



ROY CITY
Roy City Council Agenda
March 7, 2017 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

Moment of Silence and Pledge of Allegiance: Councilmember Dandoy

1. Approval of the February 7, 2017 City Council Minutes
2. Award of Employee of the Month for February, 2017
3. Consideration of Resolution No. 17-7 Approving an Interlocal Agreement with Sunset City for Fire Protection and Emergency Services
4. Consideration of Ordinance No. 17-1 Amending Title 10; Zoning Regulations
5. Discussion of Placing a Light Pole at the Roundabout on 4400
6. Waiver of Noise Ordinance to allow UDOT to perform night work on Roy City SR-108, Davis County Line to 4600 South and Hinckley Drive to SR-126
7. Public Comments
8. City Manager Report
9. Mayor and Council Report
10. Adjourn

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: admin@royutah.org at least 48 hours in advance of the meeting.

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 3rd day of March, 2017. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 3rd day of March, 2017.

Amy Mortenson
Roy City Recorder

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



ROY CITY

Roy City Council Agenda
February 7, 2017 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on January 17, 2017 at 6:00 p.m.

The Meeting was a regularly scheduled meeting designated by Resolution. Notice of the meeting was provided to the Standard Examiner at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Cragun

Councilmember Becraft

Councilmember Tafoya

Councilmember Yeoman

Councilmember Hilton

City Recorder Amy Mortenson

City Attorney Andy Blackburn

Excused: City Manager Baughman, Councilmember Dandoy

Also present were: Police Chief, Carl Merino; Public Works Director, Ross Oliver; Parks and Recreation Director, Travis Flint; Assistant City Attorney, Trent Nelson, Management Services Director, Cathy Spencer, Fire Chief; Jason Poulsen

Moment of Silence and Pledge of Allegiance: Councilmember Tafoya

1. APPROVAL OF THE JANUARY 3, 2017 AND JANUARY 17, 2017 CITY COUNCIL MINUTES

Councilmember Yeoman motioned to approve the January 3, 2017 and January 17, 2017 City Council Minutes as written. Councilmember Becraft seconded the motion. All Councilmembers voted “aye”. The motion carried.

2. SWEARING IN OF THE JUSTICE COURT JUDGE

City Recorder, Amy Mortenson, swore in Trent Nelson as the Justice Court Judge. Mr. Nelson then introduced his family to those who were in attendance.

3. SWEARING IN OF POLICE SERGEANT

Ms. Mortenson swore in Armando Perez as the Police Sergeant for the Roy City Police Department. Mr. Perez then introduced his family to those who were in attendance.

4. SWEARING IN OF POLICE OFFICER

Ms. Mortenson swore in Rudy Hernandez as a Police Officer for the Roy City Police Department. Mr. Hernandez then introduced his family to those who were in attendance.

5. PRESENTATION OF EXCELLENT WORK AWARD

Fire Chief, Jason Poulsen, introduced the recipients of the above stated award as Jeff Stein, Lance Beech, Logan Layne and Shane Anderson. The following statement was then read into the record:



ROY CITY

Roy City Council Agenda
February 7, 2017 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

“Paramedics were dispatched and responded to a 911 medical call for a Roy resident who had, as of late, been feeling ill. This resident had been in and out of the hospital the previous weeks with no definitive diagnosis for his weakness, shortness of breath and generalized malaise. As Paramedics treated and assessed this patient they discussed and mentioned the possibility of excessive carbon monoxide levels in the bloodstream as a possible condition plaguing this patient. As a result of their deductive and “out of the box” thinking this resident was diagnosed, treated and monitored in the appropriate manner which resulted in his recovery and return to normal life activities. This is another example of the quality personnel that Roy City Fire and Rescue Department has become known for and have available when needed by the residents of Roy as well as the surrounding communities.”

6. 6:00 P.M. PUBLIC HEARING ADJUSTMENTS TO FISCAL YEAR 2017 BUDGET

Councilmember Hilton motioned to go into a Public Hearing. Councilmember Yeoman seconded the motion. All Councilmembers voted “aye”. The motion carried.

Management Services Director, Cathy Spencer, presented the staff report as follows:

The General Fund budget will increase by \$789,538, which includes the Class C Roads Fund increase of \$100,000. In the General Fund, the fund balance reserves will be drawn down by an additional \$538,000 to cover the net effect of the adjustments. That number is high in order to allow the City Council to decide whether the fund balance reserves will be reduced to between 18% and 25% of budgeted revenue. An allowance to get to the 18% by using funds for capital projects has been included and leaves open the possibility for the City Council to determine a use without having to reopen the budget again.

The Capital Projects Fund budget will increase by \$2,229,528, of which \$911,595 is using fund balance reserves. The use of the reserves comes from re-budgeting moneys left over from FY 2016 for Parks and Recreation, as well as Beautification. It also includes the potential for money from the General Fund to be transferred for capital projects to reduce its reserves.

The Water & Sewer Utility Enterprise Fund budget will increase by \$3,295, with a reduction in use of retained earnings of \$73,455. Changes in revenue exceeded the changes in expenses.

The information Technology budget will increase by \$12,700, with a draw from retained earnings of \$11,000 to balance the expenditures notated below. The Risk Management budget will increase by \$9,200, all coming from a draw from retained earnings.

The Storm Sewer Development budget will increase by \$18,000, all coming from fund balance reserves. The Park Development budget will increase by \$89,000, with \$11,600 coming from fund balance reserves.

A complete itemized list of budget amendments was then reviewed and briefly discussed. Councilmember Hilton observed that funds had not been set aside for economic development. Ms. Spencer said there were RDA funds set aside for economic development purposes, including fees for the International Council of Shopping Centers (ICSC) Conference.

Councilmember Yeoman asked about beautification funds, to which Ms. Spencer stated there were \$123,000 available. She made mention of the wall they are trying to complete near Harmon’s. No additional funds had been set aside, in addition to what was already in the reserves.



ROY CITY

Roy City Council Agenda
February 7, 2017 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

No one from the public came forward to comment on this item.

Councilmember Yeoman motioned to go out of the Public Hearing. Councilmember Becraft seconded the motion. All Councilmembers voted “aye”. The motion carried.

7. CONSIDERATION OF RESOLUTION 17-3 APPROVING ADJUSTMENTS TO THE FISCAL YEAR 2017 BUDGET

Councilmember Tafoya motioned to approve a Resolution 17-3 Approving Adjustments to the Fiscal Year 2017 Budget. Councilmember Hilton seconded the motion. A roll call vote was taken. All Councilmembers voted “aye”. The motion carried.

8. CONSIDERATION OF RESOLUTION 17-4 DECLARING CERTAIN ITEMS AS SURPLUS AND AUTHORIZING THE SALE

Public Works Director, Ross Oliver, presented the items that were to be surplus as follows:

- Multiquip Model SP2SOH2O Self-Propelled walk behind Concrete Saw
- Generator Set – 60 Kilowatt Model SF-60-MD/CIED Military Surplus Generator
- Extendable Antenna Mount 20 to 60 feet
- Air Gas-Fired Air Heater Model CFA-15 275,000 BTU
- Plate Compactor for a Case M580 backhoe
- Cat Quick Connect for 315 track hoe Model M312/315/317
- Western Snow Plow 8 Foot minus truck mount
- Head Gate 13 feet tall 20x20 inch opening
- 1998 General Motors Truck VIN: 1GDT7H4J7WJ505574 Miles: 39,921
- 2004 Ford Taurus VIN: 1FAFP53U84A136545 Miles: 101,000
- 2006 Ford Explorer VIN: 1FMEU72EX6UA18143 Miles: 78,248
- 2001 Ford Taurus VIN: 1FAFP55U01A145815 Miles: 107,000
- 2006 Ford Crown Vic VIN: 2FAHP71W46X118062
- NAPA 15hp 120 Gallon Air Compressor Asset tag 02510
- Coats 1004 Wheel Balancer Asset tag 00116
- International 16 drawer tool chest

In response to an inquiry from Councilmember Hilton, Mr. Oliver explained that the sales of surplus items are advertised online, where anyone is able to bid on the items. The website is www.publicsurplus.com.

Councilmember Hilton motioned to approve a Resolution 17-4 Declaring Certain items as Surplus and Authorizing the Sale. Councilmember Yeoman seconded the motion. A roll call vote was taken. All Councilmembers voted “aye”. The motion carried.

9. PUBLIC COMMENTS

There were none.

10. MAYOR AND COUNCIL REPORTS



ROY CITY

Roy City Council Agenda
February 7, 2017 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

Mayor Cragun reported on the success of the soft opening of Ocean Mart earlier this month. He also reported on discussions which took place at the recent meeting held by the Weber Area Council of Governments (WACOG) regarding the landfill. He noted the County has been running a deficit on the landfill in question for the past few months. Several mayors in the area have been assigned to work on a committee to address the matter, particularly in regards to glass recycling. Originally, the County thought glass recycling would generate profit for the cities, but that has not been the case. The Council needs to decide what position they will be taking on the matter.

Councilmember Becraft announced that there will be a STEM science fair out at the County fairgrounds on February 23rd and 24th, and those organizing the event are currently looking for judges. Direction will be given to volunteers, so they can better understand their roles as judges. Councilmember Becraft also mentioned that Roy is in its 80th year as a City this year; the official anniversary is March 10th, and various commemorative activities will be held throughout the year.

Councilmember Hilton reported that several City representatives were attending an economic development convention for entertainment and restaurants in California, where they were actively seeking to bring those types of businesses to Roy. Secondly, he stated it has been mentioned that the Rocky Mountain Junior High will be rebuilt, and there was a push to have it rebuilt in West Haven instead of Roy. He encouraged everyone to contact the school district to petition having the school remain in Roy.

A member of the Roy Youth City Council provided current highlights on various student organizations.

Councilmember Becraft reported there was a public meeting scheduled for February 15th at the library, in conjunction with the current State Legislative session.

Mayor Cragun further reported on the situation with Rocky Mountain Junior High.

11. ADJOURN

Councilmember Tafoya motioned to adjourn at 6:37 p.m. Councilmember Hilton seconded the motion. All Councilmembers voted “aye”. The motion carried.

Willard Cragun
Mayor

Attest:

Amy Mortenson
Recorder

Resolution No. 17-7

**A Resolution of the Roy City Council
Approving an Interlocal Agreement between Roy City Corporation
and Sunset City for Fire Protection and Emergency Services**

WHEREAS, Utah Code Ann. §11-13-101 et. seq., permits governmental entities to enter into cooperation agreements with each other; and

WHEREAS, Roy City recognizes the importance and need for joint cooperation with local entities to provide and receive services from neighboring communities which is a necessary and needed service to the City and surrounding communities; and

WHEREAS, Roy City wishes to, and recognizes the importance of, participating in any efforts designed to jointly help each other; and

WHEREAS, the Roy City Council has fully reviewed the attached Interlocal Agreement between Sunset City and Roy City and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Roy City Council hereby approves the attached Interlocal Agreement (attached hereto and incorporated by this reference) as written and authorizes the Mayor of Roy City to execute this Agreement on behalf of the City.

Passed this 7th day of March, 2017.

Willard Cragun
Mayor

Attest:

Amy Mortenson
City Recorder

Voting:

	Aye	Nay	Absent	Excused
Councilmember Marge Becraft	_____	_____	_____	_____
Councilmember Robert Dandoy	_____	_____	_____	_____
Councilmember Brad Hilton	_____	_____	_____	_____
Councilmember Dave Tafoya	_____	_____	_____	_____
Councilmember Karlene Yeoman	_____	_____	_____	_____

REQUEST FOR COUNCIL ACTION

Office of the City Manager



DATE: March 7, 2017
TO: Mayor and City Council
FROM: Jay Baughman, City Manger
RE: Interlocal Service Agreement with Sunset City for Fire Service

Ordinance **Resolution** **Motion** **Information**

Executive Summary

The interlocal service agreement for cooperative fire protection between the Sunset City Fire Department and Roy City Fire Department has expired. We are looking to renew this five year agreement for automatic aid for fire protection for both municipalities.

Recommendation

It is recommended that we renew this interlocal service agreement between Sunset City and Roy City.

Fiscal Impact

None.

Background

In the Fire service and between each municipality, we establish interlocal agreements for assistance in meeting National Fire Protection Association (NFPA) requirements for structure fire response as it relates to staffing. Agreements such as this allow fire departments to bring the proper amount of people and equipment to bear in battling fires that may be beyond their capability alone. Upon receipt of a report of a structure fire, the dispatch center responsible for dispatching the incident, will dispatch the standard complement of firefighting equipment and personnel from surrounding jurisdictions with which agreements are made.

**INTERLOCAL AGREEMENT FOR COOPERATIVE
FIRE PROTECTION AND EMERGENCY SERVICES**

This agreement is made and entered into the ____ day of _____, 2017, pursuant to the provisions of the Interlocal Cooperation Act, by and between Sunset City Corporation, a municipal corporation of the State of Utah, and Roy City Corporation, a municipal corporation of the State of Utah.

WITNESSETH:

WHEREAS, the parties are desirous of entering an agreement for providing mutual aid for fire protection among the parties; and

WHEREAS, such agreement is in furtherance of the purposes of Section 11-7-1, Utah Code annotated, 1953, as amended; and

WHEREAS, each party desires to cooperate with the assist of the other for structural fire protection at the receipt of such an alarm; and

WHEREAS, this Agreement is intended to “enhance” but not replace any existing “Mutual Aid Agreements.”

NOW, THEREFORE, it is hereby agreed:

1. That upon receipt of a report of a structure fire or other fire threatening a structure, the dispatch center responsible for dispatching the incident will dispatch the standard complement of firefighting equipment and personnel from that jurisdiction. In addition, the dispatcher will also immediately see that the next due “Mutual Aid “ fire company, as provided under this Agreement, is dispatched to the same incident. Selection of the “Mutual Aid” Fire Company will be made by computer aided dispatch according to mutually satisfactory boundaries as approved by the respective Fire Chiefs of each Party.
2. Any dispatch of equipment and personnel pursuant to this Agreement is subject to the following conditions:
 - a. The “Mutual Aid” fire company being required must be currently in an “available” status.
 - b. The responding company must be a “pumping” apparatus of Class A engine type or “quint” style aerial device with Class A engine specifications. Such responding company must respond with no fewer than two firefighters on board.
 - c. The “Mutual Aid” fire company must respond immediately from the fire station to which they are assigned immediately upon receipt of the alarm. All such responders must ride the fire engine to the incident. None shall respond by private vehicle.

- d. Dispatch will issue the following information to the responding "Mutual Aid" fire company:
 - i. Address of incident;
 - ii. Type of fire;
 - iii. Special considerations of life safety;
 - iv. Incident command designation; and
 - v. Commander's name or until when available;
 - e. All parties under this agreement will function under the Incident Command System as taught by the National Fire Academy and as practiced under Weber area local guidelines and standard operating procedures (SOP's). The responding "Mutual Aid" fire company shall report to the Incident Commander at the location to which the equipment is dispatched, and shall be subject to the orders of the commander.
 - f. The responding "Mutual Aid" fire company shall be released by the requesting organization when services of the "Mutual Aid" fire company are determined to not be required or when the "Mutual Aid" fire company is needed to provide fire protection to its own jurisdiction, such need to be the sole determination of the responding organization.
 - g. Assistance under this Agreement may be refused by the supervising shift officer or any of the parties if, in the supervisor's best judgement, it is determined that the party is unable to reasonably respond.
3. Each party waives all claims against the other for compensation for any loss, damage, personal injury, or death occurring as a consequence of performing this Agreement
 4. Neither party shall be reimbursed by the other party for any cost incurred pursuant to this Agreement.
 5. All privileges and immunities from liability which surround the activities of any firefighting force or fire department, when performing its functions within the other party's territorial limits, shall apply to the activities of the other party's firefighting department while furnishing fire protection outside its territorial limits under this Agreement.
 6. The effect of the death or injury of any firefighter, who is killed or injured while responding to an incident outside the territorial limits of the firefighter department of which the firefighter is a member of while that department is functioning pursuant to this Agreement, shall be the same as if the firefighter were killed or injured while that department was functioning within its own territorial limits, and such death or injury shall be considered to be in the line of duty.

