by the Building Type.
   (b) 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.
   (c) 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 roof-top mechanical systems from the street (Refer to Figure 5.10 (1), Parapet Roof Type).

(1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
   (a) Minimum height is two feet with a maximum height of six feet.
   (b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).

(2) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.

(3) Occupied Space. Occupied space shall not be incorporated behind this roof type.

3. Pitched Roof Type.

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

(1) Pitch Measure. The roof may not be sloped less than a 4:12 (rise:run) or more than 18:12.
   (a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 5.10 (2) Low Pitched Roof).

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

(3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 5.10 (3). Parallel Ridge Line).

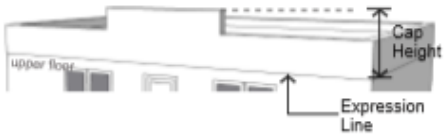


Figure 5.10 (1). Parapet Roof Type

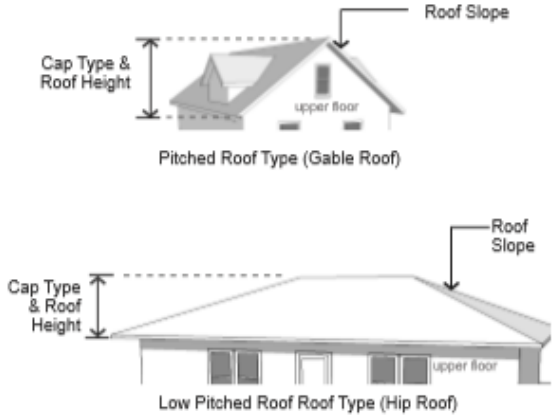


Figure 5.10 (2). Pitched Roof Type

(4) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.

(5) Occupied Space. Occupied space may be incorporated behind this roof type.

4. Flat Roof Type.

This roof type has a flat roof with overhanging eaves (Refer to Figure 5.10 (5). Flat Roof Type).

(1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.

(2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.

(3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches thick.

(4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.

(a) No more than one-half of the front facade can consist of an interrupting vertical wall.

(b) Vertical walls shall extend no more than four feet above the top of the eave.

(5) Occupied Space. Occupied space shall not be incorporated behind this 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 of 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 roof types, or the spire may cap the tower.

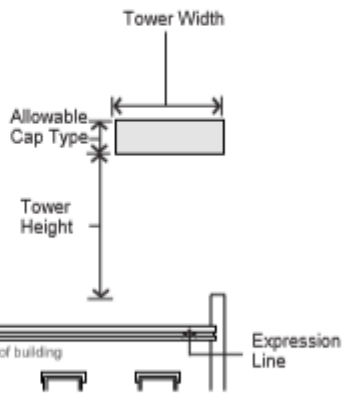


Figure 5.10 (4). Tower

Figure 5.10 (3). Parallel Ridge Line

Figure 5.10 (5). Flat Roof Type

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 Aerospace Design Theme for the design requirements for The Downtown Core Districts.

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.

(a) Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; 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 Figure 5.11 (1).

(2) Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.

(a) 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 Figure 5.11 (2).

(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).

Primary Materials: Brick

Primary Materials: Stone

Primary Materials: Painted Wood

Figure 5.11 (1). Primary Materials.

Roof Materials: Asphalt Composite Shingles

Roof Materials: Ceramic Tile

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.

3. Balconies.

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.

Permitted Awnings: Metal

Permitted Awnings: Canvas

Prohibited Awnings: Plastic

Figure 5.11 (4). Awnings.

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.

(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.

(a) 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, shingled, or panel siding; 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).

(2) Secondary Facade Materials. Secondary materials are limited to details and accents and include concrete, wood, and EIFS.

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

(3) 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 aerospace theme.

(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 within these districts.

Figure 5.12 (1). Aerospace Design Theme.

Figure 5.12 (2). Aerospace Design Theme.

Figure 5.12 (3). Aerospace Design Theme.

Figure 5.12 (4). Aerospace Design Theme.

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".

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 be terminate the view. Acceptable vertical elements include a stand or grid 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.

Figure 5.13 (1). Building Variety.

(1) 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.

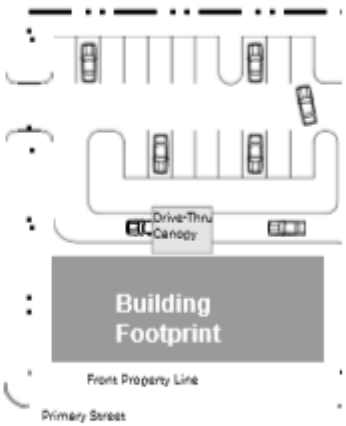


Figure 5.13 (2). Recommended Drive-Through Facility Layout.

6.0 Open Space Types

6.1 General Requirements.

1. Intent.

To provide open space as an amenity that promotes physical and environmental health within the community and to provide each household with access to a variety of active and passive open space types.

2. General Requirements.

Development of parcels over 5 acres are required to provide 5% of total lot size as civic open space. Developer shall work with the City to determine the appropriate location of open space. For parcels under 5 acres, impact fees and other funding will be used as mechanisms to ensure adequate open space will be provided within each district. All open space shall meet the following requirements.

(1) All open space provided within any Place Type shall comply with one of the Open Space Types defined by 6.2 through 6.8.

(2) Access. All Open Space types shall provide public access from a vehicular right-of-way.

(3) Location. Open Space Types shall be platted as a lot or, with permission of the City, may be located within the right-of-way. Open Space Types shall be zoned with an open space zoning designation or an adjacent zoning designation.

(4) Ownership. Open Space Types may either be publicly or privately owned. Whether public or private, all open space types in this section must be accessible and open to the public. Certain private open space types not addressed in this section, such as rooftop gardens or internal courtyards may be private, though they do not count toward required open space total.

(5) Parking Requirements. Parking shall not be required for any Open Space Type, unless a use other than open space is determined by the Zoning Administrator.

(6) Continuity. Connections to existing or planned trails or open space types shall be made when the open Space abuts an existing or planned trail right-of-way or other civic open space type.

3. Definition of Requirements.

The following further explains or defines the requirements included in Tables 6.2 (1) through 6.8 (1) for each Open Space Type. Refer to each table for the specific requirements of each Open Space Type.

(1) Size.
- (a) Minimum Size. The minimum size of the Open Space Type is measured within the parcel lines of the property.
- (b) Maximum Size. The maximum size of the Open Space Type is measured within the parcel lines of the property.
- (c) Minimum Dimension. The minimum length or width of the Open Space Type, as measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure 6.1 (1).

(2) Minimum Percentage of Vehicular Right-of-Way Frontage Required. The minimum percentage of the civic open space perimeter, as measured along the outer parcel line, that shall be located directly adjacent to a vehicular right-of-way, excluding alley frontage. This requirement provides access and visibility to the Open Space.

(3) Adjacent Parcels. Parcels directly adjacent to as well as directly across the street from an Open Space Type.
- (a) Districts Permitted on Adjacent Parcels. The zoning districts permitted directly adjacent to, as well as directly across the street from the Open Space Type. Refer to 3.0 for information on Districts.
- (b) Frontage Orientation of Adjacent Parcels. The preferred orientation of the adjacent parcels' frontages to the civic open space. Front, corner side, side, and rear refers to the property line either adjacent to the Open Space or facing the Open Space across the street.

(4) Improvements. The following types of development and improvements may be permitted on an Open Space Type.
- (a) Designated Sports Fields Permitted. Sports fields, ball courts, or structures designated for one or more particular sports including, but not limited to, baseball fields, softball fields, soccer fields, basketball courts, football fields, tennis courts, climbing walls, and skate parks are permitted.
- (b) Playgrounds Permitted. Playgrounds include a defined area with play structures and equipment.
- (c) Fully Enclosed Structures Permitted. Fully enclosed structures may include such uses as park offices, maintenance sheds, community centers, and restrooms.
  - (i) Maximum Area. For some civic open space types, fully enclosed structures are permitted, but limited to a maximum building coverage as a percentage of the open space area.
  - (ii) Semi-Enclosed Structures. Open-air structures, such as gazebos, are permitted in all open space types.
- (d) Maximum Percentage of Open Water Body. The maximum amount of area within an Open Space Type that may be covered by an open water body, including, but not limited to, ponds, lakes, and pools.

4. Stormwater in Open Space Types.

Stormwater management practices, such as storage and retention facilities, may be integrated into Open Space Types and utilized to meet stormwater requirements for surrounding parcels.

