

City Manager
Matt Andrews

Assistant City Manager
Brody Flint

City Recorder
Brittany Fowers



Mayor
Robert Dandoy

Council Members
Ann Jackson
Bryon Saxton
Joe Paul
Randy Scadden
Sophie Paul

ROY CITY COUNCIL MEETING AGENDA

OCTOBER 1, 2024 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS 5051 S 1900 W ROY, UTAH 84067

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**

1. August Financial Statements
2. September 3, 2024, Roy City Council Meeting Minutes

E. **Public Comments – 4 minutes**

If you are unable to attend in person and would like to make a comment during this portion of our meeting on ANY topic you will need to email admin@royutah.org ahead of time for your comments to be shared. 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 time you take. We welcome all input and recognize some topics take a little more time than others. If you feel your message is complicated and requires more time to explain, then please email admin@royutah.org. Your information will be forwarded to all council members and a response will be provided.

F. **Presentation**

1. Roy City Arts Council

G. **Action Items**

1. **Consideration of Ordinance No. 24-11;** Ord No. 24-11; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions.
2. **Consideration of Ordinance No. 24-12;** Ord No. 24-12; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; amending CH 10 – General Development Standards – Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings; amending CH 13 Mixed Use; amending CH 17 – Table of Uses – Table 17-2: Allowed Uses – Non-Residential Zones.

H. **City Manager & Council Report**

I. **Motion to enter closed door meeting** – strategic discussion on potential sale of real property.

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.



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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 27th day of September 2024. A copy was also posted on the Roy City Website and Utah Public Notice Website on this 27th day of September 2024.

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

Brittany Fowers
City Recorder



ROY CITY CORPORATION
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PROPERTY TAX	34,186.37	34,186.37	4,945,000.00	4,910,813.63	.7
SALES AND USE TAX	713,342.44	0.00	8,360,000.00	8,360,000.00	.0
FRANCHISE TAX	368,659.49	411,450.78	3,520,850.00	3,109,399.22	11.7
LICENSES AND PERMITS	14,337.67	30,270.27	406,000.00	375,729.73	7.5
INTERGOVERNMENTAL	0.00	(1,000,687.33)	297,532.00	1,298,219.33	(336.3)
CHARGES FOR SERVICES	169,648.29	592,474.39	3,467,500.00	2,875,025.61	17.1
FINES AND FORFEITURES	84,851.37	170,419.70	692,000.00	521,580.30	24.6
MISCELLANEOUS REVENUE	17,481.52	154,579.48	481,000.00	326,420.52	32.1
CONTRIBUTIONS AND TRANSFERS	250.00	13,250.00	431,641.00	418,391.00	3.1
	1,402,757.15	405,943.66	22,601,523.00	22,195,579.34	1.8
<u>EXPENDITURES</u>					
LEGISLATIVE	29,779.47	86,003.39	563,837.00	477,833.61	15.3
LEGAL	28,127.03	57,366.67	452,585.00	395,218.33	12.7
LIABILITY INSURANCE	22,376.75	44,753.50	268,521.00	223,767.50	16.7
JUSTICE COURT	33,974.04	65,033.31	497,108.00	432,074.69	13.1
FINANCE	27,724.72	54,563.53	531,185.00	476,621.47	10.3
TRANSFERS	67,710.91	135,421.82	812,531.00	677,109.18	16.7
BUILDING/GROUND MAINT DIVISION	46,845.04	62,885.72	536,743.00	473,857.28	11.7
POLICE AND ANIMAL SERVICES	580,796.38	1,157,439.59	7,408,382.00	6,250,942.41	15.6
FIRE & RESCUE	453,110.90	852,559.93	5,723,327.00	4,870,767.07	14.9
COMMUNITY DEVELOPMENT	54,683.11	106,136.33	791,721.00	685,584.67	13.4
STREETS DIVISION	53,250.60	97,152.79	815,718.00	718,565.21	11.9
FLEET SERVICES DIVISION	5,109.89	13,550.63	254,969.00	241,418.37	5.3
PUBLIC WORKS ADMINISTRATION	23,529.84	29,085.46	421,050.00	391,964.54	6.9
RECREATION COMPLEX	106,625.75	121,037.10	895,611.00	774,573.90	13.5
AQUATIC CENTER	138,362.25	264,410.68	835,185.00	570,774.32	31.7
ROY DAYS	39,376.81	76,958.25	124,571.00	47,612.75	61.8
PARKS & RECREATION	124,949.15	242,397.35	1,668,479.00	1,426,081.65	14.5
	1,836,332.64	3,466,756.05	22,601,523.00	19,134,766.95	15.3
	(433,575.49)	(3,060,812.39)	0.00	3,060,812.39	.0

ROY CITY CORPORATION
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
41 CAPITAL PROJECTS FUND	43,220.60	86,278.30	1,272,380.00	1,186,101.70	6.8
50 UTILITY ENTERPRISE FUND	1,042,607.93	2,090,047.90	11,905,350.00	9,815,302.10	17.6
51 STORM WATER UTILITY FUND	111,017.28	221,881.45	1,272,500.00	1,050,618.55	17.4
53 SOLID WASTE UTILITY FUND	272,075.28	544,298.19	3,000,000.00	2,455,701.81	18.1
60 INFORMATION TECHNOLOGY	65,315.74	130,631.48	926,989.00	796,357.52	14.1
63 RISK MANAGEMENT FUND	31,966.83	63,933.66	383,602.00	319,668.34	16.7
64 CLASS "C" ROADS	11,252.79	(275,766.12)	1,782,040.00	2,057,806.12	(15.5)
65 TRANSPORTATION INFRASTRUCTUR	75,039.21	28,142.47	4,049,504.00	4,021,361.53	.7
67 STORM SEWER DEVELOPMENT	5,142.11	7,249.83	196,000.00	188,750.17	3.7
68 PARK DEVELOPMENT	4,256.86	4,587.40	33,000.00	28,412.60	13.9
71 REDEVELOPMENT AGENCY	16,075.07	27,990.59	1,530,809.00	1,502,818.41	1.8
75 CEMETERY FUND	795.88	1,664.12	0.00	(1,664.12)	.0
94 GENERAL LONG TERM DEBT	0.00	0.00	0.00	0.00	.0
	1,678,765.58	2,930,939.27	26,352,174.00	23,421,234.73	11.1
<u>EXPENDITURES</u>					
41 CAPITAL PROJECTS FUND	297,877.00	469,725.00	1,272,380.00	802,655.00	36.9
50 UTILITY ENTERPRISE FUND	642,077.48	904,714.46	11,905,350.00	11,000,635.54	7.6
51 STORM WATER UTILITY FUND	67,982.60	141,813.30	1,272,500.00	1,130,686.70	11.1
53 SOLID WASTE UTILITY FUND	251,106.46	295,282.73	3,000,000.00	2,704,717.27	9.8
60 INFORMATION TECHNOLOGY	33,349.50	113,311.37	926,989.00	813,677.63	12.2
63 RISK MANAGEMENT FUND	246,546.37	246,661.37	383,602.00	136,940.63	64.3
64 CLASS "C" ROADS	274,913.67	248,735.01	1,782,040.00	1,533,304.99	14.0
65 TRANSPORTATION INFRASTRUCTUR	0.00	1,299.50	4,049,504.00	4,048,204.50	.0
67 STORM SEWER DEVELOPMENT	0.00	0.00	196,000.00	196,000.00	.0
68 PARK DEVELOPMENT	(4,200.00)	(3,210.00)	33,000.00	36,210.00	(9.7)
71 REDEVELOPMENT AGENCY	0.00	4,800.00	1,530,809.00	1,526,009.00	.3
75 CEMETERY FUND	0.00	0.00	0.00	0.00	.0
94 GENERAL LONG TERM DEBT	0.00	0.00	0.00	0.00	.0
	1,809,653.08	2,423,132.74	26,352,174.00	23,929,041.26	9.2
	(130,887.50)	507,806.53	0.00	(507,806.53)	.0



ROY CITY
Roy City Council Meeting Minutes
September 3, 2024– 5:30 p.m.
Roy City Council
5051 S 1900 W Roy, UT 84067

Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on September 3, 2024, at 5:30 p.m.

Notice of the meeting was provided to the Utah Public Notice Website at least 24 hours in advance. A copy of the agenda was also posted on the Roy City website.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Saxton
Councilmember Sophie Paul

City Manager, Matt Andrews
City Attorney, Matt Wilson
City Recorder, Brittany Fowers

Excused:

Also present were: Assistant City Manager, Brody Flint; Police Chief, Matthew Gwynn; Police Captain, Armando Perez; Fire Chief, Theron Williams; Deputy Fire Chief, Mike King; Public Works Director, Brandon Edwards; Parks and Recreation Director, Michelle Howard; Joe Burum, Paizly Gosline, Angelica Burum, Glenda Moore, Kevin Homer, Christina and Ben Palmer, Kasi Blanton, Jay Cottle, Nick Lopez, Larry Woolsey, Robert and Andrea Percival, Kevin and Stacy Mann, Michael Ghan, Bryon Knight, Jared Heiner, Trase Benson, David Young, Dee Gledhill, Janel Hulbert, Dennis Brown, Chad Wilson, Debbie and Vince Smith, Carrie Ferron, Linda Johnson, and Jeff Howell.

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Saxton, Sophie Paul, Scadden, and Joe Paul were present.

B. Moment of Silence

Councilmember Scadden invited the audience to observe a moment of silence.

C. Pledge of Allegiance

Councilmember Scadden led the audience in reciting the Pledge of Allegiance.

D. Consent Items

1. July 16, 2024 Roy City Council Meeting Minutes; August 20, 2024 Roy City Council Meeting Minutes
2. June and July Financial Statements
3. Surplus Vehicles – see list in packet

Councilmember Jackson motioned to approve the consent items with adjustments to minutes as noted by Mayor Dandoy. Councilmember Scadden seconded the motion, all Councilmembers voted “Aye”, and the motion passed.

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Jay Cottle – 6066 S 3100 W, Roy, said he had lived off of 3100 his whole life and had seen the City transform a lot in the last several years from a rural to suburban area. He said 3100 had not been widened in his lifetime and noted there were also no sidewalks. He said he would like to see the road be widened and a roundabout added to make the intersection safer. Mr. Cottle expressed concern about how narrow the road currently was.

Nick Lopez – 4515 S 2075 W, Roy, reported he had previously contacted the City about a vehicle race that had taken place in front of his home. He said that the individuals involved had been charged with a misdemeanor and he did appreciate that; however, he expressed there needed to be better speed monitoring on the road in front of his residence. He opined a speed table or speed bump should be installed. Mr. Lopez also identified the area by the Complex at 4700 South 2525 West as having issues with parking and said the road was too narrow for emergency vehicles to get through when cars were parked on the side of the road. He said this was dangerous and suggested the City look at how they could manage that area better.

Larry Woolsey – 4520 S 2075 W, Roy, firstly reiterated Mr. Cottle's concerns about speeding on 3100 and said it was very dangerous for children. Mr. Woolsey said he also lived near the area where the vehicle race had taken place and echoed Mr. Lopez's request that something be done on the road. He offered to let police officers park on his driveway to monitor traffic.

Janel Hulbert – 4178 Westlake Dr, Roy, spoke first about the cul-de-sac at the end of Westlake Drive. She said her neighborhood accessed a trail via the cul-de-sac and suggested that a walking path be added that connected the trail to the neighborhood. She also suggested that a turning lane be added to 4000 South to accommodate the growing population of West Haven, although she knew that might not be possible depending on the width of the road. Ms. Hulbert then suggested that neighborhood watches be created throughout the City based on the way the neighborhoods were designated by the General Plan. She spoke about the benefits of neighborhood watches and added her neighborhood had one. She lastly brought up that there was a lot of congestion at 2100 West 4400 South when the schools let out for the day and suggested something be done.

Debbie Smith – 5529 S 2800 W, Roy, said she was a landlord and owned her property. She reported her fence had recently been tagged and said she had called the Roy City Police, who had been rude and not taken any action about the graffiti. She complained that tagging was a large issue in her area and thought the police should have some kind of mechanism for dealing with this. Mayor Dandoy commented that he knew at one point there had been a City program that was aimed at curbing vandalism, though he did not know the current state of it. Mayor Dandoy agreed the City needed to look into options of how they could help property owners that were victims of tagging.

David Young – 4870 S 2575 W, Roy, said he had read the packet about the Airport Overlay Zone. He asked if the intention of the overlay was to allow the Air Force Base to expand in the future. He said the document was clear but he did not understand what the reasoning for it was. Mr. Young asked the Council to make the purpose of the document clear during their discussion.