7. There is no separate legal entity created by this Agreement to carry out its provisions, and to the extent that this Agreement requires administration other than as is set forth herein, it shall be administered by the governing bodies of the parties acting as a joint board. There shall be no real personal property acquired jointly by the parties as a result of this Agreement.
8. This Agreement shall not relieve any part of any obligation or responsibility imposed upon any of the parties by law, except that the performance of a responding party may be offered in satisfaction of any such obligation or responsibility to the extent of actual and timely performance thereof by the responding party.
9. This Agreement will go into effect on the ____ day of _____, 2017, which is the date of the last resolution of a governing body approving this Agreement, and shall be in force for a period of five (5) years from such time unless termination as provided herein. Any party may terminate its obligations under this Agreement after giving (30) days advanced written notice of termination to the other parties. Such termination shall not modify the Agreement as between any of the remaining parties, except only to exclude the terminating party from the obligations created herein.
10. This Agreement shall become effective as set out above provided it has been approved by resolution of the City Councils of the above-mentioned cities prior to the effective date and in accordance with the provisions of Section 11-13-9, Utah Code Annotated, 1953, as amended and be submitted to and approved by an authorized attorney for each party.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their authorized representatives as of the date first written above.

ROY CITY CORPORATION
A Utah Municipal Corporation

By: _____
Willard Cragun, Mayor

Attest:

Amy Mortenson, City Recorder

Approved as to form and as compatible
With State law:

Andrew Blackburn
Attorney for Roy City

SUNSET CITY CORPORATION
A Utah Municipal Corporation

By: _____
Beverly MacFarlane, Mayor

Attest:

Susan Hale, City Recorder

Approved as to form and as compatible
With State law:

Attorney for Roy City

REQUEST FOR COUNCIL ACTION

Office of the City Manager



DATE: 7 March 2017

TO: Mayor and City Council

FROM: Jay Baughman, City Manger

RE: Request to approve Ord. No. 17-1; To amend Title 10 Zoning Regulations; comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding "Conditional Uses".

Ordinance

Resolution

Motion

Information

Executive Summary

The proposed text amendment is to modify the zoning ordinance to reflect the changes to the state status regarding "Conditional Uses"

The Planning Commission held a Public Hearing on February 14, 2017, the hearing was opened – the Public made the following comment(s):

- No Public Comment was made

With no further comments the public hearing was closed.

After a small discussion amongst the Commissioners, the Commission voted 6-1; to forward to the City Council a recommendation of approval to amend Title 10 Zoning Regulations; comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding "Conditional Uses".

Recommendation

The Planning Commission and Staff recommends approving of the proposed amendments to the Zoning Ordinance.

Fiscal Impact

For the text itself there will be no fiscal impact, however changing many of the Uses from Conditional to Permitted will change the number of meetings both the Planning Commission and City Council will need to be involved

Background

See attached Staff report




SYNOPSIS

Application Information

Applicant: Steve Parkinson

Request: **6:00 p.m. – PUBLIC HEARING –**
Request to approve Ord. No. 17-1; To amend Title 10 Zoning Regulations; comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding “Conditional Uses”.

Staff

Report By: Steve Parkinson; Planning & Zoning Administrator 

Recommendation: Recommends approval

APPLICABLE ORDINANCES

- Roy City Zoning Code; Title 10
 - Chapter 2 - Interpretation of Requirements;
 - Chapter 3 - Administration;
 - Chapter 5 - Amendments to the General Plan & Zoning Ordinance;
 - Chapter 9 - Public Noticing Requirements;
 - Chapter 10 - General Property Development Standards;
 - Chapter 11 - Supplemental Development Standards;
 - Chapter 14 - Permitted Uses;
 - Chapter 15 - Conditional Uses;
 - Chapter 17 - Table of Uses;
 - Chapter 19 - Off-Street Parking and Loading;
 - Chapter 29 - Constitutional Takings

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on February 14, 2017, the hearing was opened – the Public made the following comments:

- No Public Comments were made

With no further comments the public hearing was closed.

After a small discussion amongst the Commissioners, the Commission voted 6-1 to forward to the City Council a recommendation of approval to amend the Roy City Municipal Code; Title 10 Zoning Regulations; comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding “Conditional Uses”.



ANALYSIS

Background: This item was originally brought to the Planning Commission on August 23, 2016, as a training item, mainly because of changes to the State statutes regarding Conditional Uses over the years and our code not reflecting those changes. For the next several months the Commission did discussed each use within tables 17-1 & 17-2.

Also as directed during the December 13, 2016 joint work session training given by Paul Johnson, leaf counsel for URMMA.

Staff has gone through the rest of Title 10 and found sections that dealt with Conditional Uses to make them compliant to state statutes.

There are eleven (11) chapters of the Zoning Code that are proposed to be amended, those chapters are:

- Chapter 2 - Interpretation of Requirements;
- Chapter 3 - Administration;
- Chapter 5 - Amendments to the General Plan & Zoning Ordinance;
- Chapter 9 - Public Noticing Requirements;
- Chapter 10 - General Property Development Standards;
- Chapter 11 - Supplemental Development Standards;
- Chapter 14 - Permitted Uses;
- Chapter 15 - Conditional Uses;
- Chapter 17 - Table of Uses;
- Chapter 19 - Off-Street Parking and Loading;
- Chapter 29 - Constitutional Takings

By in large the proposed changes to the code are those dealing with the issue of Conditional Uses, but there were sections of the ordinance that also needed modifications, they are as follows:

- § 202, § 308, § 503, § 507, § 905 and § 906 are remnants of Board of Adjustments that were changed to Hearing Officer
- § 306 – Development Review Committee
- § 903, § 904, § 905 and § 906 – Public Notices.
- § 1011 – Financial Guarantees
- § 1106 – Sexual Oriented Business
- § 1409, § 1410, §1506 and § 1507 – Number and size of drawings required
- § 1902 and § 1906 – Drive Access and Parking

Process: Text amendments require public hearing at the Planning Commission. A recommendation will then be forwarded to the City Council for review and a final decision. If the Planning Commission approves language to be added or text to be changed, staff will put those recommended changes into a “Proposed Ordinance” format to be presented to the Council. That ordinance, if approved, can then be adopted, officially amending the text.

Proposed changes: It is proposed to add the following language. Typically the language that is to be removed has been struck through and the language to be added is bolded. See exhibit “A” for the proposed changes.

FINDINGS

- The proposed amendments of Title 10 Zoning Regulations comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding

“Conditional Uses”, are consistent with and in accordance to the discussions of the Planning Commission over the past several meetings.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Roy City Municipal Code; Title 10 Zoning Regulations comprised of the following: CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings. To add or remove sections of the ordinance to comply with State LUDMA requirements regarding “Conditional Uses”.

EXHIBITS

- A. Proposed Ordinance changes – Ord. No 17-1 (pg 4)
- B. A side-by-side comparison of the current code and proposed changes (pg 28)

ORDINANCE No. 17-1

AN ORDINANCE AMENDING TITLE 10 OF THE ROY CITY MUNICIPAL CODE BY ESTABLISHING CHANGES REGARDING CONDITIONAL USES

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings

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 CH 2 - Interpretation of Requirements; CH 3 - Administration; CH 5 - Amendments to the General Plan & Zoning Ordinance; CH 9 - Public Noticing Requirements; CH 10 - General Property Development Standards; CH 11 - Supplemental Development Standards; CH 14 - Permitted Uses; CH 15 - Conditional Uses; CH - 17 Table of Uses; CH 19 - Off-Street Parking and Loading; CH 29 - Constitutional Takings, as attached:

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:

	AYE	NAY	ABSTAIN
Councilman Becraft	_____	_____	_____
Councilman Dandoy	_____	_____	_____
Councilman Hilton	_____	_____	_____
Councilman Tafoya	_____	_____	_____
Councilman Yeoman	_____	_____	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2017.

Willard S. Cragun; Mayor

Attested and Recorded:

Amy Mortenson; City Recorder

Section 202—Administrative Interpretations:

- 6) Appeal. Any person adversely affected by an administrative interpretation rendered by the Zoning Administrator may appeal that decision to the ~~Commission~~ **Hearing Officer** as provided in Section ~~2804~~ **2803** herein.

Section 302—Roy City Council:

- 1) The Roy City Council (“Council”) shall have the following powers and duties under this Ordinance:
 - b) To adopt, and to initiate amendments to the Roy City **Land Use Code (i.e. Zoning Ordinance, Subdivision Ordinance and Sign Ordinance)**
 - ~~c) To adopt, and to initiate amendments to the Roy City Subdivision Ordinance.~~
 - ~~d) To approve, approve with conditions, or deny all Conditional Use Applications, including Site Plan Applications for all Conditional Uses identified in Table 17-1 and 17-2, Tables of Uses.~~

Section 303—Planning Commission:

There is hereby created and established a Roy City Planning Commission (“Commission”).

- 1) Powers and Duties. The Commission shall be an advisory body to the Council on legislative matters pertaining to the General Plan, this Ordinance, and the Roy City Subdivision Ordinance. The Commission shall have the following powers and duties:
 - f) To hear, review, and ~~recommend~~ **approve**, **approve with conditions**, or **deny (as per § 1510)** of a Conditional Use Application, including a Site Plan for a Conditional Use, ~~to the Council.~~
- 3) Membership: Appointment, Removal, Terms, and Vacancies.
 - f) At an annual organizational meeting to be held the first regular meeting in the new calendar year, and at other times as required, the members of the Commission shall ~~recommend~~ **nominate** one (1) of their members as chair and one (1) of their members as vice- chair ~~to the Council. The Mayor with advice and consent of the Council shall appoint the Commission chair and vice-chair.~~ The chair and vice-chair shall serve a term of one (1) year. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair.

Section 306—Development Review Committee (DRC):

- 1) A Development Review Committee (DRC) shall be established and created by the ~~City Manager~~ **Zoning Administrator**.
- 3) Membership. The DRC shall consist of persons representing City Departments, and other persons, as may be designated by the ~~City Manager~~ **Zoning Administrator**.
- 4) Powers and Duties. The DRC shall act under the direction of the ~~City Manager~~ **Zoning Administrator** and shall have the following duties and responsibilities:

Section 308—Meetings and Public Hearings:

All meetings and hearings of the Council, Commission, and **BOA HO** required by this Ordinance shall comply with the provisions of this Ordinance for such meetings and hearings, and the requirements of the Utah Code Annotated, as amended, for open and public meetings.

Section 503—Amendments to Roy City General Plan:

A proposed amendment to the Roy City General Plan, or Maps, may be initiated by any property owner, any resident, any business owner, the Council, **or** Commission, ~~or BOA~~ by filing a General Plan Amendment Application. An application for an amendment to the Roy City General Plan shall be filed with the City by presenting a General Plan Amendment Application to the Zoning Administrator.

Section 507—Amendments to the Zoning Ordinance, including the Zoning Districts Map:

A proposed amendment to this Ordinance, including the Zoning Districts Map, may be initiated by any property owner, any resident, any business owner, the Council, **or** Commission, ~~or BOA~~ by filing a Zoning Ordinance or Zoning Districts Map Amendment Application. An application for an amendment to the Zoning Ordinance or amendment to the Zoning Districts Map (rezone) shall be filed with the City by presenting a Zoning Ordinance Amendment Application or a Zoning Ordinance Districts Map Amendment Application to the Zoning Administrator.

Section 902—Required Notice of Public Hearings and Public Meetings to Consider General Plan or General Plan Amendment Applications:

- 1) Public Hearings. The Zoning Administrator **and/or City Recorder** for public hearings before the Commission, and ~~the City Recorder for public hearings before~~ the Council, shall provide notice of the public hearing to consider the Roy City General Plan or General Plan Amendment Applications, as follows:
- 2) Public Meetings. The Zoning Administrator **and/or City Recorder** for public meetings before the Commission, and ~~the City Recorder for a public meeting by~~ the Council, shall provide notice of the public meeting to consider the Roy City General Plan or General Plan Amendments Applications, as follows:

Section 903—Required Notice of Public Hearings and Public Meetings on Adoption or Modification (Amendments) of Land Use Ordinances:

- 1) Public Hearings. The Zoning Administrator **and/or City Recorder** for public hearings before the Commission, and ~~the City Recorder for public hearings before~~ the Council, shall provide notice of a public hearing to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:
- 2) Public Meetings. The Zoning Administrator **and/or City Recorder** for public meetings before the Commission, and ~~the City Recorder for a public meeting by~~ the Council, shall provide notice of the public meeting to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:

Section 904—Required Notice for Other Public Hearings:

When required by the provisions of this Ordinance, the Zoning Administrator **and/or City Recorder** for public hearings before the Commission, and ~~the City Recorder for public hearings before~~ the Council, shall provide notice of the public hearing as follows:

Section 905—Required Notice for Other Public Meetings:

When required by the provisions of this Ordinance the Zoning Administrator **and/or City Recorder** for a public meeting by the Commission, ~~and a public meeting by~~ the **BOA HO**, and ~~the City Recorder for public meetings by~~ the Council, shall provide notice of the public meeting as follows:

Section 906—Required Applicant Notice:

For each land use application, the Zoning Administrator **and/or City Recorder** for the Commission ~~and~~, **BOA HO**, and ~~the City Recorder for~~ the Council, shall notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application an of any final action on the application.

Section 1007—Adequate Public Facilities:

Land shall be developed only to the extent that adequate infrastructure and services are in place, or will be provided concurrent with the land development activity, sufficient to meet the needs of the proposed development. The Commission ~~and/or Council~~ may require an analysis to be completed and provided to the Commission ~~and/or Council~~ to determine if adequate public facilities are available to serve the proposed development and if such development will change the existing levels of service or will create a demand for services that exceeds acceptable service levels.

Public facilities that may be required by the Commission ~~and/or Council~~ to be included in an Adequate Public Facilities analysis include, but are not limited to, road and street facilities and capacities, intersection and bridge capacities, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, fire and emergency services response times, police protection services, and other similar required public services. The City may deny any proposed development activity if the demand for public services exceeds accepted or adopted levels of service, or until required adequate public infrastructure, facilities, or services are provided by the applicant, or the City, to meet accepted or adopted levels of service.