(1) Stormwater Features. Stormwater features in civic open space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool as part of the landscape design. Stormwater features shall not be fenced and shall not impede public use of the land they occupy.

(2) Qualified Professional. A qualified landscape design professional, such as a landscape architect or certified landscape designer, shall be utilized to incorporate stormwater features into the design of the civic open spaces.

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 <u>may</u> be utilized to incorporate ….".

Figure 6.2 (1). Typical Plaza.

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	
(1) Dimensions	
Minimum Size (acres)	0.25
Maximum Size (acres)	2
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	50%; 80% building frontage required on non-street frontage
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Permitted; maximum 5% of area
Maximum % of Open Water	50%
(4) Additional Design Requirements	

(a) Minimum Building Frontage. At least 80% of the plaza's perimeter that does not front on vehicular right-of-way shall be lined by building frontages.
(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.

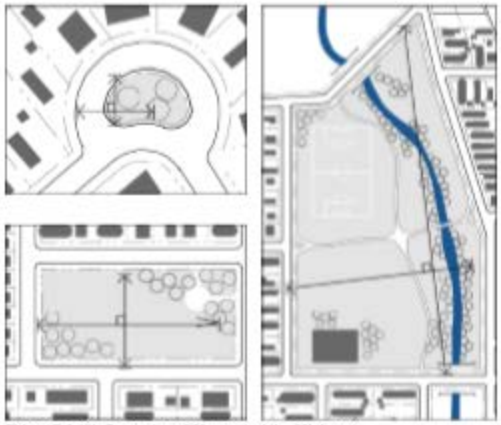


Figure 6.1 (1). Examples of Measuring the Minimum Dimension of Open Space Types.

6.0 Open Space Types

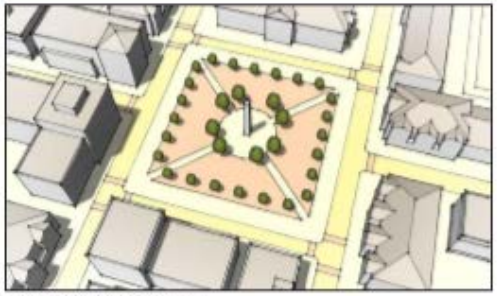


Figure 6.3 (1). Typical Square.

Figure 6.4 (1). Typical Green Layout.

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 rectilinear in shape and are typically bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.

2. Square Requirements	
(1) Dimensions	
Minimum Size (acres)	0.25
Maximum Size (acres)	3
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	75%
(2) Adjacent Parcels	
Permitted Districts	Downtown "Core A" Downtown "Core B"
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Not permitted
Fully Enclosed Structures Permitted	Permitted; maximum 5% of area
Maximum % of Open Water	30%
(4) Additional Design Requirements	

(a) Fully Enclosed Structures Permitted. Fully enclosed structures are permitted, and are allowed to cover a maximum of 5% of the total area of the Square.

6.4 Green.

1. Intent.

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

2. Green Requirements	
(1) Dimensions	
Minimum Size (acres)	0.50
Maximum Size (acres)	2
Minimum Dimension (feet)	45'
Minimum % of Vehicular ROW Frontage Required	75%; 50% for over 1.25 acres
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%

Figure 6.5 (1). Typical Commons Layout.

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.

2. Commons Requirements	
(1) Dimensions	
Minimum Size (acres)	0.20
Maximum Size (acres)	1.5
Minimum Dimension (feet)	45'
Minimum % of Vehicular ROW Frontage Required	0%; 2 access points required, minimum width each of 20'
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Side or Rear
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%
(4) Additional Design Requirements	

(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.

Figure 6.6 (1). Typical Pocket Park Layout.

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.

2. Pocket Park Requirements	
(1) Dimensions	
Minimum Size (acres)	0.10
Maximum Size (acres)	1
Minimum Dimension (feet)	None
Minimum % of Vehicular ROW Frontage Required	30%
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Any
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%

6.0 Open Space Types

Figure 6.7 (1). Typical Park.

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.

2. Park Requirements	
(1) Dimensions	
Minimum Size (acres)	2
Maximum Size (acres)	None
Minimum Dimension (feet)	100'
Minimum % of Vehicular ROW Frontage Required	30%; up to 5 acres; 20% over 5 acres
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Any
(3) Improvements	
Designated Sports Fields Permitted	Permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Permitted, minimum 5 acre Park required
Maximum % of Open Water	30%
(4) Additional Design Requirements	

(1) Vehicular Right-of-Way Frontage of Parks Less Than 5 Acres. At least 30% of the park shall continuously front on a vehicular right-of-way.
(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.

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.

(1) 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.

(2) To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.

(3) To promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.

(4) To shade large expanses of pavement and reduce the urban heat island effect.

2. Applicability.

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

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

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

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

(c) 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 aisle 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.

3. General Installation Requirements.

The installation of landscaping shall adhere to the following standards.

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

(a) 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 (ANSI Z60.1) as published by the American Association of Nurserymen.

(b) 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.

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

(a) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 1.5 times the installation costs as estimated by a qualified professional.

(b) 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.

(3) 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.

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

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

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

(c) Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.

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

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

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

(g) Species native or naturalized to the Wasatch Front, whenever possible.

Change from 30% to 33%

Remove

(5) Compost, Mulch, and Organic Matter. Compost, mulch, and organic matter may be utilized within the soil mix to reduce the need for fertilizers and increase water retention.

(6) Establishment. All installed plant material shall be fully maintained until established, including watering, fertilization, and replacement as necessary.

4. Ground Plane Vegetation.

All unpaved areas shall be covered by one of the following.

(1) Planting Beds.
- (a) Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
- (b) Nonliving materials, such as pine straw, colored gravel, or mulch, are permitted for up to 50% of a bed area.
- (c) Annual beds must be maintained seasonally, replanting as necessary.

(2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas.
- (a) Grass shall be established within 90 days of planting or the area must be reseeded, replugged, or resodded.

5. Tree Installations.

Trees planted in the public right-of-way, such as street trees, must be selected from the list of 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.

Plant Material Type	Minimum Size
Deciduous Shade/Overstory Tree	
Single Trunk	1.5" caliper
Multi Trunk	10' in height
Evergreen Tree	8' in height
Understory Tree	6' in height
Ornamental Tree	1.5" caliper
Shrubbery - Deciduous	container class 5
Shrubbery - Evergreen	container class 5
Groundcover	3" in height

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

(3) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this ordinance.
- (a) At least 70% of the canopy limits of preserved trees should have a permeable surface.
- (b) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 7.2 (2) for details.
- (c) Permeable area for one tree cannot count toward that of another tree.

(4) Structural Soil. When the Soil Surface Area (per Table 7.2 (2)) of a tree will extend below any pavement, structural soil is required underneath that pavement. Structural soil is a medium that can be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits (source: Cornell University, Urban Horticulture Institute). Load-Bearing Soil Cells may also be used to prevent over compaction of tree roots.

6. Irrigation Systems.

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 irrigate 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.

Tree Size	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
Small (less than 25' mature canopy)	736	294 (approx. 17' x 17')	100 (10' x 10')
Medium (25'-35' mature canopy)	2852	1141 approx. 34' x 34')	225 (15' x 15')
Large (larger than 35' mature canopy)	6532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 7.2 (2). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

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.

(1) 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 applicable 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, graffiti, and broken or damaged parts.

(6) Tree Topping. Tree topping is not permitted. When necessary, crown reduction thinning or pruning is permitted. Refer to 7.3.4 (2) 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.

3. Streetscape Design Submittal.

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 7.2.5 Tree Installations.

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

(2) 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).

(3) Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.

(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.

(1) Exception. Street Trees are not required on Alleys (refer to 2.8 Street Types).

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

(3) 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 Roy City Parks and Recreation Department.

(4) Street Tree Spacing. Street trees shall be planted as follows.
- (a) 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.
- (b) 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.
- (c) 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.
  - (i) Zoning Administrator may waive the street tree requirement in spaces less than nine feet.

(5) 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 pit 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 expandable.

7.4 Frontage Buffer.

1. Intent & Applicability.

(1) Intent. To lessen the visual impact of vehicular areas visible from the street.