Dee Gledhill – 2173 W 4900 S, Roy, thanked the Council for the installation of a crossing guard and flashing lights on 1900. Councilmember Joe Paul credited Police Chief Gwynn for adding the features. Mr. Gledhill said his neighbors also really appreciated it. Mayor Dandoy also gave accolades to Chief Gwynn.

Dennis Brown – 2119 W 6000 S, Roy, offered some recommendations about how to keep the property tax rate low for the next year. He noted they had lost a lot of businesses and suggested that they determine how much tax revenue they would lose from that so that they could account for the loss now, rather than having to scramble when it came time to set the tax rate for next year. Mr. Brown also thought it should be a priority for the City to collect any bills that were owed to them for emergency vehicle services. Mr. Brown asked how often the City reviewed their sales tax. City Manager Andrews said it was reviewed monthly and analyzed it to see what the trends were, and adjusted their annual projections accordingly. Lastly, Mr. Brown suggested that the City cut down on spending for Roy Days, both in terms of employees and events.

Jeff Howell – 4851 S 2250 W, Roy, thanked the City for solving the cemetery problem. He then reported that he had listened to the previous City Council meeting and noted that there was no video, just audio. Mr. Howell also asked what became of the issues that people brought up during public comments and said there was no backlog of issues listed on the website. Mayor Dandoy replied that he thought they had gotten that issue fixed earlier that day. Mayor Dandoy also said he could not give an update about the cemetery at that time, but anticipated he would have some news in November. Mayor Dandoy made clear that there was no plan for Roy City to seize people's private property, and said the City worked through negotiation to find solutions.

Mayor Dandoy closed the floor for public comment.

Mayor Dandoy also noted that the City tracked all of the comments they received from the public and worked through the issues internally. He assured the audience that the City worked through the issues to find solutions and that people's comments were not ignored.

F. Presentations

1. Fire Department Service Recognition – Ogden Regional Hospital

Fire Chief Williams said it was not too often to have positive outcomes in his line of work and said he was pleased to have a case today with a positive outcome. He reported that on August 19th, Kevin Mann, a retired Ogden police officer, had walked into a pharmacy and collapsed and suffered a cardiac event. Fire Chief Williams said the pharmacist, Joe Burum, had performed CPR on Mr. Mann until the paramedics had arrived. Fire Chief Williams said Mr. Burum had assisted in saving Mr. Mann's life with CPR, as had the police officers who responded. Fire Chief Williams thanked those who had responded to the incident: the Weber County dispatcher Kelli Jensen, the pharmacist Mr. Burum, and the police officers and firefighters who had responded. He also highlighted the doctors and nurses who had cared for Mr. Mann at the Ogden Regional Medical Center. Fire Chief Williams said everyone had done their jobs admirably and saved a life.

Mr. Mann spoke next and expressed how grateful he was to be there that evening. He said that he knew from his own time in law enforcement that it could be a thankless task, and stated that he understood the dedication that police officers, firefighters, and paramedics had for their jobs. Mr. Mann said he was deeply appreciative of everything that had been done for him and said their work was the reason he was there that day. He thanked them sincerely for saving his life.

Fire Chief Williams asked Jeff Kolmel to come forward to present the award. Mr. Kolmel addressed the Council and said it was great to be back in Roy and recognize their first responders. He explained he was

the Director of Provider-Position Relations for HCA Healthcare and expressed that they worked well as a team. He stated that sudden cardiac arrest was one of the leading causes of death in the United States each year and said it impacted many people within Weber County. He said the survival rate was 10%, though Weber County had a slightly higher rate than that, in part due to their excellent healthcare system. Mr. Kolmel explained their process and said their EMS partners did a lot of training to make sure they were well-versed in response methods. Mr. Kolmel explained how paramedics, firefighters, and police officers from the City had responded to Mr. Mann's collapse until he arrived at the hospital and said everything in the process had gone just as it was supposed to. Mr. Kolmel added that the cause of Mr. Mann's cardiac episode was unclear, and added that Mr. Mann he had undergone cardiac therapy during his stay at the hospital to lower the chances of another cardiac event. Mr. Kolmel offered his thanks on behalf of the Ogden Regional Medical Center and introduced some of the staff members of Ogden Regional: Chad Wilson, Cassidy, and Jake.

Mr. Kolmel and the other Ogden Regional staff members distributed awards to the following people who had assisted Mr. Mann: Christina Palmer- RN, Robert Percival, Noah Ryderson, Morgan Palmer, Jared Hiener, Rita Larsen, Dan Tucks, Trase Benson, Nathan Ward, and Stephanie.

Councilmember Scadden commented this spoke to the reason that Roy City Fire was voted the best in the northern Utah and offered his thanks. Councilmember Wilson commented there was a reason Mr. Mann had been given another chance. Mayor Dandoy agreed this showed what a wonderful team they had and expressed this was a job well done. Mr. Mann's wife expressed her gratitude as well.

G. Action Items

- 1. Consideration of Ordinance No. 24-11; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions**

Assistant City Manager Flint explained this item. He said as a direct result of State statute, all municipalities that were within 5,000 feet from an airport were required to have an airport overlay zone. He added they had a deadline of December of 2024 to implement it. He said this had gone before the Planning Commission, who had considered it and submitted their recommendations to Council.

Mayor Dandoy commented on his understanding of House Bill 206. He acknowledged this would affect a large portion of Roy City as well as Riverdale's residential portion of the City. Mayor Dandoy noted that the military was an exception to this rule, though legislation had been passed which was specifically for the military. Mayor Dandoy thought there were some things which needed to be added to the proposed ordinance and commented there were some nuances within the House Bill that their current ordinance did not address. He said he wanted to hear an explanation as to why certain things were not included in the ordinance.

Assistant City Manager Flint said he had some answers for the questions that Mayor Dandoy had sent him prior to the meeting. Mayor Dandoy commented that Utah Code 72-10-4, the Airport Zoning Act included some terms that he was not familiar with, including a definition of the overlay zone itself would look like. Assistant City Manager Flint explained first that Staff had not wanted to design an actual overlay map since they were waiting to get direction from the Council's discussion that evening. Assistant City Manager Flint said once Staff had a sense of what the Council wanted, they would move forward with the overlay map. Assistant City Manager Flint added that this overlay map would be general to Roy City's zoning standards and it would not be specific to Hill Air Force Base at this stage.

Mayor Dandoy then asked if there was a correlation between the Airport Influence Area and the horizontal zone that the FAA had defined around the airport, noting that the measurements were about the

same. Assistant City Manager Flint replied that his understanding was that the Airport Influence Area was the State's way of telling municipalities who was responsible for doing the airport overlay zone, and noted that State statute was the only place that language was used.

Mayor Dandoy asked about the aviation easement and said this was also not found within the Roy City Code, though it was in the State statute. He indicated the runway and pointed out their ordinance did not encompass the sides of the runway, just the end point where planes took off from. He also read State statute 74-10-13 out loud, which stated that a political subdivision had the right to condemn land or take other action in order to maintain protection. Mayor Dandoy asked why aviation easement was not in the ordinance given that the City did have the right to address non-conforming structures within the Airport Influence Area. Mayor Dandoy also pointed out that the Train Station area was within a mile of the runway and any development plans would be impacted by this as well. Mayor Dandoy lastly pointed out that under State law, the City could require a developer to grant or sell an aviation easement to the airport owner. He said this was not included in their ordinance either.

Councilmember Scadden said those things were addressed in the State law. Mayor Dandoy replied their City ordinance should at least address State Code even if it did not include details, and he pointed out that their other ordinances often pointed to national standards.

Councilmember Jackson said that anyone who developed near an airport would know that it would be loud. Mayor Dandoy commented that was true, although people could sell their land. Mayor Dandoy added that developers could also sell an aviation easement to the airport, which essentially was an easement that allowed unimpeded aircraft flight over properties as well as the right to remove any obstruction to aircraft flight. Mayor Dandoy recalled that he and City Manager Andrews had met with the writers of this law and had tried to get certain sections thrown out, though they had been unsuccessful and now they needed to

Councilmember Jackson summarized that Mayor Dandoy felt Assistant City Manager Flint should add more to the ordinance. Assistant City Manager Flint said the ordinance should at least reference the Code of Federal Regulations and agreed that needed to be added. Assistant City Manager Flint said he was willing to discuss the other items that the Mayor had brought up, or they could talk about it at another time.

Councilmember Joe Paul asked if property owners within the zone would be impacted by the aviation easements. Assistant City Manager Flint replied aviation easements came in through State law and explained the intent of the legislation was to create an easement that could be done without condemnation or eminent domain. Assistant City Manager summarized that aviation easements could act as a free-market mechanism, rather than resorting to condemnation, and he said they could include that in their ordinance.

Councilmember Scadden asked if other cities had done something like this. Assistant City Manager Flint said while he had taken some language from other cities, there were no cities that he knew of which had passed something like this formally through their City Council. Councilmember Jackson asked if this would impact Riverdale and Assistant City Manager Flint said it would, though they had not written an ordinance yet.

Mayor Dandoy suggested that the Council table this ordinance for the time being, to allow Assistant City Manager Flint time to review the language in the State Code and their ordinance. Mayor Dandoy said they might be able to add some things that would make the ordinance not only more clear, but compatible for developers and City Staff to work with the ordinance.

Councilmember Jackson repeated her comment about how developers should know that areas near airports would be noisy. Assistant City Manager Flint explained the ordinance was trying to avoid another Ogden Airport situation, and Councilmember Joe Paul added that they needed to consider redevelopment plans as well. Councilmember Jackson thought in that case, they should table it so Assistant City Manager Flint could work on it. Councilmember Sophie Paul also noted they would create even more issues for themselves if they did not notify people that there was an airport in the area they were building in.

Councilmember Jackson motioned to table Consideration of Ordinance No. 24-11; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions for further discussion and review. Councilmember Sophie Paul seconded the motion, all Councilmembers voted “Aye”, and the item was tabled.

Assistant City Manager Flint asked if the Councilmembers wanted to see a hypothetical map when he brought this back and the Councilmembers requested that he bring one at their next discussion about this item.

H. Discussion Items

1. Speed Limit Change on 6000 South

Mayor Dandoy explained this pertained to the section between 3500 West 4300 West. He said it was 35 miles per hour up, but 25 miles per hour on the way down. He reminded the Council that there had been an assessment done on this street years ago, and at that time there had been a recommendation to change the road to 35 miles per hour. He recalled Roy City had installed two solar-powered speed radar systems to help monitor traffic, which tracked vehicle speed in addition to telling drivers if they were speeding. Mayor Dandoy said most of the cars on that road were in violation of the 25 mile per hour limit, which also indicated the speed limit should be changed. He said the proposal was to change it to 30 miles an hour, which would help maintain traffic flow.

Councilmember Jackson expressed she was in favor of 30 miles an hour. Councilmember Joe Paul agreed and said this was data-driven, so he was in support of the change. Councilmember Saxton said he drove on that road frequently and agreed 30 miles an hour made sense. Councilmember Sophie Paul clarified she was in favor of 30, but not 35 and the other Councilmembers concurred.

Mayor Dandoy highlighted the speed analysis section of their plan, which stated that speed limits were set based on the 85% percentile measured speed, and that artificially reducing the speed of a road was typically ineffective and actually led to more speeding issues. Mayor Dandoy commented on the history of the speed limit and recalled that the lower speed had been set at a time when the road did not get a lot of traffic, although now it did. He opined it would be appropriate to readjust the speed.

Mayor Dandoy summarized that they were in favor of changing the speed of the road.

2. Speed Limit Change on 4300 West

Mayor Dandoy discussed that 4300 West came from Clinton, where the speed limit was different. He said the road went from 35 miles per hour in Clinton to 25 miles an hour in Roy, and then became 30 miles per hour when it left Roy into West Haven. Mayor Dandoy added that this road saw a lot of traffic and there was a plan to widen it to five lanes. Mayor Dandoy said the reasoning to change the speed limit on 4300 West was similar to the rationale for 6000 West and asked the Council if they were comfortable adjusting the speed to 30 miles an hour throughout Roy City.

Councilmember Jackson asked about the portion of the 4300 that was near Emma Russel Park, and it was commented that there was a crosswalk, flashing lights, and a crossing guard. She expressed concern about having the speed limit increased when a lot of kids needed to cross the road, though said she did not use the road very often herself. Councilmember Saxton said he was not in favor of raising the speed limit since kids crossed the street. Councilmember Sophie Paul agreed there were a lot of kids in that area.

Mayor Dandoy said there was a proposal to put a roundabout at 4300 West and 6000 South, though their Transportation Plan had stated they could also install a light there. Councilmember Jackson commented there were a lot of kids that walked that road and she did not think they should increase the speed.