Section 1011—Guarantee of Installation of Improvements:

- 1) Methods: The Applicant(s) shall guarantee the installation by one of the methods specified as follows:
 - a) The Applicant(s) may furnish and file with the ~~City Recorder~~ **Zoning Administrator** a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which bond shall be approved by the City Attorney and shall be filed with the ~~City Recorder~~ **Zoning Administrator**.
 - b) The Applicant(s) may deposit in escrow with an escrow holder ~~approved by the Council~~ an amount of money equal to the cost of the improvements not then installed as estimated by the City Engineer, under an escrow agreement to assure the installation of said improvements within a two (2) year period from the approval of the Site Plan. The escrow agreement shall be approved by ~~the Council and~~ City Attorney and shall be filed with the ~~City Recorder~~ **Zoning Administrator**.
 - ~~c) The Applicant(s) may furnish and file with the City Recorder a letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which letter of credit shall be approved by the City Attorney.~~
- 2) Administration: The ~~Council~~ **Zoning Administrator** is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed Site Plan and the strict compliance with the requirements of this Ordinance and adopted Building Codes.

Section 1031—Required Compatibility Transitioning Treatments Between Residential and Nonresidential Districts:

When any nonresidential zones, including all commercial and industrial zones, is located adjacent to any residential zoning district the following requirements shall apply to all proposed uses, buildings and activities located in the nonresidential zone district, in addition to the development requirements and standards of general applicability;

- 3) Screen Walls.
 - b) The opaque wall shall be ~~a minimum of~~ six (6) feet in height ~~but not more than eight (8) feet~~. A lower height wall may be required adjacent to a front property line for sight distance and traffic safety. ~~Walls higher than eight (8) feet shall be reviewed and approved by the identified approving body for the nonresidential use and site plan, as applicable.~~
- 3) Screen Landscaping.
 - c) The types, sizes, and amount of landscaping materials sufficient to protect residential properties

shall be determined by the Commission ~~or Council~~ when approving a Site Plan.

Section 1032—Parking in Residential Zones:

In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. **Accessory parking space for** ~~of~~ vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (**weed free**), or road base (**weed free**), **as long as it is accessible to and from a legal access point on the same parcel**. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk. ~~All single-family dwellings constructed prior to January 05, 1993, shall be excluded from this provision.~~

~~Section 1103—Supplementary Requirements for Residential Facilities for Persons with Disabilities:~~

~~1) Compliance with Health Codes, Building Codes, Fire Codes, and Zoning District Requirements.~~

~~a) No Residential Facility for Persons with a Disability shall be established unless:~~

- ~~i) It is proposed in a building that complies with all Building, Fire, Health Codes, and Zoning Ordinance, as adopted, applicable to similar structures in the zoning district in which the Residential Facility for Persons with a Disability is proposed, and all other requirements of this Ordinance.~~

~~2) Maximum Number of Occupants (Consumers and Staff).~~

~~For any building proposed to be used for a Residential Facility for Persons with a Disability, the existing building, or building plans, shall be reviewed by the Building Official, considering the Categorical Standards for physical facilities, as established by the State of Utah Department of Human Services. Following this review the Building Official shall determine and establish the maximum number of persons allowed to reside within the Facility.~~

~~3) State of Utah Department of Human Services License.~~

~~At the time of application for a Conditional Use permit to establish a Residential Facility for Persons with a Disability, or within forty-five (45) days following approval of a Conditional Use permit to establish a Residential Facility for Persons with a Disability, the owner or provider shall provide to the Zoning Administrator evidence that the Facility is licensed by the State of Utah Department of Human Services for the type of Facility being considered by the City. The Council shall condition any Conditional Use approval on the presentation of evidence that the Facility is licensed by the State of Utah Department of Human Services, as required by this Section. Failure to provide such evidence shall be grounds for the City to invalidate any existing or pending approvals.~~

~~4) Continued Compliance with the Licensure Requirements of the Department of Human Services.~~

~~The responsibility to license programs, or owners or providers that operate a Residential Facility for Persons with a Disability, as well as require and monitor the provision of adequate services to consumers residing in these facilities shall rest with the State of Utah Department of Human Services.~~

~~5) Conditional Use Permit to Operate a Residential Facility for Persons with a Disability Non-transferable.~~

~~A permit to operate a Residential Facility for Persons with a Disability, as authorized by this Section, is nontransferable and shall only be valid to the owner or provider identified on the application authorizing the operation of the Facility, and as identified as the owner or provider as licensed by the State of Utah Department of Human Services. A Conditional Use permit to operate a Residential Facility for Persons with a Disability terminates if the building is devoted to another use or if the building fails to comply with any of the standards established herein.~~

~~6) Reasonable Accommodations.~~

~~The Council shall have the authority, in reviewing an application for a Conditional Use permit to establish and operate a Residential Facility for Persons with a Disability, to modify the requirements, contained herein, if the Council determines such modifications are necessary in order to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.~~

Section 1106—Sexually Oriented Business Location and Separation Requirements:

A sexually oriented business shall be allowed subject to the following restrictions:

- 1) No sexually oriented business shall be located less than five hundred feet (500') of:
 - ~~f) A boundary of a "residential district", as defined in the zoning code; or~~
 - ~~g) The property line of a lot devoted to a "residential use", as defined in the zoning code.~~
- 2) No sexually oriented business shall be located within two hundred feet (200') of ~~the nearest right-of-way line from Riverdale Road, 1900 West, 5600 South and Hinckley Drive.~~
 - a) A boundary of a "residential district", as defined in the zoning code; or**
 - b) The property line of a lot devoted to a "residential use", as defined in the zoning code.**
- 3) **No sexually oriented business shall be located within one hundred feet (100') of the nearest right of way line from 1900 West.**

Re-number the remaining section accordingly.

- 5) Notwithstanding anything contrary contained in Title **913**, Chapter 4 of the Roy City Municipal Code, the more restrictive requirements for signs shall prevail. Signs for sexually oriented businesses shall be limited as follows:
 - ~~a. No more than one exterior sign shall be allowed.~~
 - ~~b. No sign shall be allowed to exceed eighteen (18) square feet.~~
 - ~~c. Only flat wall signs and/or awning signs shall be permitted.~~

Section 1107—Mobile Home Parks Development Requirements:

The purpose of this Section is to provide regulations for the construction and operation of mobile home parks, recreation coach parks and the use of the same in the City in order to promote, protect and secure the public health, safety and general welfare.

- 1) Site Development Standards:
 - o) Setbacks:
 - i) Setback from Park Property Line: All mobile homes and recreational coaches shall be set back not less than thirty feet (30') from all park property lines and the yard space so formed shall be landscaped or fenced in accordance with subsection C of this section, and with a site plan approved by the Commission. No structure shall be placed in the thirty foot (30') setback adjacent to a public street. Greater setbacks may be required where, in the opinion of the Commission ~~and/or Council~~, such setbacks are necessary due to topographic conditions, drainage and/or protection of adjacent properties.
 - r) Streets and Highways: The **Council Commission** may require additional dedication and improvements on streets and highways abutting the proposed mobile home park or recreational coach park.
- 2) Other General Requirements:
 - c) Drainage and Flood Hazards: A mobile home park or recreational coach park shall be located on a well-drained site, properly graded to provide for adequate disposition of runoff. Such areas shall be free of flood hazards from natural sources. The **Council Commission** may require dedications and improvements which will ensure proper protection to the park in accordance with this subsection.
 - h) Modification in Design: Where mobile home parks or recreational coach parks are submitted for approval which, although not complying with the requirements of design as stated in this section, are consistent with the general intent and purpose of this chapter, the Commission shall review the park design ~~and make recommendations to the Council, which may~~, at its discretion, approve such parks with conditions and restrictions which will ensure that the general purpose set forth herein will be satisfied.

Section 1108—Amateur Radio Antennas

~~2) Conditional Use Application Required:~~

- ~~a. A request to establish an amateur radio antenna shall be initiated by filing a conditional Use application with the City.~~
- ~~b. The review of a Conditional Use application to establish an amateur radio antenna shall be reviewed and approved, approved with conditions, or denied by the Council by following the procedures and requirements for a Conditional Use Permit, as provided herein.~~

Re-letter the remaining section accordingly

- 3) Location: No amateur radio antenna, or its associated support structure(s), shall be located within any required front yard, side yard, or rear yard **setbacks** of the lot on which the antenna is proposed, as required by the Zoning District in which the lot is located.
- 8) Reasonable Accommodations: As required by the Section 10-9a-515 U.C.A. and the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or a regulation related to amateur radio service adopted under 47 C.F.R Part 97, the **Council Zoning Administrator**, in reviewing an application to establish an amateur radio, may to the extent necessary modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford an Amateur Radio Operator amateur radio communications

Section 1110 —Supplementary Development Standards for Multi-family Developments

The purpose of this Section is to provide supplementary regulations and standards for the development and construction of vibrant, quality multiple family housing developments that enhance and contribute to the quality of the overall housing stock of the City, and which will promote, protect, and secure the public health, safety and general welfare.

- 1) Multi-Family Development – Multi-Family Developments include projects or developments of more than six (6) units where all or any portion of the proposed dwelling units intended for residential occupation share common walls among two or more units, or projects or developments of any number of units that share property outside the dwelling unit in common among one or more owners. Applications for Multi-Family Developments, as herein defined, shall require **Conditional Use Site Plan** review and approval under the guidance of this Section.
- 3) Unit Requirements – The following standards and regulations must be considered and applied in the layout and design of Multi-Family Developments:
 - c) Additional Height – ~~A Conditional Use m~~May be granted allowing additional height up to 60’ under special circumstances as follows:
- 9) Architectural Considerations and Requirements – Multi-Family Development shall be subject to the considerations and requirements contained in the Roy City Zoning Ordinance, Chapter ~~514~~, Section **1411**, A (Building Design Standards) generally. In order to further promote the improvement and stabilization of housing stock, and to ensure quality new residential development in the City, Multi-Family Developments are also required to adhere to the following standards for architectural consideration:
 - e) Color & Materials. Development must provide for the use of a variety of colors and construction materials to provide visual interest. A material and color palette must be included with the proposal for approval ~~with the Conditional Use~~.

Section 1112 — Supplementary Regulations Allowing Apiary Uses in Single-family Residential Zones.

The purpose of this section is to provide supplementary regulations for limited apiary activities (the keeping of bees) in the single-family zoning districts of the city. It shall be unlawful to keep bees in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones except as provided in this section.

- 1) Allowance - All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones shall be allowed points for bee keeping as defined by this section according the following:

- a) Points by Lot Size – Lots shall be assigned points by lot area, according to the following table. ~~Points assigned are to be used under this section or Section III inclusively~~

Section 1409—Application Requirements to Establish a Permitted Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:

- 2) ~~Five (5)~~ **Six (6)** 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following:

Section 1410—Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s):

All applications to establish a Permitted Use proposing new construction of a building(s) shall include and provide the following information:

- 2) ~~Five (5)~~ **Six (6)** 24" x 36" size copies, **one (1) 11"x17" size copies and one (1) digital copy** of a site plan **set**, drawn at a scale required by the City Engineer, prepared by a licensed engineer or architect, ~~plus fifteen (15) copies of an 11 inch x 17 inch reduced copy of the site plan set~~ identifying the following:

Section 1502—Authority:

The ~~Council, following a~~ Commission **Recommendation**, is hereby authorized to review and render a final decision in approving, approving with conditions, or denying Conditional Use Applications (**as per § 1510**), as identified herein, with an accompanying and required Site Plan Application.

Section 1503—Initiation:

All requests to establish a Conditional Use, as identified as a Conditional Use in the Table of Uses, Chapter 17 herein, shall be made on the applicable application form provided by the City. A property owner may present a Conditional Use Application for review **and approval** by the Commission ~~and decision by the Council~~. An agent of the property owner, or a lessee of the property, may present a Conditional Use Application to the Commission ~~and Council~~ for review and decision, provided such Application is accompanied by a property owner affidavit of authorization.

Section 1505—Applications, ~~Commission Public Hearing Required~~, Commission **Recommendation**, ~~Council~~ Authorized to render Conditional Use Decisions:

- 1) The procedures for the review and consideration of a Conditional Use Application are identified by Figure 15-1, herein.
- 2) An application for a Conditional Use Permit shall be considered by the Zoning Administrator for application completeness, as provided by Section 1207 herein.
- 3) The Zoning Administrator shall submit copies of the complete Conditional Use Application to the DRC or public agencies providing utilities or services to the proposed site for review and compliance with City Ordinances, building codes, or other development requirements.
- 4) ~~Commission Public Hearing Required. Prior to deciding a Conditional Use Application, the Commission shall consider the Conditional Use Application at a public hearing by providing a minimum of ten (10)-days' notice of the Commission public hearing.~~
- 5) ~~Required Commission Public Hearing Notice. The minimum notice required for the Commission public hearing shall be provide as required in Chapter 9, herein.~~
- 6) ~~Commission Decision Recommendation. Following the close of the public hearing, or at a subsequent meeting(s), the Commission shall render a recommendation to the Council on the Conditional Use Application. The Commission may recommend approval of the Conditional Use Application as presented,~~

- ~~approval of the Conditional Use Application with conditions, or denial of the Conditional Use Application.~~
- 7) ~~Council Commission~~ Decision. The **Council Commission** shall consider the ~~recommendation by the Commission, the Conditional Use Application,~~ reports by the DRC, and all other input received on the application. The **Council Commission** may approve, approve with conditions, or deny the Conditional Use Application **(as per § 1510)**.

Section 1506—Application Requirements to Establish a Conditional Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:

- 2) ~~Five (5)~~ **Six (6)** 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following;

Section 1507—Application Requirements to Establish a Conditional Use for New Construction of a Building(s):

All applications to establish a Conditional Use shall include a Site Plan and provide the following information:

- ~~2) Stamped, addressed envelopes for all owners of property located within 300 feet of the property, the subject of the Conditional Use Application. (A list of property owners is available from the Weber County Recorder's Office).~~
- 3) ~~Five (5)~~ **Six (6)** 24" x 36" size copies, **one (1) 11"x17" size copies and one (1) digital copy** of a site plan **set**, drawn at a scale required by the City Engineer, prepared by a licensed engineer or architect, ~~plus fifteen (15) copies of an 11-inch x 17-inch reduced copy of the site plan set~~ identifying the following:
- 4) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:
- f) Site and Building Lighting Plans. Information and plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting. A photometric plan of the site, including all site and building lighting, ~~may be required by the Council.~~
- 5) A narrative, accompanied by necessary tables and other information, describing the proposed Conditional Use Application, to assist the Zoning Administrator, **and** Commission, ~~and Council~~ in the review of the Conditional Use Application including:

Section 1508— Additional Site Standards and Design Requirements to Establish A Conditional Use:

To achieve the purposes of this Ordinance, Site and Building Design Standards or Design Guidelines are categorized as follows:

- 2) Design Guidelines indicate additional actions that may be taken to enhance development design and achieve greater compatibility with adjacent land uses. Guidelines use the verb "should" (rather than "shall") signifying that the guidelines are desirable objectives. Application of the guidelines will depend on the nature of the proposed Site Plan and the surrounding area, as may be determined by the Commission ~~or Council.~~

B. Site Design Standards:

All Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned, pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails, and parking areas.