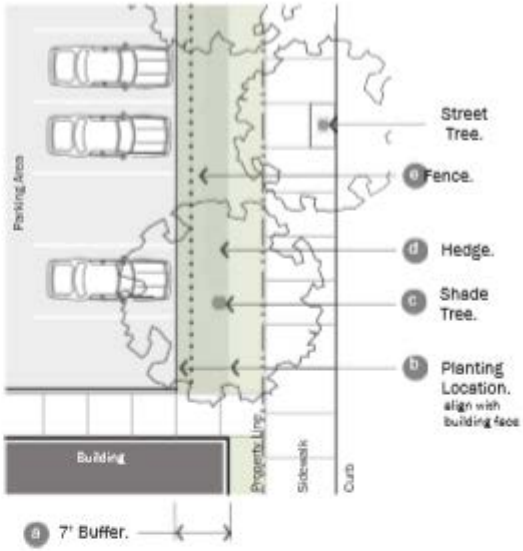
(2) General Applicability. Applies to properties in all Districts where a vehicular area is located adjacent to a right-of-way.

(a) Exceptions. Vehicular areas along alleys, except when a residential district is located across the alley; Single and two family residences.

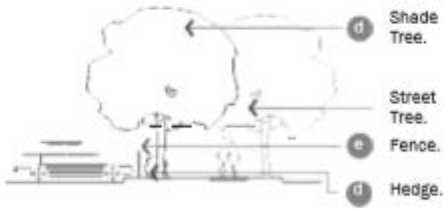
7.4 Frontage Buffer Requirements		
1. Buffer Depth & Location [1]		
Depth	7'	a
Location on	Between street facing property line and parking area [2]	b
2. Buffer Landscape Requirements		
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees	c
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of vehicular areas	d
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		e
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] This screening r
provision for open
walkways connect
[2] In front, corner, a

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.



Front Buffer Plan.



Front Buffer Section.

Figure 7.4 (1). Frontage Buffer Plan and Section.

7.0 Landscape

7.5 Side & Rear Buffer.

1. Intent & Applicability.

(1) Intent. To minimize the impact of new development on existing single family residential neighborhoods.

(2) General Applicability. Any parcel that abuts a parcel containing an existing single family residence.

7.5 Side & Rear Buffer Requirements		
1. Buffer Depth & Location		
Depth	10'	a
Location on the Site	Buffer is measured from side and rear property lines.	
2. Required Landscape Screen		
Width	5' landscape screen in addition to any other buffer landscaping	b
Location	Directly adjacent to the rear or side property line	
Hedge	Continuous double row of shrubs required between shade trees	c
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"	
Hedge Frequency	Minimum of 15 shrubs per 100' of property line is required	
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer	d
3. Buffer Landscape Requirements		
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer	
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	
Existing Vegetation	May be credited toward buffer area	

Notes:

[1] Zoning Administrator may reduce width of buffer, width of landscape screens, or location of landscape screen based on existing landscaping and topography.

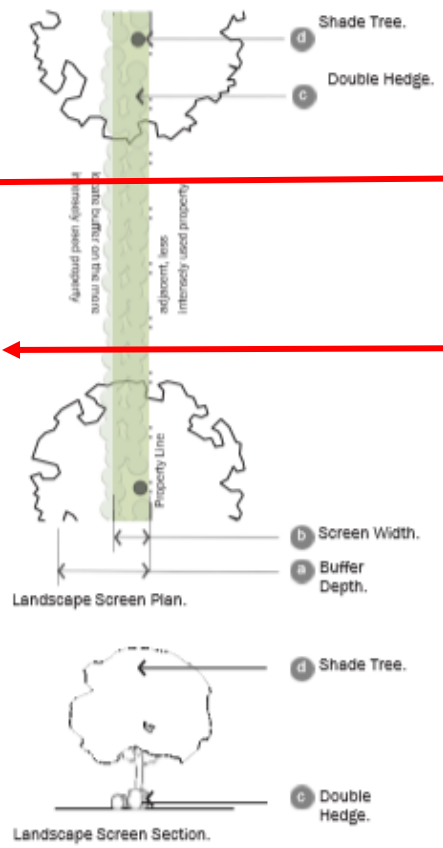


Figure 7.5 (1). Landscape Screen within Light Side & Rear Buffer.

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.

Change to read minimum 20'

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 Internal 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' 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 [2] of free standing rows or bays of parking; After every ninth parking space for rows of parking greater than 8 spaces in length [3]	a
Minimum Width	5'; 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	b
Required Trees Within Islands	Minimum of 1 medium or large shade tree per island	c
2. Landscape Median Requirements		
Required Median Location	Required in each free-standing bay of parking along the length of the bay	d
Minimum Width	5'; 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 [4]	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.	

[1] Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.
[2] Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.
[3] There shall be no more than 8 continuous parking spaces in a row without a landscape island.
[4] Trees within a designated buffer area may not be utilized to meet these requirements

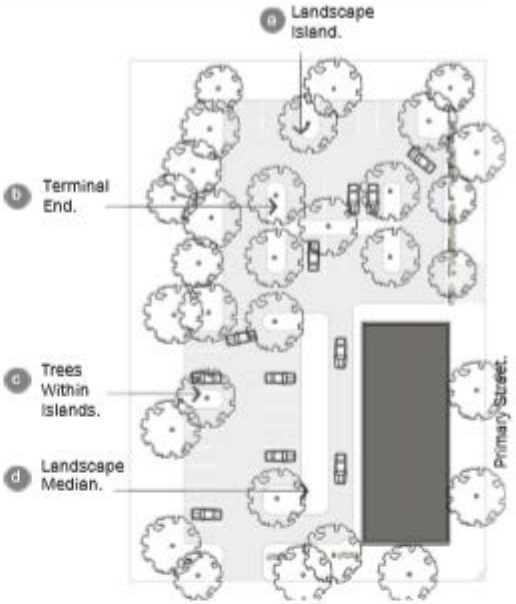


Figure 7.6 (1). Interior Parking Lot Landscaping.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

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

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.

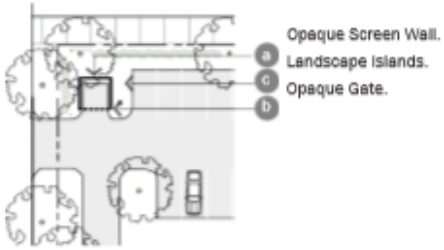


Figure 7.8 (1). Screening of Open Storage & Refuse Areas.

7.8 Screening of Open Storage, Refuse Areas, & Utility Appurtenances		
1. Open Storage & Refuse Area Screening Requirements		
Location on the Site	Not permitted in front or corner side yards	
Opaque Screen Wall [1]	Required around 3 sides of the dumpster and trash bin area	a
Screen Wall Height	Height shall be the higher of the following: 1. 6' 2. Height of use to be screened 3. Height as determined by City to accomplish objective of the screen	
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates	b
Landscape Requirement	If refuse area is located within larger 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 [2]	c
2. Utility Appurtenance Screening Requirements		
Large Private Mechanical Equipment [3]	Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way	
Small Private Mechanical Equipment [4]	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 50' of a parking space, may be utilized to meet the 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 of curbs, walkways, 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 of the deed or lease, whichever shall terminate sooner.
   (d) Location Parking. Any off-premise parking must be within 1,300 feet from the entrance 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 also 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.

Add as follows: … changes in use or intensity of use greater than 33% for existing development,…

Use	Required Vehicle Space
	Downtown Place Type
Residential	
Single Family, all sizes, or Multifamily, 1 Bedroom	1 / Dwelling Unit
Multifamily, 2 Bedrooms	1.5 / Dwelling Unit
Multifamily, 3 or 3+ Bedrooms	2 / Dwelling Unit
Hotel & Inn	1 / Room & 1 / 200 sq.ft. Office and Dining Room
Residential Care	.33 / Unit & .66 / Employee
Civic/Institutional	
Assembly	1 / 5 Seats
Transit Station	Per Zoning Administrator
Hospital	.20 / Bed & .66 / Employee
Library / Museum / Post Office (no distribution)	1 / 600 sq. ft.
Police & Fire	Per Zoning Administrator
Post Office (distribution)	1 / 400 sq. ft.
School: Pre K to Jr. High	1 / Classroom & 1 / 200 sq. ft Office
School: High School, Higher Education	1 / Classroom, 1 / 200 sq. ft Office, & .17 / Student
Retail	
Neighborhood Retail	1 / 300 sf
General Retail	1/ 300 sf
Outdoor Sales Lot	1 / 250 sq. ft. of Sales Area, with 1 / 10 Vehicle Display
Service	
Neighborhood Service	1/ 250 sf
General Service	1/ 250 sf
Eating & Drinking Establishments	1.0 / 3 seats + 1/3 number of employees
Vehicle Services	2 / Service Bay & 1 / 200 sq.ft of retail
Office & Industrial	
Neighborhood, General Office	1 / 200 sf
Craftsman Industrial	1 / 1,000 sq. ft. of Production Space & 1 / 500 sq. ft. of Retail Space
Open Space & Recreation	
Open Space & Recreation	Per Zoning Administrator

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

Use	Bicycle Spaces
Multifamily	Minimum 2 spaces or .05 spaces / bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sf
Retail	Minimum 2 spaces, 1 / additional 5,000 sf
Services	Minimum 2 spaces, 1 / additional 5,000 sf
Office	Minimum 2 spaces, 1 / additional 10,000 sf
Open Space	Per Zoning Administrator

Table 8.2 (2). Required Bicycle Parking.