Councilmember Sophie Paul asked what the average speed was on the road and Mayor Dandoy replied the average speeds were all recorded in the Councilmember's packets. Mayor Dandoy added that the radar display units were positioned near Emma Russel Park, so that was the point their data was collected from. Mayor Dandoy also discussed that traffic patterns were impacted by the ongoing construction projects on certain roads and anticipated that the traffic flow would change once 3500 was widened.

City Manager Andrews said he traveled the road frequently and said he did not think the speed functionally changed as people drove from Clinton to Roy. He said that although the speed limit decreased in Roy, most drivers did not slow down. He discussed that people generally drove at the speed they felt safe at, which in this case was about 30 to 35 miles an hour.

Councilmember Jackson reiterated her opinion that they should not change the speed limit on the grounds that it crossed Emma Russel Park. Mayor Dandoy asked how she would feel about making the road 30 miles per hour north of the park and keeping it at 25 miles an hour in the rest of the City, and Councilmember Jackson expressed she was in favor of that.

Councilmember Scadden said even if they did not change the speed limit, they could not change the fact that most people were driving faster than 25 miles per hour. He added that the 85% percentile for the road was 35 miles per hour. He said drivers typically slowed down when the road was narrow, so if Emma Russel was busy and people were parked on the street, drivers would likely drop their speed naturally to avoid the threat of hitting a pedestrian.

Councilmember Sophie Paul thought they should be consistent and said she was not in favor of making the road 25 miles per hour only in the section near the park. She thought they should make the speed limit 30 miles an hour the whole way through, and Councilmember Scadden agreed.

Councilmember Saxton thought they should not change the speed limit, citing the safety of the children as his reason for not changing it. Councilmember Joe Paul said he was also concerned about the park, but said he was willing to change it to 30 since the reasoning to do so made sense to him.

Mayor Dandoy summarized that the majority of the Council was in favor of the change.

3. Connection Newsletter

Mayor Dandoy spoke about the history of the newsletter idea and said he had been strongly in favor of the newsletter when it first came out. He said over the last couple months there had been a lot of changes in the newsletter, and the price to publish it had increased to \$36,000. Mayor Dandoy said there were some issues with the information in the magazine being out of date, and specifically noted that the announcements for upcoming events had already passed and that coupons included were already expired by the time people received the magazine. Mayor Dandoy said this did not represent Roy well, and he

thought they should consider alternatives. He recalled how difficult the decision to raise the property tax rate had been and said they should consider how they could lower the price of the magazine to reduce the burden on the taxpayer. He emphasized that he thought there were several issues with the magazine beyond the fact it was late and said he did not think it represented their City in a positive light. Mayor Dandoy asked the Council's opinion on terminating the contract with the magazine and finding a cheaper option.

Councilmember Jackson said she was strongly in favor of not renewing their contract and agreed that it was an issue to have the information be out of date. She noted that the quality of the magazine had decreased and said residents had complained about the magazine as well. She suggested they include information about the City on utility bills or post things online. Councilmember Joe Paul agreed. Councilmember Saxton agreed it reflected poorly on Roy to have this magazine represent them and thought they should find a way to make it cheaper.

Councilmember Scadden said they should charge people a nominal fee, perhaps a quarter, if they wanted to get a paper copy. He said this would make it cost-neutral to print. Councilmember Jackson said there were many elderly citizens who did not have internet access and it would be unfair to penalize them by charging them for paper copies.

Councilmember Sophie Paul agreed that the magazine had gone down in quality and particularly noted the length had dropped nearly in half from what it used to be. She said if they found another option, it would be better to have it be the just the news and not have ads and coupons, although she acknowledged they needed the ads to pay for it. She added that she would prefer to have a digital copy herself, and said she was not sure how they could get a sense of who would want a paper copy and who would want a digital one.

City Manager Andrews explained how the newsletter was sent out and explained some of their options moving forward. He said every residence and business in Roy got a copy, even if they did not get paper bills mailed to them and this saturation mail cost them \$3,000. He added that if they printed it themselves would cost \$2,000, making the total cost to distribute the magazine about \$5,000.

City Manager Andrews said another option was to use their data center to print the newsletter and add it to utility bills. He explained the advantage of this was that they would not have to pay separate postage for the newsletter, although the downside was that anyone who lived in an apartment complex or did not get a paper utility bill sent to them would not receive the newsletter. For those people, he proposed that they put a digital copy online. He said this option would cost \$1,700, which was their cheapest option.

Councilmember Jackson said many people did not read them at all. Mayor Dandoy summarized the Council was in favor of terminating the contract with Connections magazine, and they would consider their other options.

I. City Manager & Council Report

City Manager Andrews went over some upcoming events. He announced they had cancelled Trunk or Treat this year due to the budget cuts. He explained they did not want to put on mediocre events, so they were going to focus on the Christmas tree lighting ceremony and the Easter egg hunt, rather than trying to spread the budget too thin by doing all three events.

City Manager Andrews then reported on ongoing projects in the City. He anticipated they would be going out for bid in January for the 6000 South 3500 West project, and expected they would start getting those bids back in the spring. He spoke about how long this process had taken and said in all it would

cost \$2 Million, which they did not have in total and this was part of why it was taking so long. He said they were considering other grants they could apply for that would fund a portion of that cost. Mayor Dandoy commented on how much the cost had increased since they began the widening project and expressed concern about ever adding another roundabout in the City when it was so expensive to do so. Mayor Dandoy said the roundabout alone was \$2 Million. Assistant City Manager Flint commented a lot of the cost was due to the studies and surveys that they needed to conduct before they could start construction. City Manager Andrews discussed that they had additional regulations to go through since it was partially grant-funded, which increased the cost as well. Mayor Dandoy thought they needed to find alternatives to roundabouts.

City Manager Andrews then went over 4800 South Layton Canal project. He reported they were under contract for the environmental study for that. He then relayed that they were using funding to purchase the right-of-way for the 3100 West sidewalk projects. He reported there were several property owners who did not want to work with the City on the 4300 West curb, gutter, and sidewalk project, so there were going to be some gaps on that project. He said they were going to send that project out to bid in September. He reported that the 5500 South sidewalk project was complete and now they were just waiting on Century Link to move their fiber optic cables. Lastly, he said the pedestrian crossing at 4000 South could be sent out for bid in February, although they would need to adjust the project scope due to limited funding.

City Manager Andrews thanked the staff at the Aquatic Center and said they had undertaken some projects at the center. He also reported on the upcoming September 11th observance at the fire station.

Councilmember Jackson asked about the cell tower at the Aquatic Center and City Manager Andrews said the City was actually already making money off of the tower, although he was not sure when the project would be completed.

Councilmember Jackson then asked about speeding issues by the Aquatic Center and asked if a police officer could be positioned there after the games to help mitigate those issues. She commented that her children had both almost been hit as they were walking home after games. City Manager Andrews said the high school typically paid for a part-time security guard to be stationed at the pedestrian crossing after the games and after Homecoming. Councilmember Sophie Paul asked if they could turn on the flashing lights after dark and City Manager Andrews explained those were school zone lights, so they were not allowed to turn them on after-hours. Mayor Dandoy asked if they could install regular pedestrian-activated lights and City Manager Andrews replied he would look into that.

Mayor Dandoy then reported on some items. He spoke about the Senior Center and said the decision was coming close, though he was still waiting to hear a final decision from West Haven and Hooper. He said it seemed as if Roy City could find a way to contribute \$12,000, they had a good chance of retaining their Senior Center. He commented it was becoming very complicated, which was a shame since their Senior Center was such a good facility. Mayor Dandoy said South Ogden and West Terrace had a handshake agreement and Pleasant View was giving some funding to Ogden for their Senior Center. He summarized that Roy was still in the game, but they needed to come up with a little more funding. Mayor Dandoy expressed his frustration that it was all coming down to \$12,000 since the Senior Center was such a great and important service, and he said all they could do now was wait to hear what West Haven and Hooper were willing to contribute. Mayor Dandoy expressed confidence that Roy had the capacity to run the Senior Center.

J. Motion to enter closed door meeting - Strategic discussion on potential sale of real property.

Councilmember Scadden motioned to enter a closed-door meeting with the sole purpose of a

strategic discussion on potential sale of real property. Councilmember Jackson seconded the motion, all Councilmembers voted “Aye”, and the body entered a closed-door meeting at 8:02 p.m.

Councilmember Sophie Paul motioned to exit the closed-door meeting and return to the City Council Meeting. Councilmember Saxton seconded the motion, all Councilmembers voted “Aye”, and the body exited the closed-door meeting and returned to the City Council Meeting at 8:30 p.m.

K. Adjournment

Councilmember Joe Paul motioned to adjourn the meeting, Councilmember Jackson seconded the motion, all Councilmembers voted “Aye” and the meeting adjourned at 8:31 p.m.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

Roy City Council Agenda Worksheet

Roy City Council Meeting Date:
October 1, 2024

Agenda Item Number: Presentation #1

Subject:
Presentation: Arts Council

Prepared By:
Matthew Andrews

Background:
The Roy City Arts Council would like to present an update to the City Council on their activities over the past year. As noted in your packet, they have included an expense report detailing their expenditures. This presentation is an annual requirement as per Roy City ordinance for the Arts Council.

Recommendation (Information Only or Decision):
Information Only

Contact Person / Phone Number:
Matthew Andrews / Marge Becraft

Roy City Arts Council Budget Requests

Events:

Concerts in the Park - \$6,590.00 (includes RAMP Grant funds)

2 Concerts in June, 2 Concerts in July, and 1 Concert in August

Sound System - \$575.00 per event, is that on the high end?

Roy Days Art Show - \$2,500.00

Received \$886.00 in Art Show registration.

In 2024, we had 110 entries, this was the highest since the first year.

Roy Days Entertainment - \$1,500.00

Gingerbread Contest - \$200.00

Three categories for 2024; Youth (6-12 yrs), Family (13-18 years), and Adults

\$123.20 left over from KOZ Construction Donation in 2023

Poetry Contest - \$800.00

Prizes - \$525.00

Judges - \$100.00

****Ribbons, flyers, and signage goes into each event.**



SYNOPSIS

Application Information

Request: Ord No. 24-11; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions.

Staff

Report By: Steve Parkinson & Brody Flint

Recommendation: Approve

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 6 – Establishment of Zoning Districts
 - Chapter 20 – Airport Overlay
 - Chapter 31 – Definitions

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on August 13, 2024.

Vice-Chair Felt open the floor for comments:

No comments were made

The Public Hearing was closed.

The Commission voted 6-0; to forward to the City Council a recommendation to approve of Ord. No 24-11 amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions.

ANALYSIS

Background:

During the 2023 Utah Legislation HB206 requires all City's within 5000 feet of an airport to have an "Airport Overlay Zone".

The Ogden Airport has been around for many decades, and for the most part, with the exception of areas within the fence area, development has occurred around all sides of the airport. The uses include residential, commercial and industrial. Roy City is on three (3) sides of the airport mostly along the western side of the airport.

This overlay was also to control the types of uses that are developed near the airport, but with the decades of development much of the area is already developed; however, this ordinance is required and will be guiding on any potential non-conforming uses that attempt to be developed within the overlay zone.

Roy City's Zoning Code has a list of issues of what the City needs to consider when making changes as outlined in section 10-5-9 "Criteria for Approval of a Zoning Ordinance ... Amendment"

When considering a Zoning Ordinance Amendment, the Commission and the Council shall consider the following factors,

- 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.

The goals and policies of the current and proposed General Plans is to promote and provide a variety of housing types within the City.

The character of the surrounding area, depending on where within the City you are, depends on what is around. The largest areas of the city are Single-Family dwellings.

The Land Uses around the Ogden Airport are mostly Single-Family dwellings with the exception of a small Business Park

This change to the Code will only affect a small portion of the City.

An additional question that the Council needs to reflect upon is:

- Does changing or not changing the Zoning Ordinance provide the best options for development within this area of the City?

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Is consistent with previous discussions with the Planning Commission.

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends approval by the City Council regarding the proposed amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; CH 20 – Airport Overlay; CH 31 – Definitions.

EXHIBITS

- A. Proposed Ord No 24-11

ORDINANCE No. 24-11

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS; CH 6 – ZONING BY DISTRICTS; CH 20 – AIRPORT OVERLAY; CH 31 - DEFINITIONS

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 Zoning Regulations; CH 6 – Zoning by Districts; CH 20 – Airport Overlay; CH 31 - Definitions

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

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

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

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the changes to Title 10 Zoning Regulations; CH 6 – Zoning by Districts; CH 20 – Airport Overlay; CH 31 - Definitions and that the Roy City Municipal Code be amended to depict the changes.