- 1) **Building Location.** All buildings shall have an orientation to the street to encourage a pedestrian relationship. Building placement shall allow interconnected walkways and shared site accesses for increased convenience, accessibility, and enhanced safety for pedestrians. All Site Plan Application approvals shall provide agreements or easements to allow cross vehicle access, pedestrian connections and shared parking, ~~as determined necessary by the Council.~~
- 9) **Site Landscaping and Screening Treatments.** Landscape improvements should mitigate building and parking

lot impact, add aesthetic interest, and character. Landscaping is an integral element of site development. Landscaping should complement the architecture of the building and provide visual interest and variety, provide screening elements, add to year round site beautification, highlight building design features, and conserve water. The minimum landscaping requirement is based on the Zoning District in which the site is located, as provided in Table 10-2. Landscape designers shall recognize the following landscape design principles with the Landscape Plan(s) materials:

- i. **Landscape Buffers.** Landscape buffers between dissimilar or conflicting land uses shall be provided. Landscape buffers shall be provided for off-street parking and service areas and streetscape landscape buffer areas shall be provided on the perimeter of all proposed Site Plans, as required ~~by the Council~~.
- ii. **Internal Parking Lot Landscaping:** To minimize the environmental and visual impacts created by large areas of off street parking hard surfacing all off street parking areas shall be designed and constructed to meet the following minimum landscape requirements. Site Plan Application approval by the ~~Council~~ **Commission** may require additional parking area landscaping to achieve the purposes of this Ordinance.

~~Section 1509—Conditions for Approval for a Conditional Use:~~

~~The Council may impose such reasonable requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control, hours of operation, and other items for the Conditional Use Permit deemed necessary for the protection of adjacent properties and the public interest.~~

Section 1510—Findings and Conditions:

~~The Council~~ **Council Commission shall approve a Conditional Use:** ~~may grant a Conditional Use Permit in compliance with this Ordinance if, from the application and the facts presented, the Council finds:~~

- ~~1) The use is a Conditional Use within the zoning district, as identified in the Table of Uses, Chapter 17 herein.~~
- ~~2) The use complies with the requirements applicable to the zoning district in which it is located, including minimum area, setbacks, height, and all other requirements, as applicable.~~
- ~~3) The proposed use meets, and will be conducted in compliance with the requirements of this Ordinance, all other applicable Ordinances, and all applicable Federal, State, or Local regulations and permits.~~
- ~~4) The property on which the Conditional Use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties.~~
- ~~5) The proposed use is consistent with the goals and policies of the General Plan and will assist in the implementation of such goals and policies, as applicable.~~

~~In approving a Conditional Use Application, the Council may impose reasonable conditions necessary to secure the purposes of this Ordinance. These conditions may include;~~

 - ~~a) Size, configuration, and location of the site, and proposed site plan layout.~~
 - ~~b) Proposed site ingress and egress to existing and proposed roads and streets.~~
 - ~~c) The provision of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protection, and other utilities.~~
 - ~~d) Location and amount of off-street parking and loading areas.~~
 - ~~e) Site circulation pattern for vehicular and pedestrian traffic.~~
 - ~~f) Building size and location, building design and exterior building features, building materials, and building colors.~~
 - ~~g) The location and design of all site features, including proposed signage, lighting, and refuse collection.~~
 - ~~h) The provision of useable open space, public features, and recreational amenities.~~
 - ~~i) Fencing, screening and landscape treatments and other features designed to increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.~~
 - ~~j) Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.~~
 - ~~k) Measures designed to protect the natural features of the site, including wetlands and drainage ways,~~

~~and ground-water protection.~~

- ~~l) The regulation of operating hours for activities affecting normal schedules and functions.~~
 - ~~m) Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.~~
 - ~~n) Such other conditions determined reasonable and necessary by the Council to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Ordinance.~~
- 1) **If reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.**
 - 2) **If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. (§10-9a et. seq. U.C.A., as amended)**

Section 1511—Effect of Approval:

Approval of a Conditional Use Application shall approve the establishment of the use only. A Conditional Use Application shall not authorize the establishment of any building, activity, construction, or occupancy. Only when the **Council Commission** has approved, or approved with conditions, the necessary and required Site Plan Application may any building, activity, construction, or occupancy be established, subject to any conditions of approval. The approval of a Conditional Use Application shall not be deemed an approval of any other application, permit, or license.

Section 1512—Appeal:

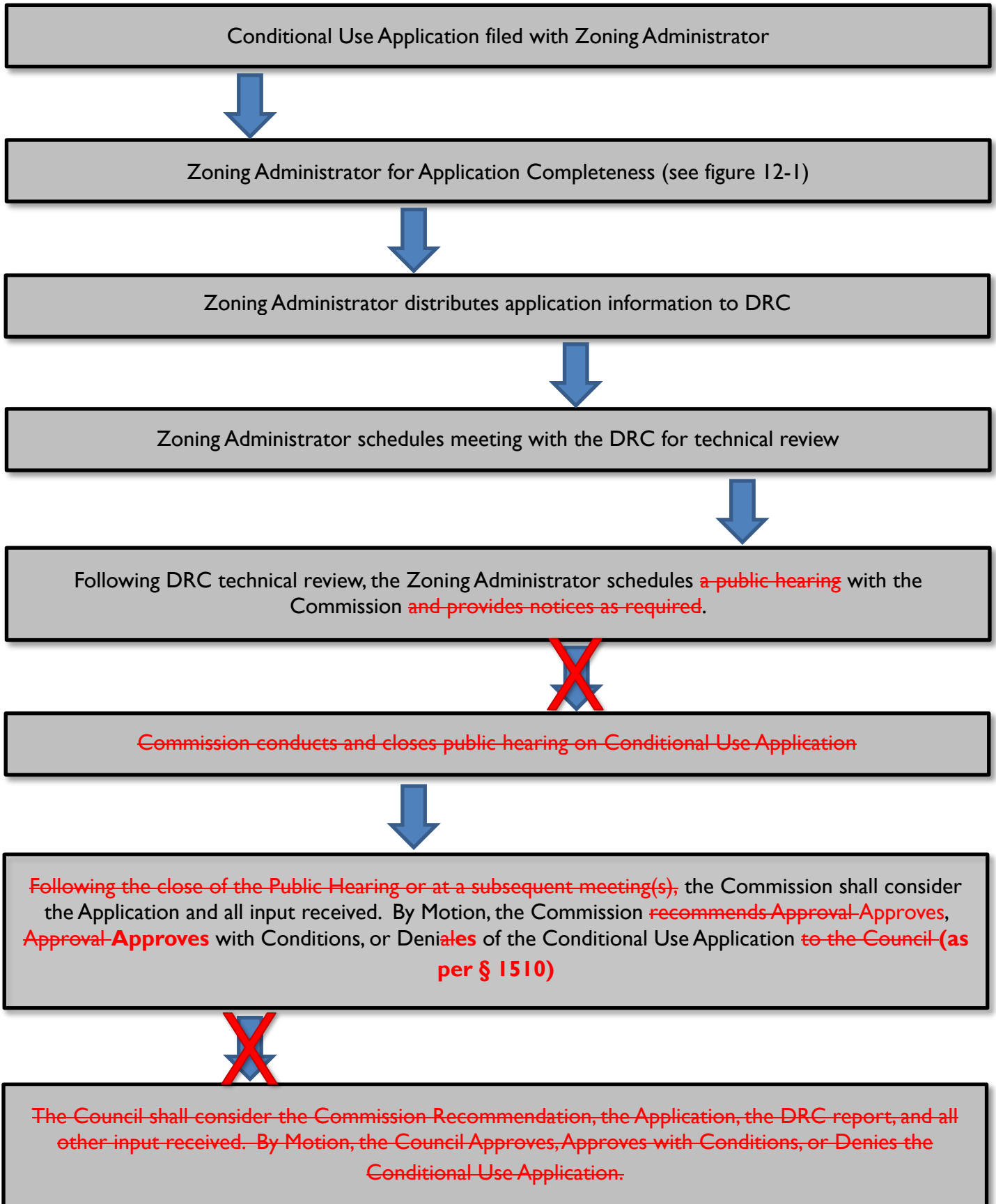
Any person aggrieved by a decision of the **Council Commission** regarding a Conditional Use Application may appeal the decision to the authorized Appeal Authority as provided by Chapter 28, herein.

Section 1515—Revocation or Modification of a Conditional Use Permit Approval:

- 1) A Conditional Use Permit approved in accordance with the provisions of this Ordinance may be revoked by the **Council Commission** if any of the conditions of approval are not been met, or if the permit is used to violate any law or ordinance.
- 2) The Zoning Administrator shall notify the permit holder by certified mail if any permit violation or if a violation exists in any conditions of approval. If no attempt to correct the violation is made within ten (10) days after notification, the Conditional Use Permit shall be revoked by the **Council Commission** and considered null and void. A Conditional Use Permit may be revoked by the **Council Commission**, if the **Council Commission** finds that one or more of the following conditions exists:
 - a) The Conditional Use Permit was obtained in a fraudulent manner.
 - b) The use for which the Conditional Use Permit was granted has now ceased for at least six (6) consecutive calendar months.
 - c) One or more of the conditions of the Conditional Use Permit have not been met.

Additionally, the **Council Commission**, ~~following a public hearing~~, may modify the conditions under which a Conditional Use **Permit** was originally approved if the **Council Commission** finds that the use or related development constitutes or is creating a nuisance.

Figure 15-1 - Conditional Use Application Procedures



Section 1701 – Table of Uses:

The Tables of Uses identify the uses allowed within each Zoning District and provides a definition for each use. The Tables of Uses identify uses allowed as a Permitted Use (identified as “P” in the Tables of Uses), uses allowed as a Conditional Use (identified as “C” in the Tables of Uses), and uses allowed as a Temporary Use (identified as “T” in the Tables of Uses). Uses, identified as an “X” in the Table of Uses are determined to be a Prohibited Use in the Zoning District. All uses not included in the Table of Uses are determined to be Prohibited Uses within Roy City.

TABLE 17-1 - TABLE OF ALLOWED USES - 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.

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
Amateur Radio Antennas. See § 1108 for requirements	P	P	P	P	P	P	P	P	P	P
Assisted Living Facility. 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, 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".	X	X	X	X	X	X	X	P	P	X
Cemetery	P	P	P	P	P	P	P	P	P	P
Day Care Center/Assisted Care Center. A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	X	X	X	X	X	X	X	C	C	X
Domestic Livestock and Fowl (Limited). Allowing the keeping of Chickens (Hens), Rabbits and Bees. Refer to Sections 1111 and 1112 for Regulations for the keeping of these animals.	X	P	P	P	P	P	X	X	X	X
Dwelling Unit, Condominium. An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which are typically maintained by an association of the owners. Must meet allowed Density Requirements of the applicable Zone.	X	X	X	X	X	X	X	C P	C P	X
Dwelling Unit, Multiple-Family. A building containing three (3) or more dwelling units. [see § 1110 for development requirements]	X	X	X	X	X	X	X	C P	C P	X
Home Day Care. The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than five (5) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6). Home Day Care may use the entire residential living area and additionally may use yard space for play purposes. This use is required to comply with all business licensing requirements of Roy City.	P	P	P	P	P	P	P	C P	C P	C P

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
Limited Domestic Livestock and Fowl. Allowing the keeping of Chickens (Hens), Rabbits and Bees. Refer to Sections 1111 and 1112 for Regulations for the keeping of these animals.	X	P	P	P	P	P	X	X	X	X
Nursing Home, Convalescent Care Center. A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	X	X	X	X	X	X	X	C	C	X
Private Park	P	P	P	P	P	P	P	P	P	P
Public Buildings	P	P	P	P	P	P	P	P	P	P
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.	€ X	€ X	€ X	€ X	€ X	€ X	€ X	C	C	€ X
Public Park	P	P	P	P	P	P	P	P	P	P
Public Park-And-Ride Lots. Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	€ X	€ X	€ X	€ X	€ X	€ X	€ X	€ X	€ X	€ X
Residential Facility for Persons with a Disability. A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility. A residence in which more than one person with a disability resides and which is: a. Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, of the Utah Code, licensure of programs and facilities; or b. Licensed or certified by the Department of Human Health under Title 26, Chapter 21, health care facilities licensing and inspection act. c. Complies with all Building, Fire and Health Codes d. A disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.	P	P	P	P	P	P	P	P	P	P
Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School). A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.	€	€	€	€	€	€	€	€	€	€

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

RC = Regional Commercial
BP = Business Park

M = Manufacturing
R = Recreational

USE	CC	RC	LM	M	BP	R
<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	€ 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	X	X P	X	X
<u>Adult - Bookstore, Adult Novelty Store, Adult Video Store.</u> A commercial establishment which has significant or substantial portion of its stock in trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; B. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others. Adult Bookstores, Adult Novelty Stores, and Adult Video Stores shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	€ X	X	X P	X	X
<u>Adult - Cabaret.</u> A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: A. Persons who appear seminude; B. Live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities; or C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas. An Adult Cabaret shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	€ X	X	X P	X	X
<u>Adult - Motel.</u> A motel, hotel or similar commercial establishment which: A. Offers public accommodations, for any form of consideration, and which regularly provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas and which regularly advertises the availability of such material by means of a sign visible from the public right of way, or by means of any off premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; and B. Offers a sleeping room for rent for a period of time less than ten (10) hours. An Adult Motel shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	€ X	X	X P	X	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	X	X P	X	X

USE	CC	RC	LM	M	BP	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	X	⊗ P	X	X
Adult - Seminude Model Studio. 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	X	P	X	X
<u>Animal Hospital (Veterinary Clinic), With Holding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities But which may include indoor holding and boarding facilities.	⊖ P	⊖ P	X	⊖ P	X	X
Animal Hospital (Veterinary Clinic), Without Holding or Boarding Facilities. A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.	P	P	⊗	P	⊗	⊗
Assisted Living Facility. 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, 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	P	X	X	P	X
<u>Bank, Credit Union or other Financial Institution.</u> A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money. A bank, credit union or other financial institution proposing to provide drive-through service shall be required to secure a Conditional Use Permit approval for such drive-through facility as provided herein.	P	P	X	X	P	X
<u>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.	⊖ P	⊖ P	⊖ P	⊖ P	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	⊖ P	⊖ P	X	X	⊖ P	X
Class A Beer Licenses – Off Premises Consumption. A Class A retail license shall entitle the licensee to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	⊖	⊖	⊗	⊗	⊗	⊗
Class B Beer Licenses – On Premises Consumption, Restaurants. 1. A Class B retail license shall entitle the licensee to sell beer in the original containers or on draft for consumption on the premises. 2. Only bona fide restaurants whose food sales constitute at least seventy percent (70%) of the gross dollar value of licensee's business shall be entitled to Class B licenses. (Utah Code Annotated section 32A-4-106(30)). A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	⊖	⊖	⊗	⊗	⊖	⊖

USE	CC	RC	LM	M	BP	R
Class C Beer Licenses—On Premises Consumption, Taverns: A Class C retail license shall entitle the licensee to sell on the premises beer on draft or in original container for consumption on the premises, and to all the privileges granted the holders of Class B retail licenses, all to be exercised in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of the City. A Class C retail license shall be issued only to an applicant engaged in good faith in the business of dispensing and selling beer at retail over a bar, and where such business is the principal business conducted on the licensed premises. A Class C License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable	X	C	X	X	X	X
Class D Beer Licenses: Temporary. A Class D retail license shall entitle the licensee to sell beer in the original containers only upon such premises during such times as the Council, upon application of the licensee, may designate from time to time by resolution. Such sales may be made for consumption on or off the designated premises. The Council shall designate only those premises upon which public fairs, stock and other animal shows, celebrations, fiestas, occasional athletic contests, and similar events occur. A copy of the Council's resolution designating the premises upon which sales may be made under a Class D license shall be posted and conspicuously displayed with the license at such premises. A Class D License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
Class E Beer Licenses—On Premises Consumption, Private Club. A Class E retail license shall entitle the licensee to all of the privileges of a Class C license upon any premises licensed as a club pursuant to the Utah Nonprofit Corporations Act and the Utah Alcoholic Beverage Control Act, and all authority to be exercised shall be pursuant to the same and the ordinances of the city. A Class E License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
Class A Liquor Licenses—Private Club. A Class A liquor license shall entitle the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. All sales under a private club license shall be to bona fide members of the licensed club, guest members or their visitors accompanied by members or guest members, and not to the general public. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
Class B Liquor Licenses—Restaurants. 1. A Class B liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. Liquor is to be provided only in conjunction with a meal. A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
Class C Liquor Licenses—Temporary: A Class C liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. A Class C liquor license shall be issued for a period not to exceed three (3) days, to be determined by the Council. No person under the age of twenty one (21) years shall sell or serve liquor under a Class C liquor license and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
Commercial Day Care/Preschool Center. A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Day Care/Preschool Center excludes the following: (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or (c) Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; (d) or clearly identified as an Accessory Use.	C P	C P	X	X	C P	X
Commercial Plant Nursery. A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	C X	P X	X P	C P	X	X
Commercial Recreation (Indoor). Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	C P	C P	X P	C P	X	X P

