



**ROY CITY**  
**Planning Commission Regular meeting**  
**February 12, 2019 – 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:

Torris Brand, Chair  
Samantha Bills  
Chris Collins  
Ryan Cowley  
Leland Karras  
Claude Payne  
Jason Sphar

Steve Parkinson, City Planner  
Assistant City Attorney, Brody Flint

Excused: Commissioner Don Ashby and Assistant City Attorney, Brody Flint

Others in attendance: Terry Smedley, Shane Matejka, Cheridee Barker, Clay Crabtree and Keilee Berry.

Pledge of Allegiance: Commissioner Cowley

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF JANUARY 22, 2019, JOINT CC-PC WORK-SESSION MINUTES

**Commissioner Karras moved to approve the January 22, 2019, Joint CC-PC Work Session minutes. Commissioner Cowley seconded the motion. Commissioners Bills, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

3. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM R-1-10 (SINGLE-FAMILY RESIDENTIAL) TO R-1-7 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY LOCATED AT APPROXIMATELY 3925 WEST 4950 SOUTH

Terry Smedley, 490 W. Gentile Street in Layton, said that his property was involved in the rezone. Steve Horton made the application to rezone his property, which was 3.6 acres, and he was advised to include Mr. Smedley’s one acre of property in the rezone. He was in favor of the rezone to R-1-7.

Steve Parkinson, City Planner, presented a zoning map and stated that all of the property surrounding the subject property was zoned either R-1-8, R-1-7, or R-1-10. Staff was fine with the property being zoned either R-1-7 or R-1-8, because it would be consistent with the surrounding neighborhoods.

Mr. Smedley added that the configuration of the lots would yield lots closer in size to the R-1-8, but having the R-1-7 zoning would provide some flexibility with the frontage.

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

Chairman Brand opened the floor for public comments.

Clay Crabtree, 4891 South 3925 West, commented that the property was zoned R-1-12 ten or twelve years ago because they intended to build bigger houses there. He thought that the rezone would be appropriate if it was changed to R-1-8.

No further comments were made

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

The Commission asked staff about the differences between the R-1-7 and R-1-8 zones. Mr. Parkinson said that the minimum lot size requirements differed by only 1,000 square feet. If someone was driving through a neighborhood, they wouldn't be able to tell the difference between the two zones. Neither zone had requirements for home size, nor did the two zones have the same density requirements. The frontage requirements for both zones is 65 feet.

Chair Brand commented that a lot of the property would be taken up with a roadway, curb, gutter, and sidewalk. The max lot yield for the property wasn't very high.

**Commissioner Sphar moved to recommend that the City Council approve the request to amend the Zoning Map from R-1-10 (Single-Family Residential) to R-1-7 (Single-Family Residential) for property located at approximately 3925 West 4950 South with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Bills, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

#### 4. DISCUSSION ON ORDINANCE CHANGES

Mr. Parkinson stated that an ordinance amendment would be coming to the Planning Commission for a recommendation at the next meeting regarding the setback requirements for non-residential buildings. Under State Statute, there are certain things that schools are exempt from, and certain things that the City could enforce. Exempt items include aesthetics, building materials, a building permit, inspections, and parking and landscaping requirements. One of the City Code requirements the school did have to follow was setbacks. In the case of the new Roy Junior High School, the developer moved forward without sending any plans to the City. Recently, they had to stop construction for another reason, and they finally sent plans to Staff. Mr. Parkinson found that the building did not meet setback requirements on the north or west side by nine and five feet, respectively. The City ordinance requires a setback of 20 feet or one foot for every foot of building height. The height of the school would be 38 feet. The ordinance would have to be amended in order for the partially constructed school to come into compliance. In researching the ordinance from 2004 and other cities' ordinances, they found that the standard used to be 20 feet plus one foot for every foot over 35 feet in building height. If they

were to go back to the old standard, the setback requirement would be 23 feet rather than 38 feet. This was consistent with surrounding cities. Mr. Parkinson noted that this standard would apply to non-residential buildings in the R2, R3, and R4 zones.

There was a discussion regarding the height restrictions of non-residential buildings, and Mr. Parkinson noted that this change would have minimal impact on the residents.

5. COMMISSIONERS MINUTE

There were no additional Commission updates.

6. STAFF UPDATE

Mr. Parkinson briefly reported on the progress of the General Plan Update.

7. ADJOURN

**Commissioner Karras moved to adjourn at 6:34 p.m. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

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Torris Brand  
Chair

Attest:

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Morgan Langhof  
City Recorder

dc: 02-12-19

Toxic