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

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

Councilmember Jackson _____

Councilmember J. Paul _____

Councilmember S. Paul _____

Councilmember Saxton _____

Councilmember Scadden _____

This Ordinance shall become effective immediately upon passage. This Ordinance has been passed by the Roy City Council this ____ day of _____, 2024.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder

Amend

10-6-1 Zoning by Districts

To achieve the purposes of this Ordinance, the following zoning districts are provided:

- 8) Special Purpose District
 - c) **Airport Overlay (AO)**

10-6-2 Zoning Districts Purposes:

The Roy City Zoning Districts are formulated to provide and achieve the following purposes:

- 9) Special Purpose Districts. The Special Purpose Districts of Recreation (R) ~~and~~ Residential Infill Overlay (RIO) **and Airport Overlay (AO)** are provided as independent and separate stand-alone Zoning Districts or Overlay Zoning Districts to meet specific needs and goals of the City as follows:
 - c) **Airport Overlay (AO). This District is established for the protection of the Airport and the surrounding land.**

=====

Add

10-20-1 Purpose

Roy City, as required by Utah Code Ann. 72-10-4 et. seq. and to conform to the requirements of 14 C.F.R. Part 77, hereby creates the Airport Overlay Zone.

It is hereby determined that an airport hazard endangers the lives and property of users of airports and property or occupants of land in its vicinity and, also, if of the obstruction type, in effect reduces the size of the area available for landing, take off and maneuvering of aircraft, thus tending to destroy or impair the utility of airports and the public investment therein.

Accordingly, it is hereby declared that:

- 1) The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by airports.**
- 2) It is necessary in the interest of the public health, public safety and general welfare that the creation or establishment of airport hazards be prevented; and**
- 3) The prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.**

10-20-2 Airport Zones

In order to carry out the provisions of this chapter, there are hereby created and established certain overlay zones which may include all of the land lying within the approach zones, transitional zones, horizontal zones and conical zones. Such zones shall be effective only to the extent shown on the airport zoning map on file in the office of the planning department as the same appears as of the effective date hereof, and as amended from time to time hereafter to reflect the changes made thereon by ordinances adopted by the city council, and said map by ordinances adopted by the city council and said map and all references, notations and other information shown therein are hereby made a part of this chapter to the same extent as if said map and the information thereon were fully described and set forth herein.

10-20-3 Utility Runway Visual Approach Zones

Utility runway visual approach zones are hereby established with the inner edge coinciding with the width of the primary surface and being two hundred fifty (250) feet wide. The approach zone expands outward, uniformly, to a width of one thousand two hundred fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface, its centerline being the continuation of the centerline of the runway.

10-20-4 Runway Larger than Utility with Visibility Minimum as Low as Three-fourths Mile Non-precision Instrument Approach Zones

Runways larger than utility with a visible minimum as low as three-fourths ($\frac{3}{4}$) mile non-precision instrument approach zones are hereby established with the inner edge of this approach zone coinciding with the width of the primary zone and are one thousand (1,000) feet wide. The approach zone expands outward, uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet from the primary surface, its centerline being the continuation of the centerline of the runway.

10-20-5 Precision Instrument Runway Approach Zones

Precision instrument runway approach zones are hereby established with the inner edge of this approach zone coinciding with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward, uniformly, to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet from the primary surface, its centerline being the continuation of the centerline of the runway.

10-20-6 Transitional Zones

Transitional zones are hereby established as the area beneath the transitional surfaces. The surfaces extend outward and upward to ninety (90) degree angles to the runway centerline and the runway centerline extended, at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional zones for these portions of the precision approach zones which project through and beyond the limits of the conical surface extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach zones and at a ninety (90) degree angle to the extended runway centerline.

10-20-7 Horizontal Zones

- 1) Horizontal zones are hereby established as that area, the perimeter of which is constructed by swinging arcs of specified radii, from a point on the centerline and two hundred (200) feet beyond each end of each runway and connecting the adjacent arcs by lines tangent to those arcs.
- 2) The radius of each arc is five thousand (5,000) feet for all runways designated as utility or visual and ten thousand (10,000) feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a five thousand (5,000) feet arc is encompassed by tangents connecting two (2) adjacent ten thousand (10,000) feet arc's, the five-thousand-foot (5,000) feet arc shall be disregarded in determining the horizontal zone. The horizontal zone does not include the approach and transitional zones.

10-20-8 Conical Zones

Conical zones are hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of four thousand (4,000) feet. The conical zone does not include the precision instrument approach zones and transitional zones.

10-20-9 Airport Zone Height Limitations

- 1) **Conformance Required:** Except as otherwise provided in this chapter, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created by this chapter to a height in excess of the applicable height limit herein established for such zone.

- 2) **Height Limitations Permitted:** Nothing in this chapter shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height consistent with the terms of this chapter.
- 3) **Utility Runway Visual Approach Zone:** The height limitation in a utility runway visual approach zone slopes upward twenty (20) feet horizontally, for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extends to a horizontal distance of five thousand (5,000) feet along the extended runway centerline.
- 4) **Runway Larger Than Utility With Visibility Minimum As Low As Three-Fourths Mile Non-precision Instrument Approach:** The height limitation in a runway larger than utility with a visual minimum as low as three-fourths ($\frac{3}{4}$) mile non-precision instrument zone slopes upward one hundred (100) feet horizontally, for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extends to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of forty thousand (40,000) feet along the extended runway centerline.
- 5) **Precision Instrument Runway Approach Zones:** The height limitation in a precision runway approach zone slopes upward one hundred (100) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extends to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional distance of forty thousand (40,000) feet along the extended runway centerline.
- 6) **Transitional Zones:** The height limitation in a transitional zone slope upward and outward seven (7) feet horizontally for each foot vertically beginning at the side of and at the same elevation as the primary surface and the approach zones and extending to a height of one hundred fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation of the approach zones and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone height limits sloping upward and outward seven (7) feet horizontally for each foot vertically shall be maintained beginning at the sides of and at the same elevation as precision instrument runway approach surface and extending to a horizontal distance of five thousand (5,000) feet measured at a ninety (90) degree angle to the extended runway centerline.
- 7) **Horizontal Zone:** The height limitation in a horizontal zone shall be one hundred fifty (150) feet above the airport elevation.
- 8) **Conical Zone:** The height limitation of the conical zone slope upward and outward twenty (20) feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport elevation.

10-20-10 Use Restrictions

Notwithstanding any other provision of this chapter, no use may be made of land or water within the city that will create any electrical interference with navigational signals for radio communication between the airport and the aircraft, make it difficult for pilots to distinguish airport lights from others, result in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, take off or maneuvering of aircraft intending to use the airport.

10-20-11 Nonconforming Uses

- 1) **Regulations Not Retroactive:** The regulations prescribed in this chapter shall not be construed to require the removal, lowering or other changes or alterations in any structure or tree not conforming to the regulations as of the effective date hereof, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration which was begun prior to the effective date hereof and is diligently prosecuted ~~executed~~.
- 2) **Marking And Lighting:** Notwithstanding the provisions of subsection A of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the airport manager to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards.
- 3) **Abandoned Or Destroyed Nonconforming Uses:** Whenever the building official determines that a nonconforming structure has been abandoned for a period of twelve (12) consecutive months, or "physically deteriorated", as defined in the international building code, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

10-20-12 Permits

- 1) **Required:** All users shall obtain permits before construction or installation as required by other city ordinances.
- 2) **Existing Uses:** No permit shall be granted that would allow the establishment or creation of any airport hazard or permit a nonconforming use or structure to be made or become higher or become a greater hazard to air navigation than it was on the effective date hereof, or any amendment thereto, or than it is when the application for a permit is made.
- 3) **All permits issued within the Airport Overlay Zone will notify the permittee of the aircraft overflights and associated noise.**

10-20-13 Airport Hazards

- 1) Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question at his own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to fliers the presence of an airport hazard.
- 2) **Any hazard contained within the Airport Overlay Zone may be required to be eliminated, removed, altered or mitigated at the owner's expense to conform to UCA. 72-10-4 et. seq, 14 C.F.R. Part 77, and this chapter.**
- 3) **Roy City may raise and expend public funds and acquire property interests in land to promote and execute the goals of this chapter and the corresponding State and Federal laws and regulations.**
 - a. **The use of public funds by Roy City is an option and is not mandatory on the City.**

10-20-14 Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, including land use zoning, whether the conflict be with respect to the height of structure or trees, the use of land, or any other matter, the more stringent limitation or requirements shall govern and prevail. Also, where an area is covered by more than one height limitation described in this chapter, the more restrictive limitation shall prevail.

10-20-15 Airport Layout Plan Provisions

Airport types and airport heights provisions for an airport shall be determined by and based on an airport layout plan and airport zoning map approved by the city council and on file with the planning commission. Any such maps so approved and recorded at the time and passage of this chapter shall be deemed to be as much a part of this chapter by this reference as if fully prescribed and detailed herein.

10-20-16 Development Regulations

All development activity contained within this chapter shall conform to 14 C.F.R. Part 77.

Amend

10-31-1 Purpose and Conflicts:

Airport: Any landing area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangars and other necessary buildings and open spaces as permitted by local zoning ordinances.

Airport Elevation: The highest point of the airport's usable landing area measured in feet from mean sea level.

Airport Hazard: Any structure or object or natural growth located on or in the vicinity of the airport, or any use of land near the airport, which obstructs the airspace required for the flight of aircraft in landing or take off at the airport or is otherwise hazardous to such landing or take off of aircraft.

Airport Influence Area: Means land located within 5,000 feet of an airport runway as stated in Utah Code Ann. 72-10-401(3).

Airport Reference Point: The point established as the approximate geographic center of the airport landing area and so designated.

FAA: The Federal Aviation Administration.

Non-Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment for which straight-in non-precision instrument approach procedure has been approved or planned and for which no precision approach facilities are planned or indicated on an FAA planning document.

Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It shall also mean a runway for which a precision approach system is planned and is so indicated on an FAA approved airport layout plan or any other FAA approved planning document.

Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of such runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of such runway. The width of the primary surface of a runway will be that width prescribed in part 77, section 77.25 of the federal aviation regulations (FAR), which is hereby incorporated by reference and made a

part hereof, for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway: A defined area on the airport prepared for landing and take-off of aircraft along its length.

Tree: Any object of nature growth.

Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds' maximum gross weight or less.

Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan or on any planning document submitted to the FAA by competent authority.



SYNOPSIS

Application Information

Request: Ord No. 24-12; To consider amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; amending CH 10 – General Development Standards – Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings; amending CH 13 Mixed Use; amending CH 17 – Table of Uses – Table 17-2: Allowed Uses – Non-Residential Zones:

Staff

Report By: Steve Parkinson
Recommendation: Approve

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 6 – Establishment of Zoning Districts
 - Chapter 10 – General Development Standards
 - Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings
 - Chapter 13 – Mixed-Use
 - Chapter 17 – Table of Uses
 - Table 17-2 – Table of Allowed Uses – Non-Residential Zoning Districts.

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on August 13, 2024.

Vice-Chair Felt open the floor for comments:

Bob Barnes, Provo Ut, asked about setbacks.

The Public Hearing was closed.

The Commission voted 6-0; to forward to the City Council a recommendation to approve of Ord. No 24-12 amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; amending CH 10 – General Development Standards – Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings; amending CH 13 Mixed Use; amending CH 17 – Table of Uses – Table 17-2: Allowed Uses – Non-Residential Zones:

ANALYSIS

Background:

In February 2023 our current General Plan was adopted. Within the General Plan it called out all of the Current Community Commercial zones to become “Commercial / Mixed Use”.

For the past several months, the Planning Commission has been discussing the how, what, where, when and why aspect of this new zone.

Roy City’s Zoning Code has a list of issues of what the City needs to consider when making changes as outlined in section 10-5-9 “Criteria for Approval of a Zoning Ordinance ... Amendment”

When considering a Zoning Ordinance Amendment, the Commission and the Council shall consider the following factors,



- 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.

The goals and policies of the current General Plans is to promote and provide a variety of housing types within the City.

This change to the Code will affect small pockets of the City, yet have significant impact to the City as a whole in terms of commercial and residential growth.

An additional question that the Commission needs to reflect upon is:

- Does changing are not changing the Zoning Ordinance provide the best options for development within this area of the City?

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Is consistent with previous discussions with the Planning Commission.

ALTERNATIVE ACTIONS

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

RECOMMENDATION

Staff recommends forwarding a recommendation of approval to the City Council regarding the proposed amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; amending CH 10 – Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings; amending CH 13 Mixed Use; amending CH 17 – Table of Uses – Table 17-2: Allowed Uses – Non-Residential Zones:

EXHIBITS

- A. Planning Commission meeting minutes
- B. Proposed Ord No 24-??