USE	CC	RC	LM	M	BP	R
<u>Commercial Recreation (Outdoor)</u> . An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	X P	C P	X P	X	X	C P
<u>Construction Sales and Service</u> . An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	C P	C P	X P	C P	X	X
<u>Contractor's Office/Contractor's Storage Yard</u> . A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	X	X P	C P	X	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	P	X
<u>Convenience Store</u> . A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	C P	P	X P	X P	X P	X
Day Care Center/Assisted Care Center. A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	C	C	X	X	X	X
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	P	X	X	X	X
<u>Drive through/Drive up Facility</u> . 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.	C P	C P	X P	X P	C P	X
<u>Educational Facility</u> . Privately or publicly owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, and including Charter Schools. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction.	P	P	X	X	C P	X
Emergency Care Facility. A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.	C	C	X	C	C	X
<u>Golf Course</u> . A an area used for the purposes of playing golf, but which may include associated restaurant, commercial retail sales areas, staff offices and course maintenance facilities.	X	X	X	X	X	C
<u>Hospital</u> . A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.	C P	C P	X	X	C P	X
<u>Hotel</u> . A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	C P	P	X	X	X P	X
<u>Laundry, Self Serve or Dry Cleaning</u> . An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	C P	P	X	X	X	X
<u>Liquor Store – State Owned</u> . An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.	X	C P	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Manufacturing, Major.</u> Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	X	C P	X	X
<u>Manufacturing, Minor.</u> Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	X	C P	P	C P	X
<u>Medical and Dental Clinic.</u> An organization of doctors, dentists, pharmacists or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	P	P	X	X	C P	X
<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.	C P	P	C P	P	C P	X
Mobile Food Trucks: 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	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.	C P	P	X	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.	C P	P	X	X	X P	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	C P	X	X	X	X

USE	CC	RC	LM	M	BP	R
Nursing Home, Convalescent Care Center. A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	Ⓒ	×	×	×	×	×
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	P	×	×	P	×
<u>Pay-day Lending:</u> Lenders engaging primarily in the business of small, short term loans provided against a prearranged line of credit, post-dated check, deposits, vehicle titles or other instruments. The number of such facilities licensed within the City limits may not exceed one (1) per five thousand (5,000) or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. (Ord. 1018, 8-4-2009)	X	Ⓒ P	X	X	X	X
<u>Pawnshop.</u> Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledger 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	Ⓒ P	X	X	X	X
<u>Personal Care Service.</u> An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty 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	P	X	X	X	X
<u>Personal Instruction Service.</u> An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	P	P	X	X	Ⓒ P	X
<u>Pet Grooming.</u> A commercial establishment for the grooming of pets. No boarding, breeding, buying, letting for hire, training or selling. (Ord No. 16-10, 7-5-2016)	Ⓒ P	P	×	×	X	X
<u>Private Club.</u> Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	Ⓒ P	X	X	X	X
<u>Reception Hall, Reception Center.</u> A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	Ⓒ P	P	X	X	X	X
<u>Recycling Collection Center Area.</u> An center area for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection centers areas involve no more than 3 collection containers up to 40 cubic yards in total size. Collection centers areas located in parking lots may not occupy required parking spaces. A collection center must be arranged to not impede traffic flow. The operator of the collection center area shall remove products stored at the site at least once a week. The operator of the collection center area shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two (2) per site.	Ⓒ P	Ⓒ P	Ⓒ 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	×

USE	CC	RC	LM	M	BP	R
Seminude Model Studio. 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	E	X	X	X	X
Tattoo & Body Art. Establishments engaged primarily in the practice of physical body adornment or modification, including but not limited to body piercing, tattooing, branding or scarification. All Tattoo & Body Art establishments shall obtain and maintain in good standing a proper license from the Weber-Morgan Health Department. Tattoo & Body Art establishments may not be located closer than six hundred (600) feet to any other such establishment as defined, or to any church, school or other community gathering place. The number of such facilities licensed within the city limits may not exceed one per every ten thousand (10,000) or portion thereof of the most recent United States Census Bureau estimated population of Roy City. The hours of operation are limited to between 10:00 a.m. and 10:00 p.m. No minors shall be allowed on the premises without an accompanying adult guardian. (Ord. 1060, 11-19-2013)	X P	E P	X P	X P	X	X
Tavern: An establishment licensed by the Utah Alcoholic Beverage Control Commission for serving beer by the drink to the general public.	X	E P	X P	X P	X	X
Telecommunications Site/Facility. An unmanned structure consisting of antennas, antenna support structures, or other equipment used to provide personal wireless services as set forth in Section 704 of the Telecommunications Act of 1996, as amended. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located but is required to meet the locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part97. A facility may be located on any property owned by the City.	X C	X C	X C	C	X C	C
Theater, Indoor Picture. A building or part of a building devoted to the showing of moving pictures on a paid admission basis.	X P	P	X	X	X P	X
Tobacco Oriented Retail. A commercial establishment with less than 10,000 square feet of total sales area, where the sale and/or display of tobacco and/or tobacco related products accounts for greater than 10% of the sales floor and display areas, or where the sale of tobacco and/or tobacco related products accounts for more than 30% of gross sales receipts, or any commercial establishment of any size declaring itself through name or advertising to be oriented specifically to the selling of tobacco and/or tobacco related products. Tobacco Oriented Retail uses may not be located within 600 feet of one another as measured at the closest property lines. (Ord. 1032, 9-7-2010)	X P	E P	X	X	X	X
Trailer Camp Or Trailer Court. Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.	X	X	X	X	X	E P
Vehicle and Equipment Rental or Sale, New or Used, Major. An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used heavy truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental. [also see § 1109]	X	E P	X	P	X	X
Vehicle and Equipment Rental or Sale, New or Used, Minor. An establishment engaged in the retail sale or rental, from the premises, of new or used motorcycles, automobiles, and/or light trucks, with a Manufacturer's Gross Vehicle Weight Rating not to exceed 14,000 pounds, with incidental service or maintenance. Typical uses include dealers of motorcycles, automobiles, and light trucks. [also see § 1109]	X P	P	X P	P	X	X
Vehicle and Equipment Repair, Major. 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	E P	X P	P	X	X
Vehicle and Equipment Repair, Minor. 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.	E P	P	X P	P	X	X

USE	CC	RC	LM	M	BP	R
<u>Warehouse, Self-Service Storage.</u> An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property. (Ord. 1063, 4-1-2014)	X	X	CP	P	X	X
<u>Wholesale and Warehousing, Major.</u> An establishment that is primarily engaged in the storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major mail distribution centers, frozen food lockers, moving and storage firms, and warehousing and storage facilities.	X	X	X	CP	X	X
<u>Wholesale and Warehousing, Minor.</u> An establishment that is engaged in the small scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms and similar high volume, high turnover facilities. Limited wholesale and warehouse area will generally be less than 30,000 square feet in area and operate during conventional business hours.	X	X	CP	P	CP	X

Section 1902—General Provisions:

- 5) Oil separators and other pollution control devices may be required as part of Site Plan approval, as recommended by the City Engineer, and approved by the Commission ~~or Council~~ as part of Site Plan approval.
- 8) **Access to parking space (driveways and access lanes); access to all parking spaces shall be as follows:**
 - a. **Residential Property, including four (4) units or less attached units, shall provide access to approved off-street parking spaces and private garages used in conjunction with those uses as follows:**
 - i. **Driveways and drive approaches shall not be located within the clear view area (sight triangle).**
 - ii. **No drive approach shall be located closer than four and one-half (4½) feet to a side lot line of a lot as it is projected to the back of the curb and gutter or roadway. In the case of a cul-de-sac exceptions may be made by the Zoning Administrator.**
 - iii. **A driveway on private property may be constructed up to the side or rear property line so long as the driveway does not interfere with the surface drainage of the lot or adjacent lots where drainage easements are provided. If no drainage easements exist, the drainage from the driveway must be kept within the property.**
 - iv. **Properties with less than one hundred (100) feet of frontage shall be limited to one (1) driveway approach per frontage. One additional drive approach may be added for each additional fifty (50) feet.**
 1. **Exceptions may be approved by the Zoning Administrator where property fronts (5600 South, 1900 West, 3500 West or Midland Drive) for a circular driveway.**
 - v. **The minimum width of a drive approach is twelve (12) feet and the maximum is thirty (30) percent of the frontage width of the property**

Section 1903—Access Requirements:

- 2) For all lots proposed for commercial, industrial, multiple-family, or use, other than single-family dwellings, the location and dimension of all driveways shall be as approved by the Commission ~~or Council~~ with Site Plan Application approval.

Section 1904—Combination of Uses:

Where there is a combination of uses on the same lot, the total number of off street parking spaces provided shall be the sum of the off street parking requirements for each individual use. The total number of spaces required may be reduced if the Commission ~~or Council~~, as part of Site Plan approval, approves a parking study, conducted by a professional traffic engineer, demonstrating that a reduction in the amount of required

off street parking spaces is appropriate, with shared parking possible by the nature of the uses proposed.

Section 1905—Required Adjoining Lot Connections:

Interconnections between adjoining parking lots, located on adjoining lots, shall be required by the Commission ~~or Council~~, as part of Site Plan approval, as may be necessary and appropriate to promote efficiency, convenience and safety of vehicle movements. Permanent cross-access and maintenance agreements, as may be required by the ~~Council~~ **Commission**, shall be provided, prior to Site Plan approval.

Section 1906—Location of Required Off-Street Parking:

- 1) All required off street parking spaces shall be located on the same lot as the building or use it serves, except required off street parking spaces may be allowed on a separate lot that is within five hundred (500) feet of the building or use it serves, provided the two (2) lots are not separated by any major street and a non-revocable written parking agreement is in place prior to Site Plan approval.
- 2) **No required off-street parking spaces shall be permitted in any front yard setback or in any street side yard setback**

Section 1907—Maintenance of Parking Spaces and Areas:

Every parcel of land used as a public or private off street parking area shall be constructed and maintained in compliance with the following requirements:

- 2) Screening. The sides and rear of any off street parking area that adjoins a residential zone shall be screened by a masonry wall or solid visual barrier fence not less than four (4) feet, or more than ~~eight~~ **six (6)** feet in height, as required for Site Plan Application approval.
- 3) Landscaping. All off street parking areas shall be landscaped and permanently ~~and~~ maintained as required by ~~Chapter 18 this Title~~.

Section 1908—Required Off-Street Parking:

The number of off street parking spaces provided shall comply with Table 19-1, Table of Off-Street Parking Requirements.

Table 19-1 - Off-Street Parking Requirements

Use	Minimum Off-Street Parking Requirements
Public Uses and Utilities	As approved by the City Council Commission with Site Plan approval, dependent on the type and nature of the facility

Section 1912—Reduction of Off-Street Parking Requirements:

Requests to reduce off street parking requirement(s) or reduce parking space size may be granted by the Commission ~~or Council~~, with Site Plan Application approval, if the applicant shows:

Section 2904—Review of Final City Decision—Procedures:

Any owner of private real property who claims there has been a constitutional taking of private real property by an action of the City shall request a review of a final decision of the City. The following are specific procedures established for such review:

- 7) A decision on a review of a constitutional takings claim shall be rendered within ~~fourteen (14)~~ **twenty-one (21) working** days from the date the complete application for review has been received by the City

Manager. The decision of the Council, or designee, regarding the results of the review shall be given in writing to the applicant and the officer, employee, Board or Commission that rendered the decision that gave rise to the constitutional takings claim.

- 8) If the Council, or designee, fails to hear and decide the review within ~~fourteen (14)~~ **twenty-one (21)** **working** days, the decision appealed from shall be presumed to be approved and the constitutional takings claim denied by the Council, or designee.

EXHIBIT “B” – SIDE-BY-SIDE COMPARISON -- CURRENT VS PROPOSED

Current	Proposed
<p>Section 202—Administrative Interpretations:</p> <p>7) Purpose. To promote day-to-day efficiencies in the administration and implementation of this Ordinance, and where ambiguity, conflicting provisions or confusion may exist in any provision or requirement of this Ordinance, this Section is provided to allow the Zoning Administrator to make interpretations of this Ordinance, on an as required basis, guided by the purposes of this Ordinance, applied to a specific circumstance.</p> <p>8) Initiation. Any person may request an administrative interpretation of any provision of this Ordinance by presenting an application for an administrative interpretation.</p> <p>9) Procedure. An application for an administrative interpretation shall be considered and processed as provided in this Section:</p> <p>a) A complete application shall be submitted to the Zoning Administrator.</p> <p>b) After an application is determined to be complete, the Zoning Administrator shall review the application and make an interpretation in accordance with the standards set forth, herein.</p> <p>c) After making a final decision, the Zoning Administrator shall provide written notice of the administrative interpretation to the Applicant. A record of the administrative interpretation of the Zoning Administrator shall be maintained in the office of the City Recorder.</p> <p>10) Standards for Making Administrative Interpretations. The Zoning Administrator shall apply the following standards in making any administrative interpretation:</p> <p>a) The administrative interpretation shall not have the effect of adding or removing any provision of this Ordinance.</p> <p>b) An administrative interpretation shall be consistent with the purposes of this Ordinance and any previously rendered administrative interpretations, based on similar facts.</p> <p>c) An administrative interpretation concerning a use interpretation shall not allow any use that is not a Permitted, Conditional, or Temporary Use in the zoning district. All other uses shall be prohibited.</p> <p>d) An administrative interpretation of the location of any zoning district boundary shall not have the effect of establishing a zoning district boundary that is inconsistent with the Roy City General Plan.</p> <p>e) No use interpretation shall permit the establishment of any use that would be inconsistent with the purposes of the zoning district in which it would be located.</p> <p>11) Effect of Approval. An administrative interpretation shall apply only to the property for which an interpretation is given. A use interpretation finding a use to be a permitted or conditional use shall not authorize the establishment of such use but merely authorize the filing of applications necessary for any approvals, permits or licenses as may be required and applicable.</p> <p>12) Appeal. Any person adversely affected by an administrative interpretation rendered by the Zoning Administrator may appeal that decision to the Commission as provided in Section 2804 herein.</p>	<p>Section 202—Administrative Interpretations:</p> <p>1) Purpose. To promote day-to-day efficiencies in the administration and implementation of this Ordinance, and where ambiguity, conflicting provisions or confusion may exist in any provision or requirement of this Ordinance, this Section is provided to allow the Zoning Administrator to make interpretations of this Ordinance, on an as required basis, guided by the purposes of this Ordinance, applied to a specific circumstance.</p> <p>2) Initiation. Any person may request an administrative interpretation of any provision of this Ordinance by presenting an application for an administrative interpretation.</p> <p>3) Procedure. An application for an administrative interpretation shall be considered and processed as provided in this Section:</p> <p>a) A complete application shall be submitted to the Zoning Administrator.</p> <p>b) After an application is determined to be complete, the Zoning Administrator shall review the application and make an interpretation in accordance with the standards set forth, herein.</p> <p>c) After making a final decision, the Zoning Administrator shall provide written notice of the administrative interpretation to the Applicant. A record of the administrative interpretation of the Zoning Administrator shall be maintained in the office of the City Recorder.</p> <p>4) Standards for Making Administrative Interpretations. The Zoning Administrator shall apply the following standards in making any administrative interpretation:</p> <p>a) The administrative interpretation shall not have the effect of adding or removing any provision of this Ordinance.</p> <p>b) An administrative interpretation shall be consistent with the purposes of this Ordinance and any previously rendered administrative interpretations, based on similar facts.</p> <p>c) An administrative interpretation concerning a use interpretation shall not allow any use that is not a Permitted, Conditional, or Temporary Use in the zoning district. All other uses shall be prohibited.</p> <p>d) An administrative interpretation of the location of any zoning district boundary shall not have the effect of establishing a zoning district boundary that is inconsistent with the Roy City General Plan.</p> <p>e) No use interpretation shall permit the establishment of any use that would be inconsistent with the purposes of the zoning district in which it would be located.</p> <p>5) Effect of Approval. An administrative interpretation shall apply only to the property for which an interpretation is given. A use interpretation finding a use to be a permitted or conditional use shall not authorize the establishment of such use but merely authorize the filing of applications necessary for any approvals, permits or licenses as may be required and applicable.</p> <p>6) Appeal. Any person adversely affected by an administrative interpretation rendered by the Zoning Administrator may appeal that decision to the Commission Hearing Officer as provided in Section 2804 2803 herein.</p>