Change to read: 0.5

(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, pews, or other similar seating facilities, each 24 inches of such seating shall be counted as one seat.

(b) 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.

(1) 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.

(a) 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.

(b) Approval. In order to approve a shared parking arrangement, the Zoning Administrator must find, based on competent evidence provided 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.

(c) 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 typically 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 (3).

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

Use Category	Weekdays			Weekends		
	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight
Residential	100%	50%	80%	100%	80%	80%
Retail & Service	5%	100%	80%	5%	100%	60%
Hotel & Inn	100%	65%	100%	100%	65%	100%
Place of Worship	0%	30%	50%	0%	100%	75%
Eating & Drinking Establishment	50%	70%	100%	70%	60%	100%
Office	5%	100%	5%	5%	5%	5%
Theater / Entertainment	5%	30%	100%	5%	80%	100%

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

(ii) Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in Table 8.2 (3). This table establishes six time periods per use.

(iii) For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.

(iv) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required and use that as the total number of parking spaces required for the site on a share parking basis.

(b) Uses in Different Buildings. Through review of the site plan the Zoning Administrator may approve the cooperative agreement if any of the uses are not located in the same structure or building.

(c) Location of Cooperative Parking. Any cooperative parking must be within 660 feet from the entrance of the use to the closest parking space within the cooperative parking lot, measured along a dedicated pedestrian path.

(d) Off-Site Cooperative Parking Agreement. An agreement approved by the City Attorney providing for cooperative use of off-site parking spaces, executed by the parties involved, shall be reviewed by the Zoning Administrator during review of the site plan.

(i) Off-site cooperative parking arrangements shall continue in effect only as long as the agreement remains in force.

(ii) If the agreement is no longer in force, then parking must be provided as otherwise required in this section.

4. Parking Credits.

Vehicular parking standards in Table 8.2 (1) may be reduced by achieving one or all of the following credits.

(1) 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 space 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 30 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.

(1) 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 vehicle overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.

(3) Location of Parking. Refer to 5.0 Building Type Standards for information on the location of parking facilities.

(4) Access. All off-street parking and loading facilities shall open directly onto an aisle, alley, or driveway designed to provide safe access to such facilities. Exceptions include:
   (a) Tandem Parking. No more than two spaces may be included in a tandem parking spot, and the rear space must meet the access requirement.
   (b) Parking Lifts. The lift exit shall meet the access requirement.

(5) Edge of Lot and Drives. All curb and gutter shall be located a minimum of 3 feet from any adjacent property line or right-of-way.

(6) Slopes. All parking and driveway or sidewalk access shall meet the requirements of the Utah Accessibility Code.

(7) Landscape Screening. All parking areas shall meet the requirements of in 7.0 Landscape Standards.

(8) Landscape Areas. Areas not used specifically for sidewalks, parking spaces, driving aisles, loading, or refuse shall not be paved. Areas striped with diagonal striped islands are not permitted.

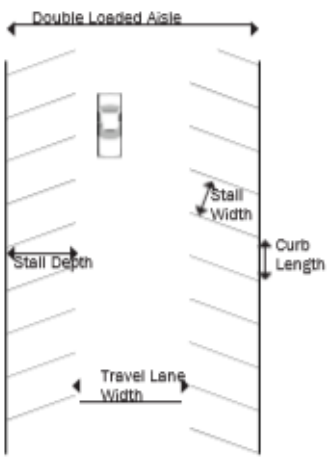


Figure 8.3 (1). Parking Lot Layout.

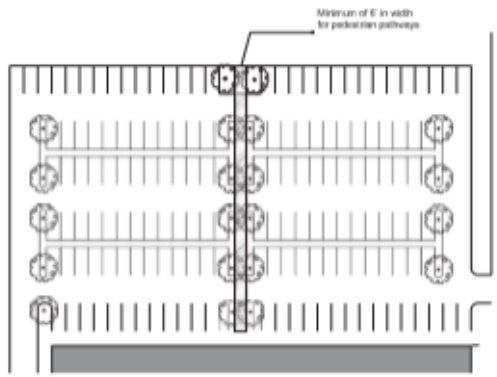


Figure 8.3 (2). Parking Lot Pedestrian Walkway.

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)	Travel Lane Width: One-Way (feet)	Travel Lane Width: Two-Way (feet)
0	20	7	-	12	20
45	12	8.5	17	12	20
60	10	8.5	18	18	20
90	9	8.5	18[1]	22	22

Note
[1] 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 6.14.3, permitting the overhang of the adjacent parked vehicle's front bumper.

Table 8.3 (1). Parking Space Dimensions.

(9) Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-pervious 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 Delineation. Pedestrian pathways should be clearly marked with striping or through the use of alternative materials, such as pavers. Refer to Figure 8.3 (2).

3. Bicycle Parking Design.

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 allows access. This access may be shared by adjacent bicycles.

(d) Racks shall be installed a minimum of two feet from any wall 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, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

(3) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.

(4) Bicycle Storage. In multifamily or office uses bicycle storage shall be lockable and enclosed.

(5) Surface. The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials, so that the bicycle parking area is clearly demarcated and the rock material is contained.

(6) Signage. If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.

(7) Long Term Parking. For multifamily residential uses, half of the bicycle parking spaces should be provided as long term parking, safe and secure from vandalism and theft, and protected from the elements.

Change to: "allow"

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.

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 10.2.5).

(1) 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 5.0 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.

(1) 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.

Gross Floor Area (sq. ft.)	Loading Spaces Required
Under 5,000	0
5,000 to 20,000	1
20,001 to 40,000	2
40,001 to 70,000	3
70,001 to 100,000	4
100,001+	4 + 1 for each 100,000 over 100,001

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) Total off-street loading spaces 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 26 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisle 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.

(2) 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.

(3) Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.

(a) 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.

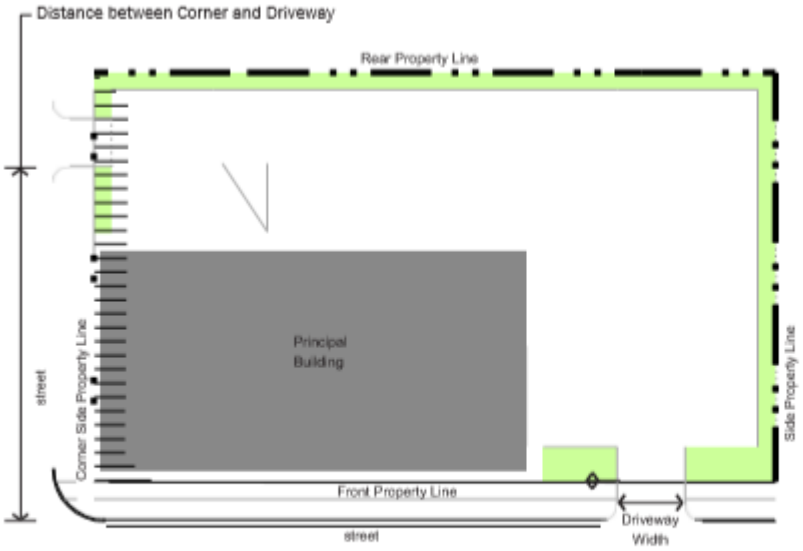


Figure 8.5 (1). Driveway Width and Location.

9.0 Sign Types

9.1 General Requirements.

1. Intent.

This section seeks to enhance the economy and aesthetic appeal of the Downtown Place Type through the 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 attained 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 rewording.

(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 rewording.

(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.

4. Prohibited, Temporary, Exempt Signage

Refer to Title 13 of the Roy City Code for information on Prohibited, Temporary, and Exempt Signs.

5. Sign Permit Process.

Refer to 10.2.6 for information on the Sign Permit Process.

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 free 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 bulb) 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 from 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.

(4) The illumination of any sign, resulting from any internal or external artificial light source, shall not exceed 250 nits at the Sign face during the day and 125 nits at the Sign face after sunset, with no light trespass onto adjacent property.