EXHIBIT “A” – PLANNING COMMISSION –MEETING MINUTES

26 March 2024

2. DISCUSSION ON A NEW COMMERCIAL MIXED-USE ZONE PER 2023 GENERAL PLAN.

Mr. Parkinson announced the General Plan had adopted a commercial-mixed use designation, and the only areas to have this new designation was the downtown area and at the Front Runner Station. He asked the Commission what they wanted these areas to look like and shared some images of under-developed areas in both downtown and around the Front Runner Station. Mr. Parkinson noted there were several cities he knew of that had this zone, including West Ogden, and offered to do more research on those cities to see what their commercial mixed-use entailed. He solicited feedback from the Commission.

Commissioner Collins thought it would be great to bring more commercial space into Roy so that people did not have to drive for Clinton for everything. He asked Mr. Parkinson to look into it further. Mr. Parkinson said he would do so and commented that Roy already had heard from some developers who had expressed interest in the areas that needed development. Chairman Cowley added that they should think about what kind of businesses that they wanted to attract. Chairman Cowley also spoke about how they needed to keep commercial businesses financially incentivized to stay in Roy.

Mr. Parkinson expressed again that he would do further research and invited the Commission to let him know if they saw anything that they liked in other cities with this designation. Commissioner Hulbert suggested Rexburg.

23 April 2024

3. CONTINUED DISCUSSION ON A NEW COMMERCIAL MIXED-USE ZONE PER 2023 GENERAL PLAN.

Mr. Parkinson reminded the Commissioners of what they had discussed at the previous meeting in regard to this item. He explained he had looked at the Code of five different cities and compared it to Roy's. He clarified he was mostly looking at community commercial zones off of 3500 and 1900.

Mr. Parkinson spoke about how Clearfield had broken their buildings down, and said their Code allowed for either just homes and townhomes, or residential mixed with commercial spaces. He highlighted which zones allowed for residential buildings, and also went over the design standards, which he noted were similar to Roy City's standards. He discussed the differences between the urban core and the residential design standards in Clearfield.

Mr. Parkinson went over the listed uses in Chapter 17 in the Roy Code. He compared it to South Ogden, which he said was overall similar to Roy. He went through the standards for South Ogden. Mr. Parkinson also spoke about Ogden, which had a downtown mixed-use zone that was somewhat unique. He said Ogden allowed mixed-use residential in their downtown zone, which was typical for the downtown areas of many cities in the Salt Lake region.

Mr. Parkinson commented that he was not anticipating 3500 being fully residential, and asked the Commissioners what their vision was. Mr. Parkinson added he also did not want purely commercial in the zone either, since they already had that downtown. Chairman Cowley opined that liked having front-facing commercial in a mixed-use building, similar to what Clearfield had. The other Commissioners agreed that there should be a mix of commercial and residential, and they liked the idea of having commercial spaces on the ground floor with residential above that. The Commissioners also debated

how tall the buildings in this zone should be, and came to the general consensus that a three-story building made the most sense for this kind of zone.

Mr. Parkinson also asked about architectural standards. He asked the Commissioners if they wanted to allow a wide variety of materials and colors, to which Commissioner Felt thought they could allow for variety since 3500 was not like the downtown area where they wanted a specific aesthetic. Commissioner Hulbert voiced that they should discourage box-style buildings and the other Commissioners agreed. Mr. Parkinson showed some examples of buildings that were box-style, although they featured patios which broke up the monotony of the block. Commissioner Hulbert commented she specifically did not like how Clinton did their box-style buildings, and Mr. Parkinson pointed out that Clinton did not have this type of zone.

The Commissioners debated if the buildings in this zone should be capped at 35 or 40 feet, which was the limit for commercial buildings in Roy's Code. Mr. Parkinson noted the buildings would be 100 feet wide, though this would be broken up. The Commissioners thought 40 feet was appropriate. Chairman Cowley asked what the standard setback was in the commercial zones, and Mr. Parkinson replied that it varied depending on the type of building. Chairman Cowley pointed out they needed some space for parking as well, so he thought they would need at least 100 feet to allow for that.

Commissioner Bills asked if any developers had approached Roy which interest in putting businesses in this type of zone. Mr. Parkinson discussed how generally, the residential spaces were built first, and commercial typically came later. He said this was because developers could start making money off of a residential building first, and so that was why developers did that first. Mr. Parkinson also discussed how other cities around Roy were slowly getting more interest from developers about commercial projects, though there were some issues due to the increasing cost of materials to build.

Chairman Cowley asked if there was a way to allow for 100% residential on certain lots without having the entire zone become overrun with residential. Mr. Parkinson said they could look into that, though he was not sure exactly how they would write that Code. Mr. Parkinson thought they might have to designate each lot individually if they wanted to do that, and also noted that he thought every building that was front-facing would have commercial at least on the ground floor. Another Commissioner thought if they allowed for purely residential, that was probably what they would get since it was more lucrative for developers.

Chairman Cowley pointed out that all the areas around them were growing, and he thought this could be a way to get more residential growth. He clarified he really wanted to know if the front-facing buildings could be residential for certain lots. Mr. Parkinson said he would look into that and see if there was a precedent for Code to be written that way. Chairman Cowley thought allowing more residential might incentivize developers to come into Roy. Mr. Parkinson acknowledged that point and noted that commercial would also bring in more traffic to Roy.

Mr. Parkinson also noted that the widening on 3500 was slated to take place once the road widening project on 5600 was completed. There was short conversation about the timeline. He said their upcoming meeting on May 14th had been cancelled, though they would have one in June so he could bring more information for them at that point.

9 July 2024

3. CONTINUED DISCUSSION ON THE NEW COMMERCIAL MIXED-USE ZONE FROM THE MARCH 26, 2024 & APRIL 23, 2024, WORK-SESSIONS

Mr. Parkinson noted this was a continuation of an ongoing discussion. He recalled that previously, the Commission had held a conversation about commercial mixed-use on the west side of town and had

directed Staff to put together potential language about types of uses. He commented that this zone was similar to the Downtown Gateway and Business Park zones in Roy City, so he had modeled some of the uses after those two zones. He highlighted that buildings would have storefronts with commercial on the bottom floor and residential on upper floors. He noted the number of bays on these buildings would be limited. He stated the buildings would have close proximity to the street, noting there would be 15-foot setbacks rather than 20-feet, similar to buildings on 3500 West and Midland Drive.

Mr. Parkinson said that row buildings would be allowed in this zone, and said they were also allowed in the Station areas and the Downtown Gateway. He explained that row homes were similar to townhomes and were typically individually owned. He also explained he had modeled the language on row buildings after the Downtown East zone and had stipulated that the row buildings could only be 60 feet tall until it was 100 feet back-of-curb, and then it could go up to 80 feet. He noted not all properties in this zone had a curb that was over 100 feet, so it might not always be possible to be that far set back. Chairman Cowley asked what the average depth of a commercial curb was, and Mr. Parkinson replied that it varied greatly, but the minimum was 30 feet. Mr. Parkinson added he could do more research to find out what the average depth of commercial setbacks were in surrounding cities.

Mr. Parkinson continued to say that the Commission also needed to consider if they wanted to continue the aerospace design that they had in the downtown and FrontRunner station areas. He asked if they wanted to have two different designs on the east and west side of Roy City or keep it consistent throughout the town. The Commissioners came to the consensus that the aerospace features looked out of place, and thought it was better to keep things consistent throughout the town with traditional materials like brick, stone, and stucco. Mr. Parkinson said they could include language that the aerospace design was just for the one zone, and not allow it throughout the town.

13 August 2024

4. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING CH 6 – ESTABLISHMENT OF ZONING DISTRICTS; AMENDING CH 10 – TABLE 10-2 - TABLE OF REQUIRED LOT AND SETBACK REQUIREMENT FOR NON-RESIDENTIAL ZONING DISTRICTS FOR PRIMARY BUILDINGS; AMENDING CH 13 MIXED USE; AMENDING CH 17 – TABLE OF USES – TABLE 17-2: ALLOWED USES – NON-RESIDENTIAL ZONES:

Mr. Parkinson recalled they had been discussing this item for several meetings now, and briefly recapped their previous conversation, which had been about how the distance from back-of-curb would be measured. He reported that Staff had taken some measurements of existing buildings distances and found that the average distance was 90 feet in depth. Mr. Parkinson explained Staff had changed the distance from 100 feet, as they previously had, to 125, and explained this allowed for a 15-foot setback. He thought this would help with developing commercial in those areas, and noted this was similar to the downtown area. He added this was the only significant change since their last conversation about this item.

Mr. Parkinson listed some other, smaller changes which needed to be approved. He noted they needed to remove 'community commercial' and said he had replaced it with 'urban corridor.' He noted they needed to add the new zone and remove the landscape requirements for that old community commercial zone. He also commented on some architectural updates and explained the changes were intended to match better with materials being used in the surrounding cities and on the Airforce base. He reported that Staff recommended a positive recommendation be sent to the City Council.

Commissioner Tanner moved to open the public hearing. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand, Hulbert, Felt, Tanner and Thompson voted "aye." The motion carried

Vice-Chair Felt opened the floor for public comments.

Bob Barnes of 318 W 4620 N, Provo, asked about the setbacks. He pointed out that page 11 had a note that indicated that there was a 20-foot setback on 4000 South. He noted 4000 was a residential street and asked if it would begin at the property line, or how it would be measured.

Mr. Parkinson explained the note in the ordinance was geared towards the business park, which was located off of that street, and added there was a caveat for row houses. Mr. Barnes asked what the setback would be for row houses and Mr. Parkinson said they would have to be 125 feet back-of-curb. Mr. Barnes clarified that only commercial could go in front, and Mr. Parkinson confirmed that was correct. Mr. Barnes thought their plan made sense in most places but noted that 4000 was primarily residential with the exception of one dental clinic. Mr. Barnes thought it might be strange to add commercial buildings in the parts of the zone which were primarily single-family homes.

Mr. Parkinson acknowledged there were some properties that were zoned community commercial but had single family homes on them. He anticipated the City Council would not be in favor of removing all commercial from that zone and reported that the Councilmembers were fairly divided about the community commercial zone but were largely in favor of adding more commercial spaces. Mr. Parkinson thought this was a good compromise.

No additional comments were made.

Vice-Chair Felt asked for a motion to close the Public Hearing.

Commissioner Bills moved to close the public hearing. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand, Hulbert, Felt, Tanner and Thompson voted “aye.” The motion carried.

Commissioner Hulbert asked for clarification about where the single-family homes were located and Mr. Parkinson indicated to her on the map where they were located along 3000 and 4000. Commissioner Bills commented that it seemed like there would be more commercial there in the future and Mr. Parkinson agreed that was likely.

Commissioner Tanner moved to forward a recommend to the City Council that they approve the proposed amendments to Title 10 Zoning Regulations, amending CH 6 – Establishment of Zoning Districts; amending CH 10 – Table 10-2 - Table of Required Lot and Setback Requirement for Non-Residential Zoning Districts for Primary Buildings; amending CH 13 Mixed Use; amending CH 17 – Table of Uses – Table 17-2: Allowed Uses – Non-Residential Zones:, as written. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand, Hulbert, Felt, Tanner and Thompson voted “aye.” The motion carried.

ORDINANCE No. 24-12

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS; CH 6 – ZONING BY DISTRICTS; CH 10 – GENERAL PROPERTY DEVELOPMENT STANDARDS, TABLE 10-2; CH 13 – MIXED USE; AND CH 17 – TABLE OF USES, TABLE 17-2

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 Zoning Regulations; CH 6 – Zoning by Districts; CH 10 - General Property Development Standards – Table 10-2; CH 13 – Mixed Use; CH - 17 Table of Uses – Table 17-2

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

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

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

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the changes to Title 10 Zoning Regulations; CH 6 – Zoning by Districts; CH 10 - General Property Development Standards – Table 10-2; CH 13 – Mixed Use; CH - 17 Table of Uses – Table 17-2 and that the Roy City Municipal Code be amended to depict the changes.