<p>Section 302—Roy City Council:</p> <p>1) The Roy City Council (“Council”) shall have the following powers and duties under this Ordinance:</p> <ul style="list-style-type: none"> e) To adopt, and to initiate amendments to the Roy City General Plan, and all elements of the General Plan. f) To adopt, and to initiate amendments to the Roy City Zoning Ordinance. g) To adopt, and to initiate amendments to the Roy City Subdivision Ordinance. h) To approve, approve with conditions, or deny all Conditional Use Applications, including Site Plan Applications for all Conditional Uses identified in Table 17-1 and 17-2, Tables of Uses. i) To appoint a hearing officer to render a recommendation to the Council if an applicant asserts a deprivation of, or has been subject to, a taking of property without just compensation, or asserts some other constitutional invalidity, as provided by herein. j) To establish a fee schedule by resolution for all approvals, permits and licenses required by this Ordinance, as provided herein. k) To designate the Zoning Administrator for the administration of this Ordinance, as provided by Section 305 herein. l) To take such other action(s) not expressly delegated to the Planning Commission, Hearing Officers (HO), City Manager, or Zoning Administrator. <p>2) Decisions Final on Meeting Date, Exceptions. All decisions of the Council, made under this Ordinance, shall take effect on the date of the meeting when the decision is made, unless a different date is designated at the time the decision is made. The minutes of all meetings of the Council shall be filed in the office of the City Recorder. All such records shall be available for public review and access in accordance with the Government Records and Access Management Act, §63-2-101 et. seq. U.C.A., as amended.</p>	<p>Section 302—Roy City Council:</p> <p>1) The Roy City Council (“Council”) shall have the following powers and duties under this Ordinance:</p> <ul style="list-style-type: none"> a) To adopt, and to initiate amendments to the Roy City General Plan, and all elements of the General Plan. b) To adopt, and to initiate amendments to the Roy City Land Use Code (i.e. Zoning Ordinance, Subdivision Ordinance and Sign Ordinance) e) To adopt, and to initiate amendments to the Roy City Subdivision Ordinance. d) To approve, approve with conditions, or deny all Conditional Use Applications, including Site Plan Applications for all Conditional Uses identified in Table 17-1 and 17-2, Tables of Uses. e) To appoint a hearing officer to render a recommendation to the Council if an applicant asserts a deprivation of, or has been subject to, a taking of property without just compensation, or asserts some other constitutional invalidity, as provided by herein. f) To establish a fee schedule by resolution for all approvals, permits and licenses required by this Ordinance, as provided herein. g) To designate the Zoning Administrator for the administration of this Ordinance, as provided by Section 305 herein. h) To take such other action(s) not expressly delegated to the Planning Commission, Hearing Officers (HO), City Manager, or Zoning Administrator. <p>2) Decisions Final on Meeting Date, Exceptions. All decisions of the Council, made under this Ordinance, shall take effect on the date of the meeting when the decision is made, unless a different date is designated at the time the decision is made. The minutes of all meetings of the Council shall be filed in the office of the City Recorder. All such records shall be available for public review and access in accordance with the Government Records and Access Management Act, §63-2-101 et. seq. U.C.A., as amended.</p>
<p>Section 303—Planning Commission:</p> <p>There is hereby created and established a Roy City Planning Commission (“Commission”).</p> <p>2) Powers and Duties. The Commission shall be an advisory body to the Council on legislative matters pertaining to the General Plan, this Ordinance, and the Roy City Subdivision Ordinance. The Commission shall have the following powers and duties:</p> <ul style="list-style-type: none"> a) To prepare, or cause to be prepared, the proposed Roy City General Plan, any proposed plan element, any amendments thereto, and to submit the proposed plan, element or amendments to the Council. b) To prepare or cause to be prepared the proposed Roy City Zoning Ordinance, any amendments thereto, and to submit the Ordinance or amendments thereto to the Council. c) To prepare or cause to be prepared the proposed Roy 	<p>Section 303—Planning Commission:</p> <p>There is hereby created and established a Roy City Planning Commission (“Commission”).</p> <p>1) Powers and Duties. The Commission shall be an advisory body to the Council on legislative matters pertaining to the General Plan, this Ordinance, and the Roy City Subdivision Ordinance. The Commission shall have the following powers and duties:</p> <ul style="list-style-type: none"> a) To prepare, or cause to be prepared, the proposed Roy City General Plan, any proposed plan element, any amendments thereto, and to submit the proposed plan, element or amendments to the Council. b) To prepare or cause to be prepared the proposed Roy City Zoning Ordinance, any amendments thereto, and to submit the Ordinance or amendments thereto to the Council. c) To prepare or cause to be prepared the proposed Roy City Subdivision Ordinance, any amendments thereto,

<p>City Subdivision Ordinance, any amendments thereto, and to submit the Subdivision Ordinance or amendments thereto to the Council.</p> <p>d) To hear, review and recommend approval or denial of all Applications for a General Plan Amendment, Zoning Ordinance Amendment, or Zoning Districts Map Amendment (Rezone).</p> <p>e) To hear, review, and approve, approve with revisions, or deny a Site Plan Application, for a Permitted Use proposing new construction of a building(s), or proposing any structural modifications to the exterior of an existing building(s) as authorized by this Ordinance, excluding Single-Family and Two-Family Dwellings.</p> <p>f) To hear, review, and recommend approval, approval with conditions, or denial of a Conditional Use Application, including a Site Plan for a Conditional Use, to the Council.</p> <p>g) To hear, review, and recommend approval or denial of Subdivision Applications to the Council, as authorized by the Roy City Subdivision Ordinance.</p> <p>h) To hear, review, and render a final decision on Appeals of Administrative Decisions and Interpretations by the Zoning Administrator applying the provisions of this Ordinance, and as provided in Section 305.</p> <p>i) To adopt bylaws, policies, and procedures for the conduct of the duties and meetings of the Commission, for the consideration of applications and for any other purposes deemed necessary by the Commission provided, that such bylaws, policies, and procedures shall be consistent with all requirements of this Ordinance and the Subdivision Ordinance, which bylaws, policies, and procedures shall first be approved by the Council before taking effect.</p> <p>j) Advise the Council on all other matters as the Council may direct.</p> <p>3) Qualifications for Membership. Members of the Commission shall be appointed by the Mayor, with advice and consent of the Council.</p> <p>4) Membership: Appointment, Removal, Terms, and Vacancies.</p> <p>a) The Commission shall consist of seven (7) members.</p> <p>b) The members of the Commission shall be residents of Roy. No member of the Commission shall be an elected official or employee of Roy City.</p> <p>c) The Mayor, with advice and consent of the Council, may remove any member of the Commission for a violation of this Ordinance or any policies or procedures adopted by the Commission following receipt of a written complaint filed against the member.</p> <p>d) Members of the Commission shall serve with compensation, as adopted by the Council, and the Council shall provide for reimbursement to Commission members for approved actual expenses incurred, upon presentation of proper receipts and vouchers.</p> <p>e) All members of the Commission shall serve a term of three (3) years. No member shall serve more than three (3) consecutive terms. Terms shall begin on July 1 of each calendar year. Members' terms are to be staggered so that not more than three (3) terms shall expire each year on July 1. A Commission member shall</p>	<p>and to submit the Subdivision Ordinance or amendments thereto to the Council.</p> <p>d) To hear, review and recommend approval or denial of all Applications for a General Plan Amendment, Zoning Ordinance Amendment, or Zoning Districts Map Amendment (Rezone).</p> <p>e) To hear, review, and approve, approve with revisions, or deny a Site Plan Application, for a Permitted Use proposing new construction of a building(s), or proposing any structural modifications to the exterior of an existing building(s) as authorized by this Ordinance, excluding Single-Family and Two-Family Dwellings.</p> <p>f) To hear, review, and recommend approval approve, approval approve with conditions, or denial deny (as per § 1510) of a Conditional Use Application, including a Site Plan for a Conditional Use, to the Council.</p> <p>g) To hear, review, and recommend approval or denial of Subdivision Applications to the Council, as authorized by the Roy City Subdivision Ordinance.</p> <p>h) To hear, review, and render a final decision on Appeals of Administrative Decisions and Interpretations by the Zoning Administrator applying the provisions of this Ordinance, and as provided in Section 305.</p> <p>i) To adopt bylaws, policies, and procedures for the conduct of the duties and meetings of the Commission, for the consideration of applications and for any other purposes deemed necessary by the Commission provided, that such bylaws, policies, and procedures shall be consistent with all requirements of this Ordinance and the Subdivision Ordinance, which bylaws, policies, and procedures shall first be approved by the Council before taking effect.</p> <p>j) Advise the Council on all other matters as the Council may direct.</p> <p>2) Qualifications for Membership. Members of the Commission shall be appointed by the Mayor, with advice and consent of the Council.</p> <p>3) Membership: Appointment, Removal, Terms, and Vacancies.</p> <p>a) The Commission shall consist of seven (7) members.</p> <p>b) The members of the Commission shall be residents of Roy. No member of the Commission shall be an elected official or employee of Roy City.</p> <p>c) The Mayor, with advice and consent of the Council, may remove any member of the Commission for a violation of this Ordinance or any policies or procedures adopted by the Commission following receipt of a written complaint filed against the member.</p> <p>d) Members of the Commission shall serve with compensation, as adopted by the Council, and the Council shall provide for reimbursement to Commission members for approved actual expenses incurred, upon presentation of proper receipts and vouchers.</p> <p>e) All members of the Commission shall serve a term of three (3) years. No member shall serve more than three (3) consecutive terms. Terms shall begin on July 1 of each calendar year. Members' terms are to be staggered so that not more than three (3) terms shall expire each year on July 1. A Commission member shall not be automatically reappointed.</p> <p>f) At an annual organizational meeting to be held the first regular meeting in the new calendar year, and at other</p>
--	--

<p>not be automatically reappointed.</p> <p>f) At an annual organizational meeting to be held the first regular meeting in the new calendar year, and at other times as required, the members of the Commission shall recommend one (1) of their members as chair and one (1) of their members as vice- chair to the Council. The Mayor with advice and consent of the Council shall appoint the Commission chair and vice-chair. The chair and vice-chair shall serve a term of one (1) year. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair.</p> <p>g) The chair, or in the chair's absence, the vice-chair shall be in charge of all proceedings before the Commission, and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Commission.</p> <p>h) Commission vacancies occurring for any reason shall be filled by appointment by the Mayor with advice and consent of the Council. Vacancies of the Commission occurring in ways other than through the expiration of terms shall be filled for the remainder of the unexpired term.</p> <p>5) Recording Secretary. The City Manager shall assign the City Recorder or other Staff member to act as the recording secretary to serve the Commission. The Recording Secretary shall keep the minutes of all proceedings of the Commission, which minutes shall be the official record of all proceedings before the Commission, attested to by a majority vote of the members of the Commission. The minutes of all meetings of the Commission shall be filed in the office of the City Recorder. All such records shall be available for public review and access in accordance with the Government Records and Access Management Act, §63-2-101 et. seq. U.C.A., as amended. The Recording Secretary shall be compensated as approved by the Council.</p> <p>6) Quorum and Necessary Vote. No meeting of the Commission shall be called to order, nor may any business be transacted without a quorum consisting of at least four (4) members of the Commission being present. The chair shall be included for purposes of establishing a quorum and shall act as a voting member of the Commission. All decisions and recommendations by the Commission shall require a minimum of four (4) votes. The Commission shall transmit reports of its decisions and recommendations to the Council. Any member of the Commission may also make a concurring or dissenting report or recommendation to the Council.</p> <p>7) Decisions Final on Meeting Date, Exceptions. All decisions of the Commission shall be final and shall take effect on the date of the meeting when the decision is made, unless a different date in designated at the time the decision is made.</p> <p>8) Meetings, Hearings, and Procedure.</p> <p>a) The Commission shall establish a regular meeting schedule.</p> <p>b) Special meetings may be requested by a majority vote of the Commission, or by the chair of the Commission.</p> <p>c) When a matter is postponed due to lack of a quorum, the matter shall be rescheduled to the next available Commission meeting. The Recording Secretary shall notify all members of the Commission of the date when the rescheduled matter will be heard by the Commission.</p>	<p>times as required, the members of the Commission shall recommend nominate one (1) of their members as chair and one (1) of their members as vice- chair to the Council. The Mayor with advice and consent of the Council shall appoint the Commission chair and vice- chair. The chair and vice-chair shall serve a term of one (1) year. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair.</p> <p>g) The chair, or in the chair's absence, the vice-chair shall be in charge of all proceedings before the Commission, and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Commission.</p> <p>h) Commission vacancies occurring for any reason shall be filled by appointment by the Mayor with advice and consent of the Council. Vacancies of the Commission occurring in ways other than through the expiration of terms shall be filled for the remainder of the unexpired term.</p> <p>4) Recording Secretary. The City Manager shall assign the City Recorder or other Staff member to act as the recording secretary to serve the Commission. The Recording Secretary shall keep the minutes of all proceedings of the Commission, which minutes shall be the official record of all proceedings before the Commission, attested to by a majority vote of the members of the Commission. The minutes of all meetings of the Commission shall be filed in the office of the City Recorder. All such records shall be available for public review and access in accordance with the Government Records and Access Management Act, §63-2-101 et. seq. U.C.A., as amended. The Recording Secretary shall be compensated as approved by the Council.</p> <p>5) Quorum and Necessary Vote. No meeting of the Commission shall be called to order, nor may any business be transacted without a quorum consisting of at least four (4) members of the Commission being present. The chair shall be included for purposes of establishing a quorum and shall act as a voting member of the Commission. All decisions and recommendations by the Commission shall require a minimum of four (4) votes. The Commission shall transmit reports of its decisions and recommendations to the Council. Any member of the Commission may also make a concurring or dissenting report or recommendation to the Council.</p> <p>6) Decisions Final on Meeting Date, Exceptions. All decisions of the Commission shall be final and shall take effect on the date of the meeting when the decision is made, unless a different date in designated at the time the decision is made.</p> <p>7) Meetings, Hearings, and Procedure.</p> <p>a) The Commission shall establish a regular meeting schedule.</p> <p>b) Special meetings may be requested by a majority vote of the Commission, or by the chair of the Commission.</p> <p>c) When a matter is postponed due to lack of a quorum, the matter shall be rescheduled to the next available Commission meeting. The Recording Secretary shall notify all members of the Commission of the date when the rescheduled matter will be heard by the Commission.</p>
---	--