(a) Signs located within Downtown "Core A" and "Core B" Districts are exempt from this standard.

(5) Electronic Message Center (EMC) Signs are allowed as part of some sign types. See Roy City Sign Code 13-4-3 (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 front 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

(3) For the purposes of determining area, lot width or frontage is measured along the front property line.
   (a) If the lot is a corner lot, the width shall be measured along the front yard.
   (b) Building frontage is the width of the front facade of a building.

9.2 Sign Types.

1. Sign Type Requirements.

The following pertain to specific sign types detailed in this section.

(1) Permitted Quantity of Signage by District. Table 9.2 (1) details the maximum permitted amount of signage on a lot within each district. Refer to 3.0 Establishment of Districts for more information on each district.
   (a) Window Signs. Window Signs shall not count towards a lot's maximum permitted amount of signage. Refer to 9.8 Window Signs.
   (b) Signs Located on Parking Lots. One sign is permitted in addition to the maximum Signage quantities detailed in Table 9.2 (1) provided the following.
      (i) Permitted Sign Types are a wall, projecting, or awning sign.
      (ii) Maximum sign area is 30 square feet.
      (iii) Permitted location is either the side or rear facade along a parking lot.
   (c) Through Lots. In addition to the maximum amount of signage permitted per lot, through lots may incorporate an additional 30 square feet of signage permitted for the Lot located in either the rear yard or along the rear facade.

(2) Exempt/Temporary Signs. Table 9.2 (1) does not apply to exempt or temporary signs unless otherwise specified.

(3) Iconic Sign Elements. Iconic Sign Elements of three dimensional symbols or logos are permitted under the following conditions.
   (a) Symbol or Logo Size. The symbol may not be larger than four feet in any direction, included in overall sign area and the surface area counts towards the Maximum Permitted Quantity of Signage per Lot.
   (b) No moving parts or external illumination of the symbol may be provided.
   (c) Text. The text component of the sign may not be more than 30% of the overall area of the sign.

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.

Place Type	Maximum Permitted Quantity of Signage Per Lot	
	Core Districts	General Districts
Downtown Place Type	3 square feet per 1 linear foot of lot width with a maximum of 150 square feet	2 square feet per 1 linear foot of lot width with a maximum of 150 square feet

Table 9.2 (1). Permitted Quantity of Signage by Place Type & District.

Change to "3"

9.0 Sign Types

9.3 Wall Sign.

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.

(2) 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.

Wall Sign Requirements	
Permitted Districts	All districts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	2' maximum letter or element height
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	1' maximum projection from building face
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.3 (1). Wall Sign Requirements.

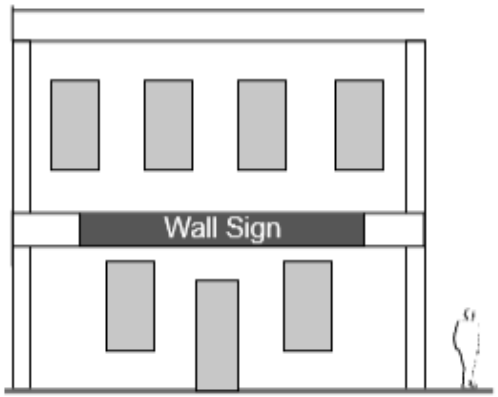


Figure 9.3 (1). Wall Sign.

Figure 9.3 (2). Measuring Wall Signs.

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	
Permitted Districts	All districts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	8' maximum sign length, 8' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades; Sign and structural supports shall not extend above the eave or parapet
Placement on the Building or Site	Shall not project closer than 3' from back of curb
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.4 (1). Projecting Sign Requirements.

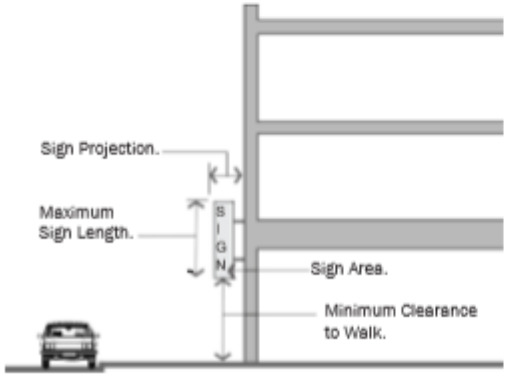


Figure 9.4 (1). Projecting Sign.

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 (1).

(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:
   (a) The area of the boards cannot equal greater than 30% of the area of the sign face on which it is located or 32 square feet, whichever is less.
   (b) 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.

Projecting Marquee Sign Requirements	
Permitted Districts	Downtown "Core A", Downtown "Core B"
Sign Area	No maximum area for sign type; minimum two faces per sign. Refer to Table 9.2 (1) for maximum per lot
Height	8' minimum clearance to walk required
Location on the Building or Site	Front & corner side facades only
Placement on the Building or Site	Maximum projection from building is 6'; Shall not project closer than 1' from back of curb
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only on Sign face; Electronic Message Center and Manually Changeable Copy Boards permitted with conditions.

Table 9.5 (1). Projecting Marquee Sign Requirements.

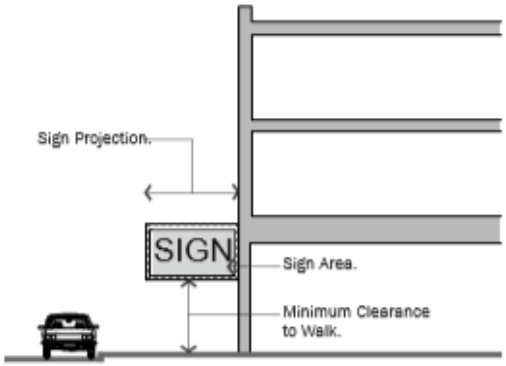


Figure 9.5 (1). Projecting Marquee Sign.

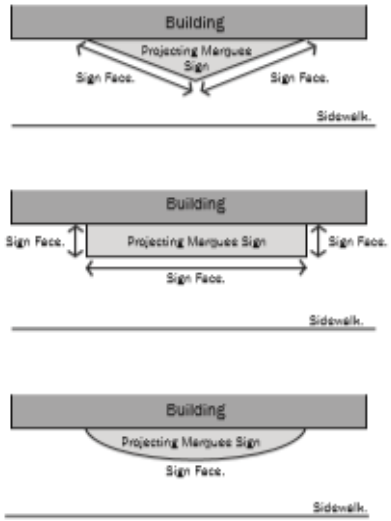


Figure 9.5 (2). Projecting Marquee Sign Plan.

9.6 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 9.6 (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).

Awning Sign Requirements	
Permitted Districts	All districts
Sign Area	Up to 50% of the awning may be used for Signage; Refer to Table 9.2 (1) for maximum per lot
Height	8' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Maximum projection from building is 6'; Shall not project closer than 2' from back of curb; Shall not block any window, door, or the building roof.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Not permitted
Materials	Cloth, canvas, metal, or wood; All supports shall be made of metal or wood

Table 9.6 (1). Awning Sign Requirements.

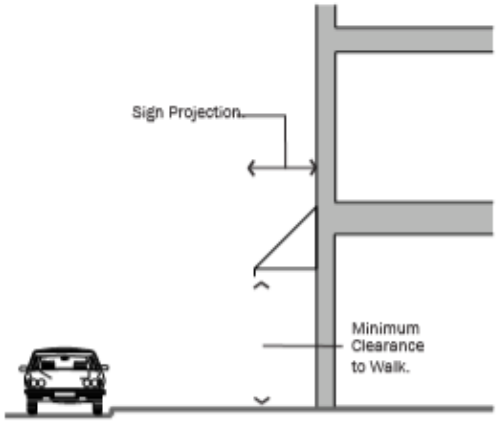


Figure 9.6 (1). Awning Sign.

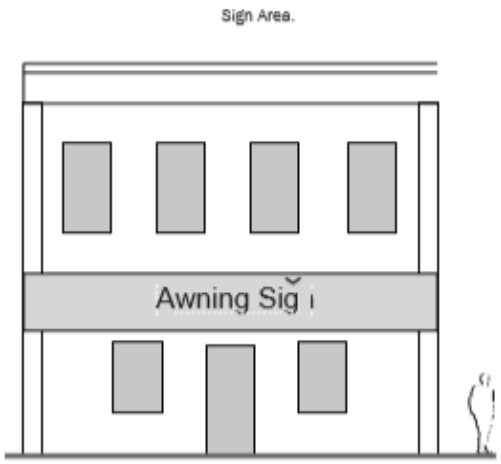


Figure 9.6 (2). Measuring Awning Signs.