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

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

Councilmember Jackson	_____
Councilmember J. Paul	_____
Councilmember S. Paul	_____
Councilmember Saxton	_____
Councilmember Scadden	_____

This Ordinance shall become effective immediately upon passage. This Ordinance has been passed by the Roy City Council this ____ day of _____, 2024.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder

Amend

10-6-1 Zoning by Districts

To achieve the purposes of this Ordinance, the following zoning districts are provided:

- ~~6) Commercial District~~
- ~~a) Community Commercial (CC)~~
- 9) Mixed Use Districts
- c) Urban Corridor (UC)**

10-6-2 Zoning Districts Purposes:

The Roy City Zoning Districts are formulated to provide and achieve the following purposes:

- ~~7) The purpose of the Community Commercial (CC) District is to provide suitable areas for the location of various types of commercial activity needed to serve the people and commerce of the city, at appropriate locations. The development standards provided for this District is intended to minimize any adverse effect of commercial areas on adjoining areas by achieving maximum compatible integration of land uses, by preserving the aesthetic qualities of the area, while providing safe and efficient commercial uses.~~

10-10-24 Tables of Lot and Setback Requirements for Primary Buildings:

TABLE 10-2 - TABLE OF REQUIRED LOT AND SETBACK REQUIREMENTS FOR NON-RESIDENTIAL ZONING DISTRICTS FOR PRIMARY BUILDINGS

Site Requirements:	~~CC~~	LM	M	R	BP, DT-E, DT-W, DT-G, S-C, S-N, S-S, UC
Maximum Building Heights	~~40 Feet~~	60 feet	60 feet	40 Feet	See 10-13 of this Title
Minimum Landscaping Required	~~15% of Total Site~~	10% of Total Site	10% of Total Site	20% of Total Site	
Minimum Yard Setbacks:					
Front	~~20 feet~~	20 feet	20 feet	20 feet	
Side	~~As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.~~	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	
Rear	~~As required for Site Plan Approval.~~	As required for Site Plan Approval.	As required for Site Plan Approval.	As required for Site Plan Approval.	
Minimum Yard Setbacks – Adjacent to any Residential Zone:					
Front	As required by the adjacent residential zone for a minimum distance of 100 feet.				
Side & Rear	Depth (feet)	Fence/Wall Type			
	20' up to 30'	Stone, Brick, Colored Block, masonry or Precast Concrete			
	30' or more	Vinyl, Wood, Stone, Brick, Colored Block, masonry or Precast Concrete			
	Note: See 10-10-31 for additional requirements				

10-13-2 Uses:

2) Definition of Uses.

Uses	Districts		
	DT-G	BP	UC
Residential & Lodging			
Residential	U	U	U
Hotel & Inn	P	P	P
Residential Care	P	U	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		C
Service			
Neighborhood Service	P	P	P
General Service	P	P	P
Vehicle Service	C		C
Office & Industrial			
Office	P	P	P
Craftsman Industrial	P	P	P
Infrastructure			
Parking Lot	D		D
Parking Structure	D		D
Utility & Infrastructure	C	C	C
Open Space	D	D	D
Accessory Uses			
Home Occupation	P	P	P
Outdoor storage of Goods	D		D
Parking Lot	P	D	P
Parking Structure	D	D	D
Storage Structures	D		D

KEY

- P Permitted
- C Requires Conditional Use Approval
- D Permitted with Development Standards
- U Permitted in Upper Stories Only

10-13-3 Building Types:

3) Storefront Building.

STORE FRONT	Permitted Districts		
	DT-G	BP	UC
(1) Building Siting Refer to Figure 3.3 (1)			
Multiple Principal Buildings	permitted	permitted	permitted
Front Property Line Coverage	80% ¹	80% ¹	80% ¹
Occupation of Corner	required	required	required
Front Build-to Zone	0' to 15' ²	0' to 15' ^{2,9}	0' to 15' ²
Corner Build-to Zone	0' to 15' ²	0' to 15' ^{2,9}	0' to 15' ²
Minimum Side Yard Setback	0' ³	5' ³	5' ³
Minimum Rear Yard Setback	0' ³	5' ³	5' ³
Minimum Lot Width	none	none	none
Maximum Lot Width	none	none	none
Parking & Loading Location	rear & side yard ¹	rear & side yard ¹	rear & side yard ¹
(2) Height Refer to Figure 3.3 (2)			
Minimum Overall Height	1 story	1 Story	1 story
Maximum Overall Height	40'	80' ^{5, 7, 8}	40'
(3) Uses Refer to Figure 3.3 (2). Refer to 10-13-1 Uses for permitted uses.			
Ground Story	retail, service, office	retail, service, office, residential	retail, service, office, residential ¹⁰
Upper Story	any permitted use		any permitted use
Parking within Building	permitted fully in any basement and in rear of upper floors		permitted fully in any basement and in rear of upper floors
Required Occupied Space	30' deep on all full floors from the front facade		30' deep on all full floors from the front facade
(4) Street Façade Requirements Refer to Figure 3.3 (3)			
Minimum Ground Story Transparency Measured between 2' & 8' above grade	60% front only		60% front only
Minimum Transparency per each Story	15%		15%
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)		required per floor (refer to 10-13-3 2 d ii)
Front Façade Entrance Type	storefront, arcade		storefront, arcade
Principal Entrance Location	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
Vertical Façade Divisions	every 40' of façade width		every 40' of façade width
Horizontal Façade Divisions	required within 3' of the top of the ground story, and every third story above the ground floor		required within 3' of the top of the ground story, and every third story above the ground floor
(5) Roof Type Requirements Refer to Figure 3.3 (3)			
Permitted Roof Types	parapet, pitched, flat		parapet, pitched, flat
Tower	permitted		permitted

Notes

1 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage.

2 – Building along Riverdale Road, 1900 West, and 5600 South, 3500 West and Midland Drive are exempt from Front Build-to Zone requirements, and shall follow setback requirements:

- A 15-foot setback is required on all new development along these streets.
- All setbacks' areas must contain either landscape, trees, patio space, or sidewalk space.
- Trees, landscaping, and other improvements should be used to mitigate the negative impacts from the heavy fast-moving traffic

3 – As required for Site Plan approval, also reference 10-13-3 2 b iv

4 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet, building height may be increased up to 80 feet.

5 – Above the third story, the upper stories of any building façade with street frontage shall have a step back from the lower stories that is a minimum of 6'

7 – Building Type not allowed along 4200 South

8 – West of 1900 West Building Height is 60' maximum

9 – 20' setback off of 4000 South

10 – Only allowed if the building is 125' from back of curb.

4) General Stoop Building.

GENERAL STOOP	Permitted Districts		
	DT-G	BP	UC
(1) Building Siting Refer to Figure 3.3 (1)			
Multiple Principal Buildings	permitted	permitted	permitted
Front Property Line Coverage	70% ^{1, 2}	80% ^{1, 2}	
Occupation of Corner	required	required	required
Front Build-to Zone	0' to 15' ²	0' to 15' ^{2, 11}	0' to 15' ²
Corner Build-to Zone	0' to 15' ²	0' to 15' ^{2, 11}	0' to 15' ²
Minimum Side Yard Setback	0' ⁴	5' ⁴	5' ⁴
Minimum Rear Yard Setback	0' ⁴	5' ⁴	5' ⁴
Minimum Lot Width	none	none	none
Maximum Lot Width	none	none	none
Parking & Loading Location	rear & side yard ²	rear & side yard ²	rear & side yard ²
(2) Height Refer to Figure 3.3 (2)			
Minimum Overall Height	1 story	1 Story	1 story
Maximum Overall Height	40'	80 ^{6, 9, 10}	40'
(3) Uses Refer to Figure 3.3 (2). Refer to 10-13-1 Uses for permitted uses.			
Ground Story	retail, service, office	any permitted use	retail, service, office, residential ¹²
Upper Story	any permitted use		any permitted use
Parking within Building	permitted fully in any basement and in rear of upper floors		permitted fully in any basement and in rear of upper floors
Required Occupied Space	30' deep on all full floors from the front facade		30' deep on all full floors from the front facade
(4) Street Façade Requirements Refer to Figure 3.3 (3)			
Minimum Ground Story Transparency Measured between 2' & 8' above grade	60% front only		60% front only
Minimum Transparency per each Story	15%		15%
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)		required per floor (refer to 10-13-3 2 d ii)
Front Façade Entrance Type	Stoop, porch, storefront		Stoop, porch, storefront
Principal Entrance Location	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
Vertical Façade Divisions	every 50' of façade width	every 40' of façade width	
Horizontal Façade Divisions	required within 3' of the top of the ground story, and every third story above the ground floor		required within 3' of the top of the ground story, and every third story above the ground floor
(5) Roof Type Requirements Refer to Figure 3.3 (3)			
Permitted Roof Types	parapet, pitched, flat		parapet, pitched, flat
Tower	permitted		permitted

Notes

- 1 – A courtyard covering up to 35% of the front façade is permitted and may contribute to the Front Lot Line Coverage requirements.
- 2 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage.
- 3 – Building along Riverdale Road, 1900 West, and 5600 South, 3500 West and Midland Drive are exempt from Front Build-to Zone requirements, and shall follow setback requirements:
 - a. A 15-foot setback is required on all new development along these streets.
 - b. All setbacks' areas must contain either landscape, trees, patio space, or sidewalk space.
 - c. Trees, landscaping and other improvements should be used to mitigate the negative impacts from the heavy fast-moving traffic
- 4 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 5 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet building height may be increased up to 80 feet.
- 6 – Above the third story, the upper stories of any building façade with street frontage shall have a step back from the lower stories that is a minimum of 6'
- 7 – Maximum density is 25 units per acre
- 8 – 1100 feet south of Hinckley Drive the Maximum height is 50'
- 9 – Building Type not allowed along 4200 South
- 10 – West of 1900 West, building height is 60' maximum
- 11 – 20' setback off of 4000 South
- 12 - Only allowed if the building is 125' from back of curb.

5) Limited Bay Building

LIMITED BAY	Permitted Districts		
	DT-G	BP	UC
(1) Building Siting Refer to Figure 3.5 (1)			
Multiple Principal Buildings	permitted	permitted	permitted
Front Property Line Coverage	70% ^{1 & 2}	70% ^{1 & 2}	70% ^{1 & 2}
Occupation of Corner	required	required	required
Front Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²
Corner Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²
Minimum Side Yard Setback	5'	5'	5'
Minimum Rear Yard Setback	5'	5'	5'
Minimum Lot Width	50'	50'	50'
Maximum Lot Width	none	none	none
Parking & Loading Location	rear & side yard	rear & side yard	rear & side yard
Street Façade Service Bay Entrance	limited to one per street façade, maximum with 18'		limited to one per street façade, maximum with 18'
(2) Height Refer to Figure 3.4 (2)			
Minimum Overall Height	1 story	1 story	1 story
Maximum Overall Height	40'	80 ^{4, 5, 6}	40'
(3) Uses Refer to Figure 3.5 (2). Refer to 10-13-1 Uses for permitted uses.			
Ground Story	retail, service, office, craftsman industrial	retail, service, office, craftsman industrial	
Upper Story	any permitted use	any permitted use	
Parking within Building	permitted fully in basement and in rear of upper floors plus one service bay width at ground floor	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	30' deep on all full floors from the front facade	
(4) Street Façade Requirements Refer to Figure 3.5 (3)			
Minimum Ground Story Transparency Measured between 2' and 8' above grade	40%, Minimum 50% of Service Bay door shall be transparent	40%, Minimum 50% of Service Bay door shall be transparent	
Minimum Transparency per each Story	15%	15%	
Blank Wall Limitations	required per floor (refer to 10-13-3 2 b ii)	required per floor (refer to 10-13-3 2 b ii)	
Front Façade Entrance Type	stoop, storefront	stoop, storefront	
Principal Entrance Location	front or corner facade	front or corner facade	
Required Number of Street Entrances	1 per each 100' of façade; service bay door not included; 1 per 150' of facade	1 per each 100' of façade; service bay door not included; 1 per 150' of facade	
Vertical Façade Divisions	every 30' of façade width	every 30' of façade width	
Horizontal Façade Divisions	required within 3' of the top of the ground story for all buildings over 2 stories	required within 3' of the top of the ground story for all buildings over 2 stories	
(5) Roof Type Requirements Refer to Figure 3.5 (3)			
Permitted Roof Types	parapet, pitched, flat		parapet, pitched, flat
Tower	permitted		permitted

Notes

- 1 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage.
- 2 – Building along Riverdale Road, 1900 West, and 5600 South, 3500 West and Midland Drive are exempt from Front Build-to Zone requirements, and shall follow setback requirements:
 - a. A 15-foot setback is required on all new development along these streets.
 - b. All setbacks' areas must contain either landscape, trees, patio space, or sidewalk space.
 - c. Trees, landscaping and other improvements should be used to mitigate the negative impacts from the heavy fast-moving traffic
- 3 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 4 - Building Type not allowed along 4200 South
- 5 – West of 1900 West Building Height is 60' maximum
- 6 – 20' setback off of 4000 South