<p>Section 306—Development Review Committee (DRC):</p> <ol style="list-style-type: none"> 2) A Development Review Committee (DRC) shall be established and created by the City Manager. 3) Purpose. The purpose of the DRC is a technical review committee, which may be established to assure proposed development within the City is consistent with the City's General Plan, requirements of this Ordinance, and all other applicable Ordinances, Statutes, and provisions. 4) Membership. The DRC shall consist of persons representing City Departments, and other persons, as may be designated by the City Manager. 5) Powers and Duties. The DRC shall act under the direction of the City Manager and shall have the following duties and responsibilities: <ol style="list-style-type: none"> a) Before any application is considered by the Commission, Council, or Zoning Administrator the DRC shall review the application to determine its consistency with General Plan and compliance with all applicable City Ordinances. b) The DRC shall provide a report identifying the consistency with General Plan and compliance with all applicable Ordinances for any application for an approval, permit, or license, required by this Ordinance, prior to a final decision being made by the Commission, Council, or Zoning Administrator. c) The DRC shall present findings or recommend conditions for consideration by the Commission, Council, or Zoning Administrator upon request by the Commission, Council, or Zoning Administrator. d) The DRC may establish procedures for the preparation and conduct of Development Review Committee meetings, the scheduling of meetings, and the conduct of meetings and field trips, such procedures being reviewed and approved by the City Manager before taking effect. 	<p>Section 306—Development Review Committee (DRC):</p> <ol style="list-style-type: none"> 1) A Development Review Committee (DRC) shall be established and created by the City Manager Zoning Administrator. 2) Purpose. The purpose of the DRC is a technical review committee, which may be established to assure proposed development within the City is consistent with the City's General Plan, requirements of this Ordinance, and all other applicable Ordinances, Statutes, and provisions. 3) Membership. The DRC shall consist of persons representing City Departments, and other persons, as may be designated by the City Manager Zoning Administrator. 4) Powers and Duties. The DRC shall act under the direction of the City Manager Zoning Administrator and shall have the following duties and responsibilities: <ol style="list-style-type: none"> a) Before any application is considered by the Commission, Council, or Zoning Administrator the DRC shall review the application to determine its consistency with General Plan and compliance with all applicable City Ordinances. b) The DRC shall provide a report identifying the consistency with General Plan and compliance with all applicable Ordinances for any application for an approval, permit, or license, required by this Ordinance, prior to a final decision being made by the Commission, Council, or Zoning Administrator. c) The DRC shall present findings or recommend conditions for consideration by the Commission, Council, or Zoning Administrator upon request by the Commission, Council, or Zoning Administrator. d) The DRC may establish procedures for the preparation and conduct of Development Review Committee meetings, the scheduling of meetings, and the conduct of meetings and field trips, such procedures being reviewed and approved by the City Manager before taking effect.
<p>Section 308—Meetings and Public Hearings:</p> <p>All meetings and hearings of the Council, Commission, and BOA required by this Ordinance shall comply with the provisions of this Ordinance for such meetings and hearings, and the requirements of the Utah Code Annotated, as amended, for open and public meetings.</p>	<p>Section 308—Meetings and Public Hearings:</p> <p>All meetings and hearings of the Council, Commission, and BOA HO required by this Ordinance shall comply with the provisions of this Ordinance for such meetings and hearings, and the requirements of the Utah Code Annotated, as amended, for open and public meetings.</p>
<p>Section 503—Amendments to Roy City General Plan:</p> <p>A proposed amendment to the Roy City General Plan, or Maps, may be initiated by any property owner, any resident, any business owner, the Council, Commission, or BOA by filing a General Plan Amendment Application. An application for an amendment to the Roy City General Plan shall be filed with the City by presenting a General Plan Amendment Application to the Zoning Administrator.</p>	<p>Section 503—Amendments to Roy City General Plan:</p> <p>A proposed amendment to the Roy City General Plan, or Maps, may be initiated by any property owner, any resident, any business owner, the Council, or Commission, or BOA by filing a General Plan Amendment Application. An application for an amendment to the Roy City General Plan shall be filed with the City by presenting a General Plan Amendment Application to the Zoning Administrator.</p>
<p>Section 507—Amendments to the Zoning Ordinance, including the Zoning Districts Map:</p>	<p>Section 507—Amendments to the Zoning Ordinance, including the Zoning Districts Map:</p>

<p>A proposed amendment to this Ordinance, including the Zoning Districts Map, may be initiated by any property owner, any resident, any business owner, the Council, Commission, or BOA by filing a Zoning Ordinance or Zoning Districts Map Amendment Application. An application for an amendment to the Zoning Ordinance or amendment to the Zoning Districts Map (rezone) shall be filed with the City by presenting a Zoning Ordinance Amendment Application or a Zoning Ordinance Districts Map Amendment Application to the Zoning Administrator.</p>	<p>A proposed amendment to this Ordinance, including the Zoning Districts Map, may be initiated by any property owner, any resident, any business owner, the Council, or Commission, or BOA by filing a Zoning Ordinance or Zoning Districts Map Amendment Application. An application for an amendment to the Zoning Ordinance or amendment to the Zoning Districts Map (rezone) shall be filed with the City by presenting a Zoning Ordinance Amendment Application or a Zoning Ordinance Districts Map Amendment Application to the Zoning Administrator.</p>
<p>Section 902—Required Notice of Public Hearings and Public Meetings to Consider General Plan or General Plan Amendment Applications:</p> <p>3) Public Hearings. The Zoning Administrator for public hearings before the Commission, and the City Recorder for public hearings before the Council, shall provide notice of the public hearing to consider the Roy City General Plan or General Plan Amendment Applications, as follows:</p> <p>a) Notice of date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:</p> <p>i) Published in a newspaper of general circulation in the area;</p> <p>ii) Mailed to each “affected entity” identified herein as:</p> <p>(1) Weber County Board of County Commissioners</p> <p>(2) City of Ogden</p> <p>(3) Special Service Districts</p> <p>(4) Weber County School District</p> <p>(5) Questar</p> <p>(6) Utah Power</p> <p>(7) Qwest</p> <p>(8) Sanitary Sewer District</p> <p>(9) Culinary and Secondary Water providers</p> <p>iii) Posted in at least three (3) public locations within the City; or on the City’s official website; and</p> <p>iv) Provide notice to the Applicant(s).</p> <p>4) Public Meetings. The Zoning Administrator for a public meeting by the Commission, and the City Recorder for a public meeting by the Council, shall provide notice of the public meeting to consider the Roy City General Plan or General Plan Amendments Applications, as follows:</p> <p>a) Notice of the date, time, and place of the public meeting, at least 24 hours before the meeting, which notice shall be:</p> <p>i) Submitted to a newspaper of general circulation in the area;</p> <p>ii) Posted in at least three (3) public locations within the City; or on the City’s official website; and</p> <p>iii) Provide notice to the Applicant(s).</p>	<p>Section 902—Required Notice of Public Hearings and Public Meetings to Consider General Plan or General Plan Amendment Applications:</p> <p>1) Public Hearings. The Zoning Administrator and/or City Recorder for public hearings before the Commission, and the City Recorder for public hearings before the Council, shall provide notice of the public hearing to consider the Roy City General Plan or General Plan Amendment Applications, as follows:</p> <p>a) Notice of date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:</p> <p>i) Published in a newspaper of general circulation in the area;</p> <p>ii) Mailed to each “affected entity” identified herein as:</p> <p>(1) Weber County Board of County Commissioners</p> <p>(2) City of Ogden</p> <p>(3) Special Service Districts</p> <p>(4) Weber County School District</p> <p>(5) Questar</p> <p>(6) Utah Power</p> <p>(7) Qwest</p> <p>(8) Sanitary Sewer District</p> <p>(9) Culinary and Secondary Water providers</p> <p>iii) Posted in at least three (3) public locations within the City; or on the City’s official website; and</p> <p>iv) Provide notice to the Applicant(s).</p> <p>2) Public Meetings. The Zoning Administrator and/or City Recorder for a public meeting by the Commission, and the City Recorder for a public meeting by the Council, shall provide notice of the public meeting to consider the Roy City General Plan or General Plan Amendments Applications, as follows:</p> <p>a) Notice of the date, time, and place of the public meeting, at least 24 hours before the meeting, which notice shall be:</p> <p>i) Submitted to a newspaper of general circulation in the area;</p> <p>ii) Posted in at least three (3) public locations within the City; or on the City’s official website; and</p> <p>iii) Provide notice to the Applicant(s).</p>
<p>Section 903—Required Notice of Public Hearings and Public Meetings on Adoption or Modification (Amendments) of Land Use Ordinances:</p>	<p>Section 903—Required Notice of Public Hearings and Public Meetings on Adoption or Modification (Amendments) of Land Use Ordinances:</p>

<p>3) Public Hearings. The Zoning Administrator for public hearings by the Commission, and the City Recorder for public hearings by the Council, shall provide notice of a public hearing to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:</p> <ul style="list-style-type: none"> a) Notice of the date, time, and place of the each public hearing shall be at least ten (10) -calendar days before the public hearing and the notice shall be provided by the following means: <ul style="list-style-type: none"> i) Published in a newspaper of general circulation in the area. ii) Mailed to each “affected entity” (as identified in Section 902); and iii) Posted in at least three (3) public locations within the City; or on the City’s official website. iv) Actual notice provided by regular U.S. mail and is postmarked at least ten (10) calendar days prior to the public hearing to all property owners located within three hundred (300) feet which is the subject of a Land Use Ordinance adoption or modification. <p>4) Public Meetings. The Zoning Administrator for public meetings by the Commission , and the City Recorder for a public meeting by the Council, shall provide notice of the public meeting to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:</p> <ul style="list-style-type: none"> a) Notice of the date, time, and place of the public meeting, at least 24 hours before the meeting, which notice shall be: <ul style="list-style-type: none"> i) Posted in at least three (3) public locations within the City; or on the City’s official website. ii) Provide notice to the Applicant(s). 	<p>1) Public Hearings. The Zoning Administrator and/or City Recorder for public hearings before the Commission, and the City Recorder for public hearings before the Council, shall provide notice of a public hearing to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:</p> <ul style="list-style-type: none"> a) Notice of the date, time, and place of the each public hearing shall be at least ten (10) -calendar days before the public hearing and the notice shall be provided by the following means: <ul style="list-style-type: none"> v) Published in a newspaper of general circulation in the area. vi) Mailed to each “affected entity” (as identified in Section 902); and vii) Posted in at least three (3) public locations within the City; or on the City’s official website. viii) Actual notice provided by regular U.S. mail and is postmarked at least ten (10) calendar days prior to the public hearing to all property owners located within three hundred (300) feet which is the subject of a Land Use Ordinance adoption or modification. <p>2) Public Meetings. The Zoning Administrator and/or City Recorder for a public meeting by the Commission, and the City Recorder for a public meeting by the Council, shall provide notice of the public meeting to consider the adoption of modification (amendments) of the Roy City Land Use Ordinances, including this Ordinance, as follows:</p> <ul style="list-style-type: none"> a) Notice of the date, time, and place of the public meeting, at least 24 hours before the meeting, which notice shall be: <ul style="list-style-type: none"> i) Posted in at least three (3) public locations within the City; or on the City’s official website. ii) Provide notice to the Applicant(s).
<p>Section 904—Required Notice for Other Public Hearings:</p> <p>When required by the provisions of this Ordinance, the Zoning Administrator for public hearings before the Commission, and the City Recorder for public hearings before the Council, shall provide notice of the public hearing as follows:</p> <ul style="list-style-type: none"> 1) Notice of the date, time, and place of each public hearing shall be at least ten (10) calendar days before the public hearing provided by the following means: <ul style="list-style-type: none"> a) Published in a newspaper of general circulation in the area. b) Posted in at least three (3) public locations within the City; or on the City’s official website. c) Actual notice provided by regular U.S. mail and is postmarked at least ten (10) calendar days prior to the public hearing to all property owners located within three hundred (300) feet which is the subject of the public hearing. 	<p>Section 904—Required Notice for Other Public Hearings:</p> <p>When required by the provisions of this Ordinance, the Zoning Administrator and/or City Recorder for public hearings before the Commission, and the City Recorder for public hearings before the Council, shall provide notice of the public hearing as follows:</p> <ul style="list-style-type: none"> 1) Notice of the date, time, and place of each public hearing shall be at least ten (10) calendar days before the public hearing provided by the following means: <ul style="list-style-type: none"> a) Published in a newspaper of general circulation in the area. b) Posted in at least three (3) public locations within the City; or on the City’s official website. c) Actual notice provided by regular U.S. mail and is postmarked at least ten (10) calendar days prior to the public hearing to all property owners located within three hundred (300) feet which is the subject of the public hearing.
<p>Section 905—Required Notice for Other Public Meetings:</p> <p>When required by the provisions of this Ordinance the Zoning</p>	<p>Section 905—Required Notice for Other Public Meetings:</p> <p>When required by the provisions of this Ordinance the Zoning</p>