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).

Canopy-Mounted Sign Requirements	
Permitted Districts	All districts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	2' maximum letter or element height; Cannot project more than 2' above roof line of canopy
Location on the Building or Site	Permitted on all facades; not intended for the principal roof of the building
Placement on the Building or Site	Shall not project beyond the front edge of the canopy; Shall not block any window, door, or the building roof.
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.7 (1). Canopy-Mounted Sign Requirements.

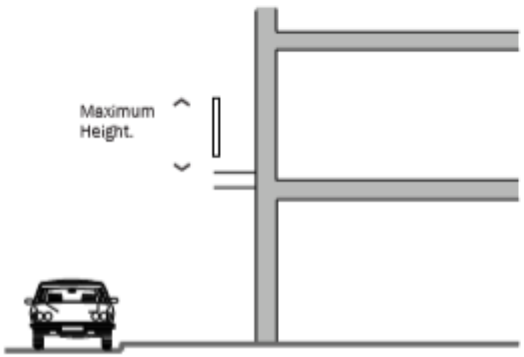


Figure 9.7 (1). Canopy-Mounted Sign.

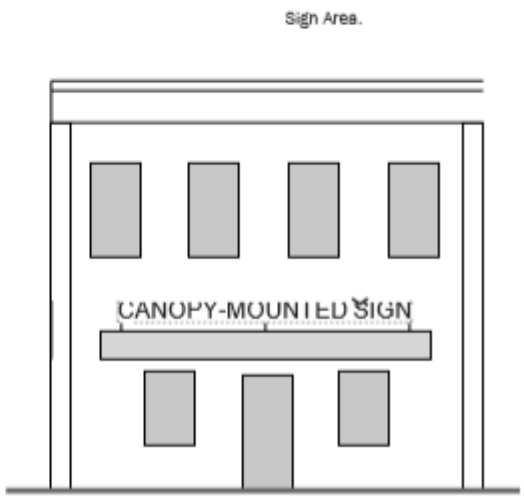


Figure 9.7 (2). Measuring Canopy-Mounted Signs.

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.

Window Sign Requirements	
Permitted Districts	All Districts
Sign Area	Up to 30% of a set of continuous windows may be covered with signage; No more than 50% of any one window panel may be covered with signage
Height	No maximum
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Ground or upper story windows; May be affixed to window or hung/mounted behind glass
Quantity	No maximum quantity, based on window Sign area for ground story; 1 per tenant per floor for upper stories
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn, painted, or affixed on the glass; Wood, metal, neon glass, plastic, or other similar materials also permitted

Table 9.8 (1). Window Sign Requirements.

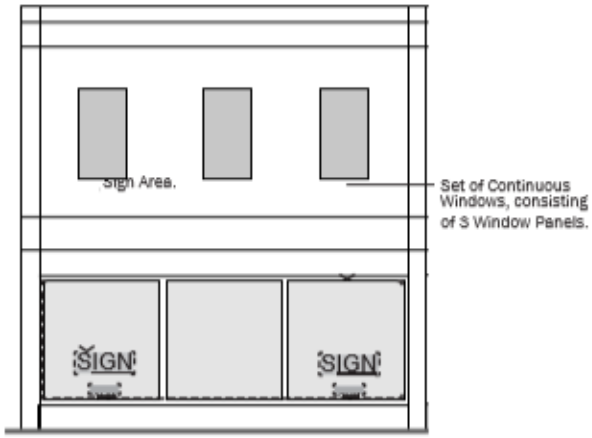


Figure 9.8 (1). Measuring Window Signs.

9.9 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 (1).

(1) Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following parameters:
   (a) Up to two Monument Signs on one frontage.
   (b) 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 50% 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	
Permitted Districts	All Districts
Sign Area	Maximum 70 sq ft per Sign face
Height	Maximum height 6'
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	10' Setback from driveways & side property line; 3' Setback[1] from front & corner property lines
Quantity	1 per public ROW frontage
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on Sign face; Electronic Message Center permitted in all Downtown Place Type Districts.

[1]If placed closer than 1ve feet from the front and corner side property lines, sign must not be located in a sight triangle extending 10 feet from either side of an intersection of a driveway and a vehicular right-of-way or two vehicular rights-of-way.

Table 9.9 (1). Monument Sign Requirements.

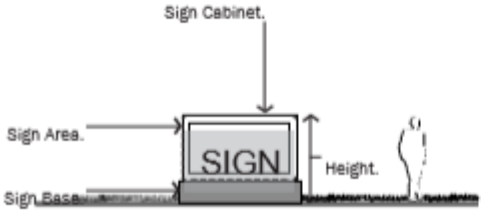


Figure 9.9 (1). Monument Sign.

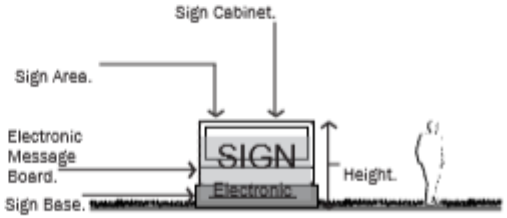


Figure 9.9 (2). Monument Sign with EMB.

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).

(1) A sign mounted onto a double set of poles.

(2) A sign mounted on a single pole.

(3) A sign hanging from a single pole.

2. General Requirements.

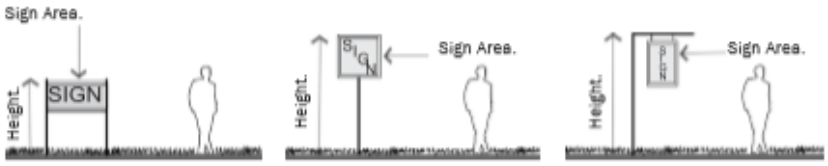
Pedestrian-Scale Pole-Mounted Signs shall be developed according to the standards in Table 9.10 (1).

3. Computation.

The area of a Pole-Mounted Sign is equal to the area of one sign face, including the Electronic Message Center.

Ped-Scale Pole-Mounted Sign Requirements	
Permitted Districts	All Districts
Sign Area	8 sq ft maximum area per sign face
Height	8' maximum height for sign mounted or hanging on a single pole; 5' for sign mounted on double set of poles; Each pole shall have a maximum size of 3.5" by 3.5"
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	2' setback from front & corner property lines; Cannot overhang property lines
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on Sign face

Table 9.10 (1). Pedestrian-Scale Pole-Mounted Sign Requirements.



1. Sign mounted onto a double set of poles.
2. Sign mounted on a single pole.
3. Sign hanging from a single pole.

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 Wasatch Choice for 2040 plan. It includes but is not limited to the specific purposes below.

(1) 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. After 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 designees.

Where provisions of this code differ from the City's Code, the requirements of this code shall apply.

4. Development Application.

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 a paper and an approved digital format using NAD1983 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 whole 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 reapplication.

(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/county and referred to herein as "Zoning Map".

6. Process.

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 10.2.5.

7. Planning Commission.

The Planning Commission shall serve approve, deny, or approve with conditions all submittals for Regulating Plans and Site Plans within the established Districts upon review by a Development Review Committee.

Change to read; "To achieve mixed use development that is appropriate in scale and intensity".

Change to read; "… 33 % gross square footage of a structure… .

Change to read … shall serve "to" approve…

(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 28 for appeals process.

8. Development Review Committee.

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 Administator 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.

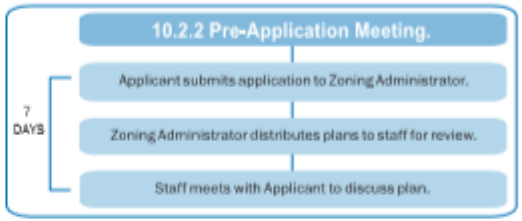
1. General Requirements.

The processes included in this section, 10.2, are required for approval of new development in the Downtown Place Type.

(1) Appeal. If any application is disapproved, applicant may appeal the decision through the appeals process (refer to existing City Code Title 10.28).

(2) 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.
   (a) 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.
   (b) Failure to act within the 12 month period shall require a new application, including all forms, fees, and plan sets.

(3) Review Criteria. All Site Plan and Exception applications shall be reviewed using the following criteria.
   (a) Plan complies with the standards within the intents of the General Plan.
   (b) Plan's design is consistent with the intent, character, and planning criteria of any plan in place.
   (c) Plan's design meets all of the requirements of this code.
   (d) Proposed development is sufficiently served by or provides essential public facilities, such as access and open space, and services, such as utilities and emergency services.
   (e) Plan is designed with regard to preserving the lot's natural features and topography.