6) Large Format Building

LARGE FORMAT	Permitted Districts		
	DT-G	BP	UC
(1) Building Siting Refer to Figure 3.6 (1)			
Multiple Principal Buildings	not permitted	not permitted	not permitted
Front Property Line Coverage	70% ¹	70% ¹	70% ¹
Occupation of Corner	required	required	required
Front Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²
Corner Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²
Minimum Side Yard Setback	0' ³	0' ³	0' ³
Minimum Rear Yard Setback	0' ³	0' ³	0' ³
Minimum Lot Width	150'	150'	150'
Maximum Lot Width	400'	400'	400'
Parking & Loading Location	rear & side yard	rear & side yard	rear & side yard
(2) Height Refer to Figure 3.6 (2)			
Minimum Overall Height	1 story	1 story	1 story
Maximum Overall Height	40'	80 ^{5, 6, 7}	40'
(3) Uses Refer to Figure 3.6 (2). Refer to 10-13-1 Uses for permitted uses.			
Ground Stories	retail, service, office		retail, service, office
Upper Story	any permitted use		any permitted use
Parking within Building	permitted fully in any basement and in rear of upper floors. Permitted on upper floors		permitted fully in any basement and in rear of upper floors. Permitted on upper floors
Required Occupied Space	50' deep on all full floors from the front facade		50' deep on all full floors from the front facade
(4) Street Façade Requirements Refer to Figure 3.6 (3)			
Minimum Ground Story Transparency measured between 2' and 8' above ground	50% front and corner side facades only		50% front and corner side facades only
Minimum Transparency per each Story	15%		15%
Blank Wall Limitations	required per floor (refer to 5.2.4 (2))		required per floor (refer to 5.2.4 (2))
Front Façade Entrance Type	storefront		storefront
Principal Entrance Location	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
Vertical Façade Divisions	every 40' of façade width		every 40' of façade width
Horizontal Façade Divisions	required within 3' of the top of the ground story, and every third story above the ground floor		required within 3' of the top of the ground story, and every third story above the ground floor
(5) Roof Type Requirements Refer to Figure 3.6 (3)			
Permitted Roof Types	parapet, flat		parapet, flat
Tower	permitted		permitted

Notes

1 – One double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage

2 – Building along Riverdale Road, 1900 West, and 5600 South, 3500 West and Midland Drive are exempt from Front Build-to Zone requirements, and shall follow setback requirements:

- A 15-foot setback is required on all new development along these streets.
- All setbacks' areas must contain either landscape, trees, patio space, or sidewalk space.
- Trees, landscaping, and other improvements should be used to mitigate the negative impacts from the heavy fast-moving traffic

3 – As required for Site Plan approval, also reference 10-13-3 2 b iv

4 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet building height may be increased up to 80 feet.

5 – Building Type not allowed along 4200 South

6 – West of 1900 West Building Height is 60' maximum

7 – 20' setback off of 4000 South

7) Civic Building.

CIVIC	Permitted Districts		
	DT-G	BP	UC
(1) Building Siting Refer to Figure 3.5 (1)			
Multiple Principal Buildings	permitted	permitted	permitted
Front Property Line Coverage	not required	not required	not required
Occupation of Corner	not required	not required	not required
Front Build-to Zone	15' ¹	15' ^{1,7}	15' ¹
Corner Build-to Zone	15' ¹	15' ^{1,7}	15' ¹
Minimum Side Yard Setback	5' ²	5' ²	5' ²
Minimum Rear Yard Setback	5' ²	5' ²	5' ²
Minimum Lot Width	50'	50'	50'
Maximum Lot Width	none	none	none
Parking & Loading Location	rear & side yard		rear & side yard
(2) Height Refer to Figure 3.4 (2)			
Minimum Overall Height	1 story	1 story	1 story
Maximum Overall Height	40'	80' ^{5, 6}	40'
(3) Uses Refer to Figure 3.5 (2). Refer to 10-13-1 Uses for permitted uses.			
All Stories	limited to civic & institutional uses only		limited to civic & institutional uses only
Parking within Building	permitted fully in basement and in rear of upper floors		permitted fully in basement and in rear of upper floors
Required Occupied Space	30' deep on all full floors from the front facade		30' deep on all full floors from the front facade
(4) Street Façade Requirements Refer to Figure 3.5 (3)			
Minimum Transparency per each Story	10%		10%
Blank Wall Limitations	not required		not required
Front Façade Entrance Type	stoop, storefront		stoop, storefront
Principal Entrance Location	Arcade, porch or corner facade		Arcade, porch or corner facade
Vertical Façade Divisions	not required		not required
Horizontal Façade Divisions	not required		not required
(5) Roof Type Requirements Refer to Figure 3.5 (3)			
Permitted Roof Types	parapet, pitched, flat; other roof types are permitted by Conditional Use		parapet, pitched, flat
Tower	permitted		permitted

Notes

- 1 – Building along Riverdale Road, 1900 West, and 5600 South, **3500 West and Midland Drive** are exempt from Front Build-to Zone requirements, and shall follow setback requirements:
 - a. A 15-foot setback is required on all new development along these streets.
 - b. All setbacks' areas must contain either landscape, trees, patio space, or sidewalk space.
 - c. Trees, landscaping, and other improvements should be used to mitigate the negative impacts from the heavy fast-moving traffic
- 2 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 3 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the property line, which is exempt from front property line coverage.
- 4 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet building height may be increased up to 80 feet.
- 5 – Maximum Building height along 4200 South is 35'
- 6 – West of 1900 West Building Height is 60' maximum
- 7 – 20' setback off of 4000 South

8) Row Building

ROW BUILDING	Permitted Districts	
	BP	UC
(1) Building Siting Refer to Figure 3.8 (1)		
Multiple Principal Buildings	permitted ¹	permitted ^{1, 10}
Front Property Line Coverage	65% ²	65% ²
Occupation of Corner	required	required
Front Build-to Zone	0' to 15' ⁹	0' to 15' ⁹
Corner Build-to Zone	0' to 15' ⁹	0' to 15' ⁹
Minimum Side Yard Setback	0' per unit; 15' between buildings	0' per unit; 15' between buildings
Minimum Rear Yard Setback	10' ³	10' ³
Minimum Unit Width	22' per unit	22' per unit
Maximum Building Width	maximum of 8 units per building	maximum of 8 units per building
Parking & Loading Location	front, rear and side yard	front, rear and side yard
(2) Height Refer to Figure 3.8 (2)		
Minimum Overall Height	1 story	1 story
Maximum Overall Height	80' ^{7, 8}	40'
(3) Uses Refer to Figure 3.8 (2). Refer to 10-13-4 Uses for permitted uses		
Ground Stories	residential only	residential only ¹⁰
Upper Story	residential only	residential only
Parking within Building	permitted fully in basement	permitted fully in basement
(4) Street Façade Requirements Refer to Figure 3.8 (3)		
Minimum Transparency per each Story	15% ⁴	15% ⁴
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)	required per floor (refer to 10-13-3 2 d ii)
Front Façade Permitted Entrance Type	stoop, porch, limited storefront	stoop, porch, limited storefront
Principal Entrance Location per Unit	front or corner side façade	front or corner side façade
Vertical Façade Divisions	not required	not required
Horizontal Façade Divisions	for buildings over 3 stories, required within 3' of the top of any visible basement or ground story	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 3.8 (3)		
Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat
Tower	not permitted	Not permitted

Notes

- 1 – For the purpose 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'. The courtyard shall be defined on three sides by units.
- 3 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 4 – Maximum density is 25 units per acre
- 5 – Maximum density is 18 units per acre
- 6 – 1100' south of Hinckley Drive the Maximum height is 50'
- 7 – Maximum Building height along 4200 South is 35'
- 8 – West of 1900 West Building Height is 60' maximum
- 9 – 20' setback off of 4000 South
- 10 – Cannot be within 125' back of curb from any street

- 12) The following requirements apply to the Urban Corridor 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.**
- a) Materials and Color.**
 - i) 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.
 - (1) 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 5.12 (1).
 - ii) 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.
 - (1) Exterior Insulation and Finishing Systems (EIFS)** is permitted for trim only or on upper floor facades only.
 - iii) 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 5.12 (1).
 - iv) Color.** Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized for details and accents, not to exceed a total area larger than 10% of the facade surface area.
 - v) 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 5.12 (1).



Primary Materials: Bricks



Primary Materials: Stone



Primary Materials: Painted Wood



Roof Materials: Asphalt Composite Shingles



Primary Materials: Ceramic Tile

5.12 (1)

10-17-1 Table of Uses:

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

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone)
A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

~~CC = Community Commercial~~

LM = Light Manufacturing

M = Manufacturing

MU = Mixed Use (see CH 13 of this Title)

R = Recreational

USE	~~CC~~	LM	M	R
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	~~P~~	P	P	P
<u>Accessory Caretaker Dwelling Unit.</u> An attached or detached dwelling unit for an employee or owner and incidental and clearly subordinate (NO MORE THAN 40%) to an existing primary building or use and located on the same lot as the primary building or use.	X	P	P	P
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot or in the same building as the primary use.	~~P~~	P	P	P
<u>Adult Arcade.</u> Any place to which the public is permitted or invited wherein coin operated or slug operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas. An Adult Arcade shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X
<u>Adult Bookstore, Adult Novelty Store, Adult Video Store.</u> A commercial establishment which has significant or substantial portion of its stock in trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; B. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others. Adult Bookstores, Adult Novelty Stores, and Adult Video Stores shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X
<u>Adult Cabaret.</u> A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: A. Persons who appear seminude; B. Live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities; or C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas. An Adult Cabaret shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X
<u>Adult Motel.</u> A motel, hotel or similar commercial establishment which: A. Offers public accommodations, for any form of consideration, and which regularly provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas and which regularly advertises the availability of such material by means of a sign visible from the public right of way, or by means of any off premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; and B. Offers a sleeping room for rent for a period of time less than ten (10) hours. An Adult Motel shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X
<u>Adult Motion Picture Theater.</u> A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration. An Adult Motion Picture Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X

USE	CC	LM	M	R
<u>Adult Theater.</u> Theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in state of semi nudity or live performances which are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities. An Adult Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	X	P	X
<u>Adult - Seminude Model Studio.</u> Any place where a person, who regularly appears in a state of semi nudity, is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons, except as may be allowed by Title 3-7 et. seq. Roy City Municipal Code.	X	X	P	X
<u>Animal Hospital (Veterinary Clinic), With Holding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities But which may include indoor holding and boarding facilities.	P	P	P	X
<u>Assisted Living Facility.</u> Commonly referred to as "residential care", "assistive living" or "personal care community". A residential facility with common area in which services are available to residents who may still live independently within the facility itself. Help is generally offered in day-to-day tasks such as taking medicine, bathing, and dressing, using the bathroom, getting to appointments, or preparing meals. A variety of services and amenities such as dining room service, group outings, and recreational and social programs are usually available. This definition shall not include any facility which meets the definition of a "Residential Facility for Elderly Persons" or "Residential Facility for Persons with a Disability".	P	X	X	X
<u>Bank, Credit Union or other Financial Institution.</u> A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money.	P	X	X	X
<u>Billboard.</u> A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.	X	X	X	X
<u>Cannabis Production Establishments.</u> Cannabis Production Establishments may not be located closer than six hundred (600) feet to any residential zone and one thousand (1,000) feet from any community location. Shall be conducted within an enclosed building and be designed to filter inside air exchanges the outside through air filter systems that remove odors before exiting the building.	N	N	P	N
<u>Car Wash.</u> A structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.	X	X	P	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	P	X	X	X
<u>Commercial Day Care/Preschool Center.</u> A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Day Care/Preschool Center excludes the following: (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or (c) Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; (d) or clearly identified as an Accessory Use.	P	P	X	X
<u>Commercial Plant Nursery.</u> A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	P	P	P	X
<u>Commercial Recreation (Indoor).</u> Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	P	P	P	P
<u>Commercial Recreation (Outdoor).</u> An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	P	P	X	P

USE	CC	LM	M	R
Construction Sales and Service. An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	P	P	P	X
Contractor's Office/Contractor's Storage Yard. A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	P	P	X
Convalescent Facility. A facility, or portion thereof, in which people are cared for during the time of recovery from an operation, injury, or physical illness. The facility may also contain areas for physical therapy. This definition shall not include any building or structure which meets the definition of a "group home for the elderly", "group home for persons with a disability", or "detention or rehabilitation facility".	P	X	X	X
Convenience Store. A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	P	P	P	X
Day Care Center (Adult). Any building or structure furnishing care, supervision, and guidance for three (3) or more adults unaccompanied by guardians for periods of less than twenty four (24) hours per day.	P	X	X	X
Drive through/Drive up Facility. A facility where goods and services are provided to customers within a vehicle. Must be associated with a "Permitted" or "Conditional" use within this table.	P	P	P	X
Educational Facility. Privately or publicly owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, and including Charter Schools. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction.	P	X	X	X
Golf Course. A an area used for the purposes of playing golf, but which may include associated restaurant, commercial retail sales areas, staff offices and course maintenance facilities.	X	X	X	C
Hospital. A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.	P	X	X	X
Hotel. A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	P	X	X	X
Kennel. A commercial establishment having three (3) or more dogs for boarding, breeding, buying, letting for hire, training for profit, or selling. (Ord No. 16-10, 7-5-2016)	X	X	C	X
Laundry, Self Serve or Dry Cleaning. An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	P	X	X	X
Liquor Store – State Owned. An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.	P	X	X	X
Manufacturing, Major. Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	P	X
Manufacturing, Minor. Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	P	P	X
Major Facility of a Public Utility. Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	X	C	C	X
Medical and Dental Clinic. An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	P	X	X	X