2. Pre-Application Meeting.

(1) 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.

(2) 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.

(3) Application. Applicant shall submit the following.
   (a) Application, Form, and Applicable Fees.
   (b) Sketch Plan. A sketch plan or plans shall detail the proposal, including the following.
      (i) General rough layout of block, and lots, with types of streets and Open Space Type noted.
      (ii) Existing conditions such as topography, water bodies, aerial photograph, and food plain.
      (iii) Approximate distribution of Districts, Building Types, and Uses.
      (iv) Anticipated method of achieving parking requirements.
      (iv) Site survey if available.
   (c) Exceptions or Variances. A description of any desired Exception or Variance (per 10.3).

10.0 Administration

(4) Pre-Application Meeting. Staff shall meet with the Applicant to discuss the proposed plan within 7 days of receipt of the complete application.

3. Rezoning Process.

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 processes.

5. Site Plan Approval.

(1) 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.

(3) Application. The following information shall constitute a complete application. Application shall be submitted with 8 large copies (24" x 36") , 1 small copy (11" x 17"), and 1 digital copy.

(a) Complete Application, Form, and Applicable Fees.

(b) Applicant shall submit the following in compliance with the requirements of 3.0 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, 8.0 Parking, and 9.0 Sign Types. All maps and plans shall include date of preparation, north arrow, and scale.

(i) Site Location Map , Legal Description/Limits of Plan.

(ii) Survey Plat. Dimensions of property lines, easements, rights-of-way.

(iii) Development Boundaries and Proposed Phasing, if applicable.

(iv) Existing Conditions Plan. Existing on-site and adjacent off-site structures, streets, utilities, easements, pavement noted either on an aerial photograph or site survey.

(v) Existing Natural Conditions Plan. Existing topography, vegetation, drainageways, floodplain/way, or other unique features either on an aerial photograph or site survey.

(vi) Site Plan. A Site Plan delineating all proposed structures and surfaces, including parking, pavement, decks, patios, landscape, and retaining walls.

(vii) Building Plan(s). Floor plans for all buildings illustrating compliance with the requirements of 5.0 Building Types.

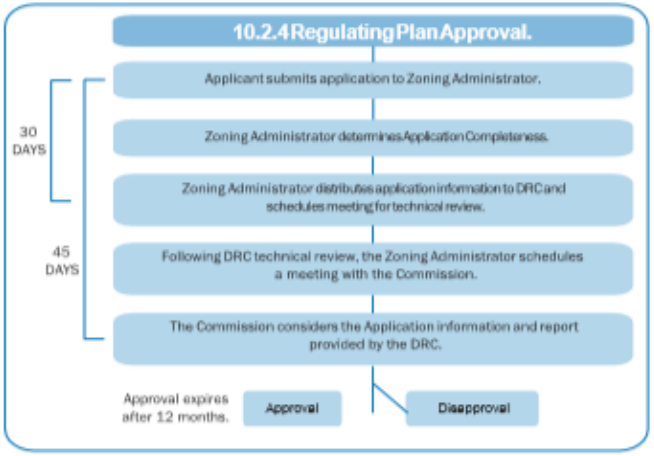
(viii) Table of Uses. A table of uses is required on the Building Plan delineating locations and gross square footages of categories of uses, and illustrating compliance with 4.0 Uses.

(ix) Building Elevations. Building elevations of all facades, rendered to illustrate compliance with the requirements of 5.0 Building Types.

(x) Landscape Plan. Landscape Plan illustrating compliance with the requirements of 7.0 Landscape. All ground plane vegetation shall be illustrated. For sites with less than ten percent landscape area, the Landscape Plan may be combined with the Site Plan.

(xi) Parking Plan. Parking layout plan with table of spaces keyed to plan, illustrating compliance with 8.0 Parking. Driveways, shared parking arrangements, cooperative parking, and any other parking reductions shall be included and noted for compliance with 8.0 Parking.

Change to read: … illustrating compliance with approved building project.



(xiii) Open Space Plan, if Open Space is included. Open Space Plan shall define all paving, structures, site furnishings, and landscape areas.

(4) Application Process Timeline. Upon submittal of a complete application, the application will be reviewed using the following process and timeline.

(a) Development Review Committee. The Development Review Committee shall review and make recommendations on the application within 30 days of the submission of the complete application.

(b) The Commission shall render a decision to approve or disapprove the application within 45 days of the submission of the complete application.

(i) 45 days may be extended with the applicant's written consent.

(ii) The Commission may approve, approve with conditions, or disapprove the application, providing the reasons for disapproval or any conditions for approval in writing.

(5) Procedure for Site Plan Adjustments. The Commission may permit Minor Adjustments to an approved site plan, if the revisions are within the scope and intent of the original approval.

(a) Process. The process to review plan adjustments is as follows.

(i) Applicant shall submit a revised plan and letter of explanation detailing the change to the Commission.

(ii) The Commission shall review the request and notify the applicant of the decision.

(iii) If the Commission deems the change to be a Major Adjustment to the plan, applicant must resubmit for Site Plan Review for approval of the new plan, including a new application (forms, fees, and plan sets).

(iv) If the Commission deems the changes to be Minor Adjustments and approves them as within the scope and intent of the original approval, the Applicant shall revise the plan providing copies to the Commission for filing prior to applying for building or construction permits.

(b) Minor Adjustments are limited to the following, while still meeting the requirements of this code. All other adjustments are considered Major.

(i) Changes in dimensions or quantities less than ten percent of previous amounts.

6. Sign Application for Permit.

(1) 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 lineal 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 of any other requirements or penalties prescribed in this title.

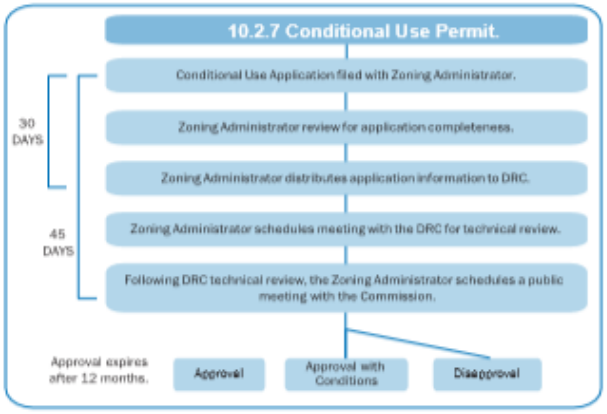
7. Conditional Use Permit.

(1) Intent. To establish a process to review requests for the following.
  (a) 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) Eligible Applicant. 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. The following information shall constitute a complete application. Application shall be submitted with 6 large copies (24" x 36"), 1 small copy (11" x 17"), and 1 digital copy.
  (a) Complete Application, Form, and Applicable Fees.
  (b) Applicant shall submit the following in compliance with the requirements of 4.0 Uses.
    (i) Site Location Map , Legal Description/Limits of Plan.
    (ii) Survey Plat. Dimensions of property lines, easements, rights-of-way.
    (iii) Development Boundaries and Proposed Phasing, if applicable.
    (iv) Map of existing category of uses and use descriptions on parcel and all adjacent parcels within 600 feet, utilizing nomenclature found in 4.0.
    (v) Map of proposed category of uses and use descriptions,utilizing nomenclature found in 4.0.
    (vi) 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.
  (a) An application for a Conditional Use Permit shall be considered by the Zoning Administrator for application completeness.
  (b) The Zoning Administrator shall submit copies of the complete Conditional Use Application to the DRC or public agencies providing utilities or services to the proposed site for review and compliance with City Ordinances, building codes, or other development requirements.
    (ii) Review shall be completed within 30 days of submission.
  (c) Commission Decision. The Commission shall consider the reports by the DRC, and all other input received on the application. The Commission may approve, approve with conditions, or deny the Conditional Use Application.
    (i) Commission Decision shall be made within 45 days of the submission of a complete application.
    (ii) 45 days may be extended with the applicant's written consent.
  (d) 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.



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)

(4) 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.

- (a) 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.
- (b) The Zoning Administator 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 of 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.

2. Nonconforming Structures.

(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) When a renovation of the front facade occurs with no added building square footage, the street facade Requirements and Entrance Type Requirements (refer to 5.9) 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 30% or more of facade materials on any street facing facade with a different facade material.

Change to read; "… of more 33 percent in gross… ".

Change to 33%

(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 5.10) 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 per the Utah Code.

(e) Abandonment. The right to utilize a nonconforming structure shall be terminated if the structure is not utilized or is abandoned for a period of 12 consecutive months.

(i) If the owner is actively seeking 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.

(ii) 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.

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 Characteristics.

(1) 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.

(2) Restrictions to Continuation. A nonconforming site characteristic may continue based upon the following conditions.

(a) 10% Percent Exception. A site characteristic is not considered nonconforming if the size of the nonconformance is 10% or less of this code's requirement.

(b) Change in Associated Use. The right to continue shall be terminated if the associated use changes or changes in intensity through such additions as an increase in the dwelling units, gross floor area, or capacity by 15% or more.

(i) Single or individual business signs within a multiple business center are exempt from this standard. A new tenant is permitted to install an individual business sign even if the signage 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.

(1) **Animal.** All non-human members of the animal kingdom, including domestic and livestock species.

(2) **Applicant.** The owner of a subject property or the authorized representative of the owner on which a land development application is being made.

(3) **Block.** The aggregate of lots, passages, lanes, and alleys bounded on all sides by streets.

(4) **Block Depth.** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.

(5) **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.

(6) **Block Face.** The aggregate of all the building facades on one side of a block.

(7) **Block Length.** A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.

(8) **Build-to Zone.** An area in which the front or corner side facade 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

Change to Read 33%

How long if not 12 months

ADD: Definition associated with Signs are found in Title 13-2-1.

Change to Read 33%

line. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.

(9) **Building Type.** A structure defined by the combination of configuration, form, and function. Refer to 5.0 Building Types for more information and the list of permitted Building Types.

(10) **Courtyard.** An outdoor area enclosed by a building on at least two sides and is open to the sky.

(11) **Coverage, Building.** The percentage of a lot developed with a principal or accessory structure.

(12) **Coverage, Impervious Site.** The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

(13) **Critical Root Zone.** Also referred to as drip line. The area of soil and roots within the radius beneath the tree's canopy, within the dripline, or within a circular area of soil and roots with a radius out from the trunk a distance of 1.5 feet for every inch of the tree's width (measured at 4.5 feet above the mean grade of the tree's trunk, noted as diameter breast height or DBH throughout this code).

(14) **Dedication.** The intentional appropriation of land by the owner to the City for public use and/or ownership.

(15) **Density.** The number of dwelling units located in an area of land, usually denoted as units per acre.

(16) **Dwelling Unit.** A room or group of rooms connected together that include facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one family, whether owner occupied, rented, or leased.

(17) **Easement.** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.

(18) **Eave.** The edge of a pitched roof; it typically overhangs beyond the side of a building.

(19) **Entrance Type.** The permitted treatment types of the ground floor Facade of a Building Type. Refer to 5.9 for more information and a list of permitted Entrance Types.

(20) **Expression Line.** An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from the exterior facade or a building typically utilized to delineate floors or stories of a building.

(21) **Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.

(22) **Family.** Family is defined as one of the following.

(a) Two or more persons, each related to the other by blood, marriage, or adoption together with usual domestic servants and not more than one bona fide guest, all living together as a common household unit.

(b) Up to three persons all of whom are not necessarily related to each other by blood, marriage, or adoption, and their children living together as a common household unit.

(c) For the purposes of this code, an unrelated family shall not include persons living together in a residential care home or transitional treatment facility in accordance with the requirements of this code.

(23) **Grade.** The average level of the finished surface of the ground story adjacent to the exterior walls of a building.

(24) **Gross Floor Area.** The sum of all areas of a building, including accessory storage areas or closets within sales spaces, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing or goods, or business offices. It shall not include attic space having headroom of seven feet or less and areas devoted primarily to storage, balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified above.

(25) **Impervious Surface.** Also referred to as impervious material. Any hard surface, man-made area that does not absorb water, including building roofs, sidewalks, parking, driveways, and other paved surfaces.

(26) **Landscape Area.** Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.

(27) **Lot.** Also referred to as parcel. A plot of land intended to be separately owned, developed, or otherwise used as a unit. Refer to Figure 10.5 (1) Lots.

(28) **Lot, Corner.** A parcel of land abutting at least two vehicular rights-of-way, excluding an alley, at their intersection. Refer to Figure 10.2 (1) Lots.

(29) **Lot, Interior.** A parcel of land abutting a vehicular Right-of-Way, excluding an Alley, along one (1) Property Line; surrounded by Lots along the remaining Property Lines.

(30) **Lot, Through.** Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an alley. Refer to Figure 10.5 (1) Lots.

(31) **Lot Area.** The computed area contained within the property lines; it is typically denoted in square feet or acres.

(32) **Lot Depth.** The smallest horizontal distance between the Front and Rear Property Lines measured approximately parallel to the Corner and/or Side Property Line. Refer to Figure 10.5 (1) Lots.

(33) **Lot Frontage.** The horizontal distance between the Side Property Lines, measured at the Front Property Lines. Refer to Figure 10.5 (1) Lots.

(34) **Nonconformance.** A structure, use, lot, or site characteristic that was legally constructed or operated prior to the effective date of or Amendment to this code, but that cannot be constructed, platted, or operated after the effective date of or Amendment to this code.

Change to read 10.5 (1)

10.0 Administration

(35) **Occupied Space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

(36) **Open Space Type.** The permitted and regulated types of open spaces in this code. Refer to 6.0 Open Space Types for more information and a list of the permitted types.

(37) **Open Water.** A pond, lake, reservoir, or other water feature with the water surface fully exposed.

(38) **Owner.** The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.

(39) **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.

(40) **Pervious 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.

(41) **Plat.** A map or chart of a division and/or combination of ;ots.

(42) **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.

(43) **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.

(44) **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 (1) Lots.

(45) **Property Line, Front.** The boundary abutting a right-of-way, other than an Alley, from which the required setback or build-to zone is measured, with the following exceptions.

(a) Corner and Through Lots that abut a Primary Street shall have the front property line on that Primary Street.

(b) Corner and Through Lots that abut two Primary Streets or do not abut a Primary Street shall utilize the orientation of the two directly adjacent lots, or shall have the front property line determined by the Zoning Administrator.

(46) **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 (1) Lots.

(47) **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 (1) Lots.

(48) **Right-of-Way.** Land dedicated or utilized for a Street Type, trail, pedestrianway, utility, railroad, or other similar purpose.

(49) **Roof Type.** The detail at the top of a building that finishes a Facade, including a pitch roof with various permitted slopes and a parapet. Refer to 5.10 for more information and a list of the permitted Roof Types.

(50) **Scale.** The relative size of a building, street, sign, or other element of the built environment.

(51) **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.

(52) **Setback.** The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this code. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.

(53) **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.

(54) **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 surface 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 E 1980-01 or the latest version.

(55) **Story.** A habitable level within a building measured from finished floor to finished floor.

(56) **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.

Change to Read "Lots"

(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.

Figure 10.5 (1). Lots.

(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 sky by the principal structure. Lots without a structure do not have yard designations. Refer to Figure 10.5 (3) 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 (3) 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 (3) 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 (3) 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.

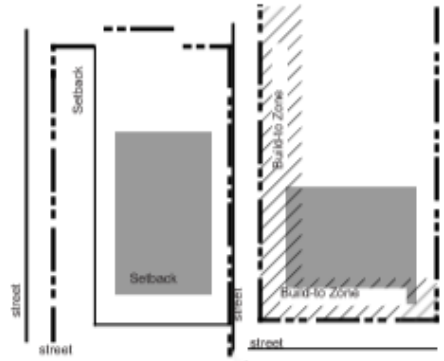


Figure 10.5 (2). Setback Line vs. Build-to Zone.

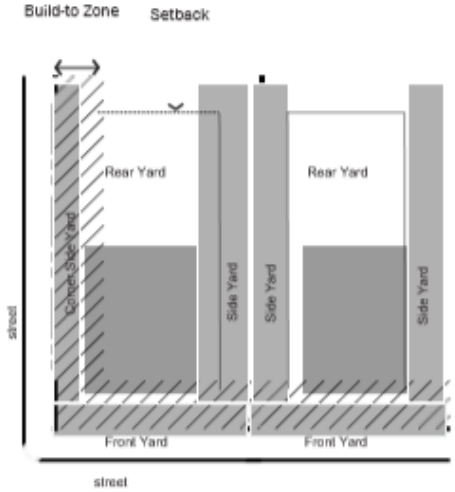


Figure 10.5 (3). Yards.