USE	CC	LM	M	R
<u>Medical Cannabis Pharmacy.</u> Medical Cannabis Pharmacy may not be located closer than six hundred (600) feet to any residential zone and two hundred (200) feet from any community location. Shall also meet the following: 1. Shall have one (1) entry door at the front of the building facing the street 2. Hours of operation are limited between 8 a.m. to 8 p.m.	P	P	P	N
<u>Medical or Dental Laboratory.</u> An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.	P	P	P	X
<u>Minor Facility of a Public Utility.</u> A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	C	C	C	C
<u>Mobile Food Trucks:</u> 1. Location: When allowed in the use regulations applicable to a specific zoning category, mobile food trucks may be: a. Located in a private parking lot with property owner approval for that location; or 2. Parked In Private Parking Lot: When parked in a private parking lot, a mobile food truck shall: a. Have access to a permanent bathroom facility; b. Be located on an improved portion of the lot; and c. Be located on a lot where an occupied business is operating. 3. Conditions That Apply: Regardless of where a mobile food truck is operated or parked, the following conditions apply: a. Site plan must be approved b. It shall not operate within one hundred feet (100') of the entrance door of a restaurant, OR of a property line of a church unless invited by the church. c. All signs are limited to those that are permanent and physically attached to the vehicle. d. The operator shall provide trash and recycling containers which shall be removed from site when truck leaves site. e. The use shall be placed so as not to disrupt the vehicle and allow safe pedestrian traffic flow into or out of a site f. Shall not operate as a drive-through. g. Vehicles are to be maintained in a neat and professional manner. h. Hours of operation are between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. with no overnight parking except at commissary location. i. Vehicles are not allowed to idle. j. Shall not cause noise, light, or glare which adversely impacts surrounding uses. Flashing, scintillating, blinking, or traveling lights shall not be permitted; k. Shall comply with all applicable Utah State and Weber/Morgan Health Department requirements; l. Shall comply with all State, County, and City retail sales tax regulations; m. Must comply with all Roy City Fire Department requirements, including but limited to an annual inspection. n. Shall only operate when parked on a hard surface;	P	P	P	P
<u>Mortuary, Funeral Home.</u> An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services.	P	X	X	X
<u>Motel.</u> A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.	P	X	X	X
<u>Nightclub.</u> A place of entertainment open at night usually serving food and liquor, having a floor show, and providing music and space for dancing. A Nightclub that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	X	X	X

USE	CC	LM	M	R
Nursing Home. An intermediate care/nursing facility or a skilled nursing facility, licensed by the state of Utah, for the care of individuals who, due to illness, advanced age, disability, or impairment, require assistance and/or supervision on a twenty-four (24) hour per day basis. Such facility does not include an adult daycare facility or adult daycare provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.	P	X	X	X
Office. A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	P	X	X	X
Pay-day Lending: Lenders engaging primarily in the business of small, short term loans provided against a prearranged line of credit, post-dated check, deposits, vehicle titles or other instruments. The number of such facilities licensed within the City limits may not exceed one (1) per five thousand (5,000) or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. (Ord. 1018, 8-4-2009)	X	X	X	X
Pawnshop. Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; (c) Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or (d) Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property. The number of such facilities licensed within the city limits may not exceed one (1) per ten thousand (10,000), or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. Such facilities shall not be located closer than six hundred (600) feet to any residential zone or to another Pawn Shop. (Ord. No 1071; 11/18/14)	X	X	X	X
Personal Care Service. An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty salons (including permanent or semi-permanent make-up/cosmetics) and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	P	X	X	X
Personal Instruction Service. An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	P	X	X	X
Pet Grooming. A commercial establishment for the grooming of pets. No boarding, breeding, buying, letting for hire, training or selling.	P	P	X	X
Private Club. Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	X	X	X
Public Park-And-Ride Lots. Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C
Public Commuter and Light Rail Facilities and Station. A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C
Reception Hall, Reception Center. A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	P	X	X	X

USE	CC	LM	M	R
<u>Recycling Collection Area.</u> An area for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection area involve no more than 3 collection containers up to 40 cubic yards in total size. Collection area located in parking lots may not occupy required parking spaces. A collection area must be arranged to not impede traffic flow. The operator of the collection enter shall remove products stored at the site at least once a week. The operator of the collection area shall keep the collection center in proper repair and the exterior must have a neat and clean appearance.	P	P	P	X
<u>Restaurant.</u> A building or facility for the preparation, retail sale, and on- site consumption of food and beverages (including Beer or Alcohol), sells food and beverages over a counter, packages its food in wrappers, boxes or cartons regardless if the food is consumed on or off the restaurant premises; and may provide a drive through/drive up facility.	P	P	P	P
<u>Retail Sales and Services.</u> Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.	P	X	X	X
<u>Salvage yard.</u> The use of any lot, portion of a lot, or land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery and/or the storage and sale of dismantled or damaged vehicles or their parts.	X	X	X	X
<u>Seasonal Use.</u> A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots. This use and requirements to establish this use by Chapter 16, herein, shall become effective on January 01, 2006. All other seasonal uses not listed above are prohibited.	T	X	X	X
<u>Tattoo & Body Art.</u> Establishments engaged primarily in the practice of physical body adornment or modification, including but not limited to body piercing, tattooing, branding or scarification. All Tattoo & Body Art establishments shall obtain and maintain in good standing a proper license from the Weber-Morgan Health Department. Tattoo & Body Art establishments may not be located closer than six hundred (600) feet to any other such establishment as defined, or to any church, school or other community gathering place.. The hours of operation are limited to between 10:00 a.m. and 10:00 p.m. No minors shall be allowed on the premises without an accompanying adult guardian.	P	P	P	X
<u>Tavern:</u> An establishment licensed by the Utah Alcoholic Beverage Control Commission for serving beer by the drink to the general public.	X	P	P	X
<u>Telecommunications Site/Facility.</u> An unmanned structure consisting of antennas, antenna support structures, or other equipment used to provide personal wireless services as set forth in Section 704 of the Telecommunications Act of 1996, as amended. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located but is required to meet the locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part97. A facility may be located on any property owned by the City.	C	C	C	C
<u>Temporary Use.</u> A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.	T	T	T	T
<u>Theater, Indoor Picture.</u> A building or part of a building devoted to the showing of moving pictures on a paid admission basis.	P	X	X	X
<u>Tobacco Oriented Retail.</u> A commercial establishment with less than 10,000 square feet of total sales area, where the sale and/or display of tobacco and/or tobacco related products accounts for greater than 10% of the sales floor and display areas, or where the sale of tobacco and/or tobacco related products accounts for more than 30% of gross sales receipts, or any commercial establishment of any size declaring itself through name or advertising to be oriented specifically to the selling of tobacco and/or tobacco related products. Tobacco Oriented Retail uses may not be located within 600 feet of one another as measured at the closest property lines. (Ord. 1032, 9-7-2010)	P	X	X	X
<u>Trailer Camp Or Trailer Court.</u> Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.	X	X	X	P

USE	CC	LM	M	R
<u>Vehicle and Equipment Rental or Sale, New or Used, Major.</u> An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used heavy truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental. [also see 10-11-8]	X	P	P	X
<u>Vehicle and Equipment Rental or Sale, New or Used, Minor.</u> An establishment engaged in the retail sale or rental, from the premises, of new or used motorcycles, automobiles, and/or light trucks, with a Manufacturer's Gross Vehicle Weight Rating not to exceed 14,000 pounds, with incidental service or maintenance. Typical uses include dealers of motorcycles, automobiles, and light trucks. [also see 10-11-8]	P	P	P	X
<u>Vehicle and Equipment Repair, Major.</u> An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	P	P	X
<u>Vehicle and Equipment Repair, Minor.</u> An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings, but not including paint and body shops or other general vehicle repair services. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.	P	P	P	X
<u>Warehouse, Self-Service Storage.</u> An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property.	X	P	P	X
<u>Wholesale and Warehousing, Major.</u> An establishment that is primarily engaged in the storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major mail distribution centers, frozen food lockers, moving and storage firms, and warehousing and storage facilities.	X	X	P	X
<u>Wholesale and Warehousing, Minor.</u> An establishment that is engaged in the small scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms and similar high volume, high turnover facilities. Limited wholesale and warehouse area will generally be less than 30,000 square feet in area and operate during conventional business hours.	X	P	P	X

Sample Site Plan



Sample Building Facades - Commercial





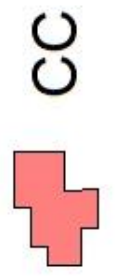
Sample Building Facades - Residential



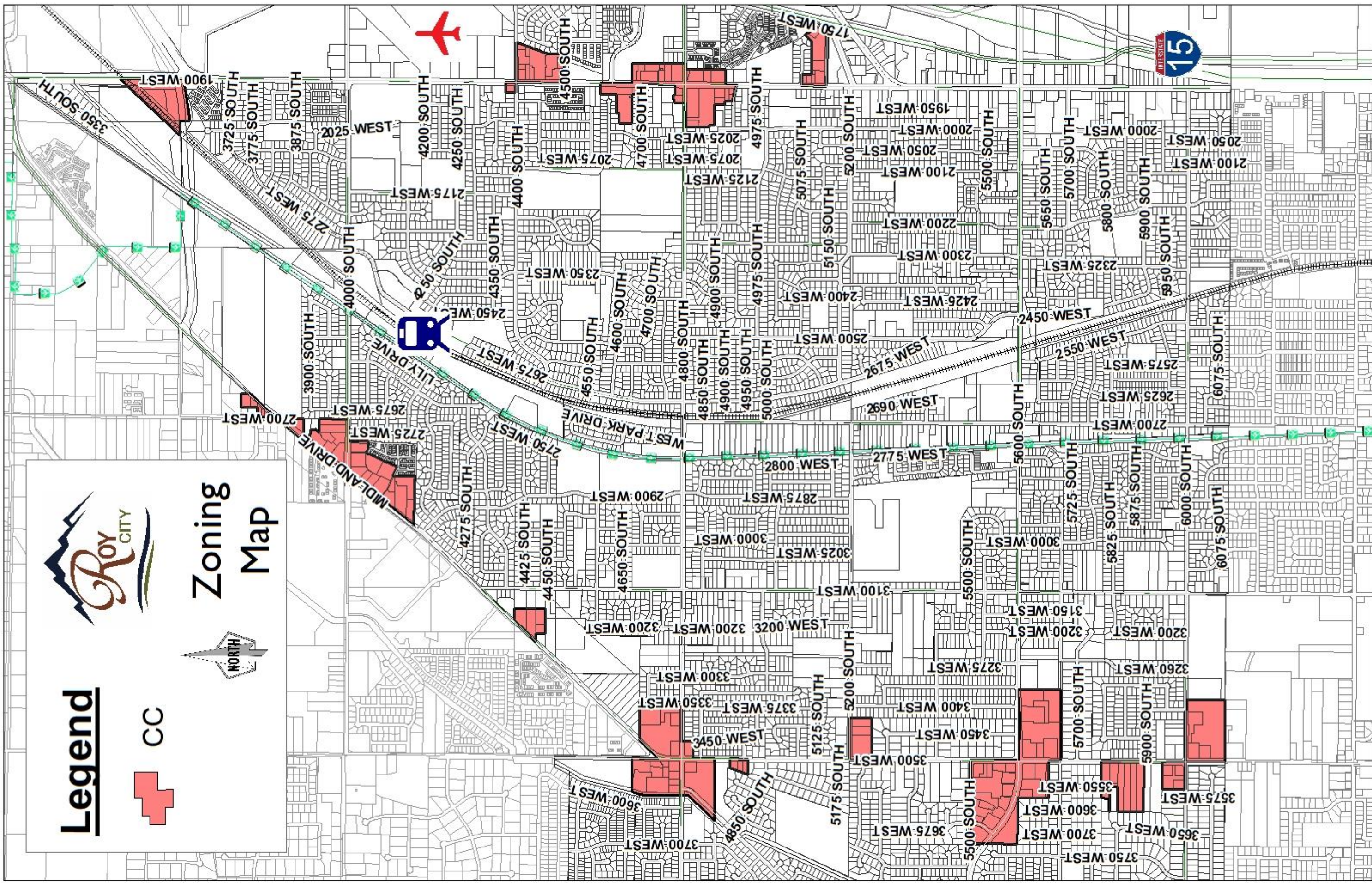




Legend



Zoning Map





Commercial/Mixed Use