<p>Administrator for a public meeting by the Commission and a public meeting by the BOA, and the City Recorder for public meetings by the Council, shall provide notice of the public meeting as follows:</p> <ol style="list-style-type: none"> 1) Notice of the date, time, and place of each public meeting, at least 24 hours before the public meeting, which notice shall be: <ol style="list-style-type: none"> a) Posted in at least three (3) public locations within the City; or on the City's official website. b) Provide notice to the Applicant(s). 	<p>Administrator and/or City Recorder for a public meeting by the Commission, and a public meeting by the BOA HO, and the City Recorder for public meetings by the Council, shall provide notice of the public meeting as follows:</p> <ol style="list-style-type: none"> 1) Notice of the date, time, and place of each public meeting, at least 24 hours before the public meeting, which notice shall be: <ol style="list-style-type: none"> a) Posted in at least three (3) public locations within the City; or on the City's official website. b) Provide notice to the Applicant(s).
<p>Section 906—Required Applicant Notice:</p> <p>For each land use application, the Zoning Administrator for the Commission and BOA, and the City Recorder for the Council, shall notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application an of any final action on the application.</p>	<p>Section 906—Required Applicant Notice:</p> <p>For each land use application, the Zoning Administrator and/or City Recorder for the Commission and, BOA HO, and the City Recorder for the Council, shall notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application an of any final action on the application.</p>
<p>Section 1007—Adequate Public Facilities:</p> <p>Land shall be developed only to the extent that adequate infrastructure and services are in place, or will be provided concurrent with the land development activity, sufficient to meet the needs of the proposed development. The Commission and/or Council may require an analysis to be completed and provided to the Commission and/or Council to determine if adequate public facilities are available to serve the proposed development and if such development will change the existing levels of service or will create a demand for services that exceeds acceptable service levels.</p> <p>Public facilities that may be required by the Commission and/or Council to be included in an Adequate Public Facilities analysis include, but are not limited to, road and street facilities and capacities, intersection and bridge capacities, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, fire and emergency services response times, police protection services, and other similar required public services. The City may deny any proposed development activity if the demand for public services exceeds accepted or adopted levels of service, or until required adequate public infrastructure, facilities, or services are provided by the applicant, or the City, to meet accepted or adopted levels of service.</p>	<p>Section 1007—Adequate Public Facilities:</p> <p>Land shall be developed only to the extent that adequate infrastructure and services are in place, or will be provided concurrent with the land development activity, sufficient to meet the needs of the proposed development. The Commission and/or Council may require an analysis to be completed and provided to the Commission and/or Council to determine if adequate public facilities are available to serve the proposed development and if such development will change the existing levels of service or will create a demand for services that exceeds acceptable service levels.</p> <p>Public facilities that may be required by the Commission and/or Council to be included in an Adequate Public Facilities analysis include, but are not limited to, road and street facilities and capacities, intersection and bridge capacities, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, fire and emergency services response times, police protection services, and other similar required public services. The City may deny any proposed development activity if the demand for public services exceeds accepted or adopted levels of service, or until required adequate public infrastructure, facilities, or services are provided by the applicant, or the City, to meet accepted or adopted levels of service.</p>
<p>Section 1011—Guarantee of Installation of Improvements:</p> <ol style="list-style-type: none"> 4) Methods: The Applicant(s) shall guarantee the installation by one of the methods specified as follows: <ol style="list-style-type: none"> a) The Applicant(s) may furnish and file with the City Recorder a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which bond shall be approved by the City Attorney and shall be filed with the City Recorder. b) The Applicant(s) may deposit in escrow with an escrow 	<p>Section 1011—Guarantee of Installation of Improvements:</p> <ol style="list-style-type: none"> 1) Methods: The Applicant(s) shall guarantee the installation by one of the methods specified as follows: <ol style="list-style-type: none"> a) The Applicant(s) may furnish and file with the City Recorder Zoning Administrator a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which bond shall be approved by the City Attorney and shall be filed with the City Recorder Zoning Administrator.

<p>holder approved by the Council an amount of money equal to the cost of the improvements not then installed as estimated by the City Engineer, under an escrow agreement to assure the installation of said improvements within a two (2) year period from the approval of the Site Plan. The escrow agreement shall be approved by the Council and City Attorney and shall be filed with the City Recorder.</p> <p>c) The Applicant(s) may furnish and file with the City Recorder a letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which letter of credit shall be approved by the City Attorney.</p> <p>5) Administration: The Council is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed Site Plan and the strict compliance with the requirements of this Ordinance and adopted Building Codes.</p> <p>6) Phased Development: Whenever the applicant(s) develops a site a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands developed within the time hereinabove specified.</p>	<p>b) The Applicant(s) may deposit in escrow with an escrow holder approved by the Council an amount of money equal to the cost of the improvements not then installed as estimated by the City Engineer, under an escrow agreement to assure the installation of said improvements within a two (2) year period from the approval of the Site Plan. The escrow agreement shall be approved by the Council and City Attorney and shall be filed with the City Recorder Zoning Administrator.</p> <p>e) The Applicant(s) may furnish and file with the City Recorder a letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which letter of credit shall be approved by the City Attorney.</p> <p>2) Administration: The Council Zoning Administrator is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed Site Plan and the strict compliance with the requirements of this Ordinance and adopted Building Codes.</p> <p>3) Phased Development: Whenever the applicant(s) develops a site a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands developed within the time hereinabove specified.</p>
<p>Section 1031—Required Compatibility Transitioning Treatments Between Residential and Nonresidential Districts:</p> <p>When any nonresidential zones, including all commercial and industrial zones, is located adjacent to any residential zoning district the following requirements shall apply to all proposed uses, buildings and activities located in the nonresidential zone district, in addition to the development requirements and standards of general applicability;</p> <p>1) Building Height.</p> <p>a) The maximum building height of any nonresidential building or structure located within one hundred feet (100') of any residential zoning district boundary shall not exceed the maximum building height permitted in the residential zoning district.</p> <p>2) Screen Walls.</p> <p>a) An opaque wall shall be installed and maintained along all lot lines that coincide with a residential zoning district boundary.</p> <p>b) The opaque wall shall be a minimum of six (6) feet in height but not more than eight (8) feet. A lower height wall may be required adjacent to a front property line for sight distance and traffic safety. Walls higher than eight (8) feet shall be reviewed and approved by the identified approving body for the nonresidential use and site plan, as applicable.</p> <p>c) Where there is a difference in elevation on opposite sides of the wall, the height of the required wall shall be</p>	<p>Section 1031—Required Compatibility Transitioning Treatments Between Residential and Nonresidential Districts:</p> <p>When any nonresidential zones, including all commercial and industrial zones, is located adjacent to any residential zoning district the following requirements shall apply to all proposed uses, buildings and activities located in the nonresidential zone district, in addition to the development requirements and standards of general applicability;</p> <p>1) Building Height.</p> <p>a) The maximum building height of any nonresidential building or structure located within one hundred feet (100') of any residential zoning district boundary shall not exceed the maximum building height permitted in the residential zoning district.</p> <p>2) Screen Walls.</p> <p>a) An opaque wall shall be installed and maintained along all lot lines that coincide with a residential zoning district boundary.</p> <p>b) The opaque wall shall be a minimum of six (6) feet in height but not more than eight (8) feet. A lower height wall may be required adjacent to a front property line for sight distance and traffic safety. Walls higher than eight (8) feet shall be reviewed and approved by the identified approving body for the nonresidential use and site plan, as applicable.</p> <p>c) Where there is a difference in elevation on opposite sides of the wall, the height of the required wall shall be</p>

<p>measured from the highest elevation.</p> <p>d) The opaque wall shall be constructed of stone, brick, or colored block masonry.</p> <p>3) Screen Landscaping.</p> <p>a) All nonresidential uses located adjacent to any residentially zoned property shall provide a minimum of a ten feet (10') landscaped buffer adjacent to the residential zoning district boundary. No off-street parking, driveways, accesses, or any hard surfaced areas shall be permitted to be located within the required ten feet (10') landscaped buffer area.</p> <p>b) The landscaping provided within the required ten feet (10') landscaped buffer area, as identified in (a) above shall meet or exceed the minimum requirements for landscaping in nonresidential areas, as provided herein.</p> <p>c) The types, sizes, and amount of landscaping materials sufficient to protect residential properties shall be determined by the Commission or Council when approving a Site Plan.</p> <p>4) Building and Site Signage.</p> <p>a) No building signage associated with any nonresidential use, including but not limited to, wall, canopy, marquee, or window signs shall be placed on any exterior building wall or window facing any residential zoning district boundary.</p> <p>b) No freestanding sign associated with any nonresidential use, including but not limited to, pole or monument signs shall be located within one hundred feet (100') of any residential zoning district boundary.</p> <p>5) Open Storage Areas.</p> <p>a) No open storage area, including all areas containing vehicle storage, merchandise, or equipment storage shall be located within forty feet (40') of a residential zoning district boundary.</p> <p>6) Location of Loading Areas and Drive-Through Facilities.</p> <p>a) No loading areas or loading docks shall be located in any exterior building wall facing any residential zoning district boundary.</p> <p>b) No Drive-Through facilities or Drive-Through windows shall be located in any exterior building wall facing any residential zoning district boundary.</p> <p>7) Trash Enclosure Areas.</p> <p>a) Trash enclosure(s) shall be provided for all garbage dumpster(s) and shall be screened from view with decorative opaque fencing, gates and landscaping.</p> <p>b) No portion of any trash enclosure shall be located less than twenty feet (20') of any residential zoning district boundary.</p> <p>c) All trash enclosures shall be a minimum of six (6) feet in height or equal in height to the trash dumpster to be screened.</p> <p>d) No trash enclosure shall be permitted in the required front setback or shall it be located to block any required driveways, traffic and parking aisles, parking spaces or public sidewalks.</p> <p>8) Mechanical Equipment. All mechanical equipment (including swamp coolers) shall be screened entirely from view from adjacent public rights-of-way and residentially zoned properties by using one (1) or more of the following techniques;</p> <p>a) A screening system of all ground mounted mechanical equipment with an architecturally designed screen that blends with the</p>	<p>measured from the highest elevation.</p> <p>d) The opaque wall shall be constructed of stone, brick, or colored block masonry.</p> <p>3) Screen Landscaping.</p> <p>a) All nonresidential uses located adjacent to any residentially zoned property shall provide a minimum of a ten feet (10') landscaped buffer adjacent to the residential zoning district boundary. No off-street parking, driveways, accesses, or any hard surfaced areas shall be permitted to be located within the required ten feet (10') landscaped buffer area.</p> <p>b) The landscaping provided within the required ten feet (10') landscaped buffer area, as identified in (a) above shall meet or exceed the minimum requirements for landscaping in nonresidential areas, as provided herein.</p> <p>c) The types, sizes, and amount of landscaping materials sufficient to protect residential properties shall be determined by the Commission or Council when approving a Site Plan.</p> <p>4) Building and Site Signage.</p> <p>a) No building signage associated with any nonresidential use, including but not limited to, wall, canopy, marquee, or window signs shall be placed on any exterior building wall or window facing any residential zoning district boundary.</p> <p>b) No freestanding sign associated with any nonresidential use, including but not limited to, pole or monument signs shall be located within one hundred feet (100') of any residential zoning district boundary.</p> <p>5) Open Storage Areas.</p> <p>a) No open storage area, including all areas containing vehicle storage, merchandise, or equipment storage shall be located within forty feet (40') of a residential zoning district boundary.</p> <p>6) Location of Loading Areas and Drive-Through Facilities.</p> <p>a) No loading areas or loading docks shall be located in any exterior building wall facing any residential zoning district boundary.</p> <p>b) No Drive-Through facilities or Drive-Through windows shall be located in any exterior building wall facing any residential zoning district boundary.</p> <p>7) Trash Enclosure Areas.</p> <p>a) Trash enclosure(s) shall be provided for all garbage dumpster(s) and shall be screened from view with decorative opaque fencing, gates and landscaping.</p> <p>b) No portion of any trash enclosure shall be located less than twenty feet (20') of any residential zoning district boundary.</p> <p>c) All trash enclosures shall be a minimum of six (6) feet in height or equal in height to the trash dumpster to be screened.</p> <p>d) No trash enclosure shall be permitted in the required front setback or shall it be located to block any required driveways, traffic and parking aisles, parking spaces or public sidewalks.</p> <p>8) Mechanical Equipment. All mechanical equipment (including swamp coolers) shall be screened entirely from view from adjacent public rights-of-way and residentially zoned properties by using one (1) or more of the following techniques;</p> <p>a) A screening system of all ground mounted mechanical equipment with an architecturally designed screen that blends with the</p>
---	--

<p>architectural design and materials of the proposed building.</p> <ul style="list-style-type: none"> b) Use of ground berming and evergreen landscape and other planting materials sufficient to provide a year round screen all ground mounted mechanical equipment. c) Extension of the building's parapet wall to screen all roof mounted mechanical equipment. d) Other screening system of equal or greater value and sufficient to screen all mechanical equipment, as determined appropriate and necessary by the use and site plan approval authority, as applicable. <p>9) Building and Site Lighting. Lighting fixtures attached to a building of free-standing lighting may be used to illuminate buildings, landscaping, signs, parking and loading areas, provided such lighting is appropriately directed and equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, and preventing any bright, direct illumination upon adjacent property located in a residential zoning district. No unshielded lights, reflectors, spotlights, strobe lights, or searchlights shall be located so that they are pointed towards or are directly visible from any residentially zoned properties. The intensity of all building and site lighting shall be controlled so that residential zoned areas will not be adversely affected by glare or excessive direct light.</p> <p>10) Utilities. All utility lines shall be placed underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity or any other energy or service shall be installed, and no pole or other support structure therefore shall be erected, altered or replaced, upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction. Electrical transformers and boxes shall be grouped with other utility meters where possible and screened with a decorative masonry wall, vegetation or other appropriate method.</p> <p>11) Drainage. Drainage from any nonresidential uses lot must meet the requirements of Roy City, as determined by the City Engineer. No building or site drainage shall be allowed to flow upon any adjoining property unless a drainage easement for such purposes has been granted by the owner of the lot upon which the water flows.</p> <p>12) Hours of Operation. Any nonresidential use located less than three hundred feet (300') of any residential zone, and including all commercial and industrial uses, shall not open or operate between the hours of 10:00 pm to 7:00 am. Any nonresidential use located within three hundred feet (300') of any residential zone and proposing to open or operate after 10:00 pm and/or before 7:00 am shall require approval of a Conditional Use Application, as provided herein.</p> <p>13) General Maintenance. An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, parking lots (including surfacing and striping), signs, or other structures. The property shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner.</p>	<p>architectural design and materials of the proposed building.</p> <ul style="list-style-type: none"> b) Use of ground berming and evergreen landscape and other planting materials sufficient to provide a year round screen all ground mounted mechanical equipment. c) Extension of the building's parapet wall to screen all roof mounted mechanical equipment. d) Other screening system of equal or greater value and sufficient to screen all mechanical equipment, as determined appropriate and necessary by the use and site plan approval authority, as applicable. <p>9) Building and Site Lighting. Lighting fixtures attached to a building of free-standing lighting may be used to illuminate buildings, landscaping, signs, parking and loading areas, provided such lighting is appropriately directed and equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, and preventing any bright, direct illumination upon adjacent property located in a residential zoning district. No unshielded lights, reflectors, spotlights, strobe lights, or searchlights shall be located so that they are pointed towards or are directly visible from any residentially zoned properties. The intensity of all building and site lighting shall be controlled so that residential zoned areas will not be adversely affected by glare or excessive direct light.</p> <p>10) Utilities. All utility lines shall be placed underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity or any other energy or service shall be installed, and no pole or other support structure therefore shall be erected, altered or replaced, upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction. Electrical transformers and boxes shall be grouped with other utility meters where possible and screened with a decorative masonry wall, vegetation or other appropriate method.</p> <p>11) Drainage. Drainage from any nonresidential uses lot must meet the requirements of Roy City, as determined by the City Engineer. No building or site drainage shall be allowed to flow upon any adjoining property unless a drainage easement for such purposes has been granted by the owner of the lot upon which the water flows.</p> <p>12) Hours of Operation. Any nonresidential use located less than three hundred feet (300') of any residential zone, and including all commercial and industrial uses, shall not open or operate between the hours of 10:00 pm to 7:00 am. Any nonresidential use located within three hundred feet (300') of any residential zone and proposing to open or operate after 10:00 pm and/or before 7:00 am shall require approval of a Conditional Use Application, as provided herein.</p> <p>13) General Maintenance. An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, parking lots (including surfacing and striping), signs, or other structures. The property shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner.</p>
<p>Section 1032—Parking in Residential Zones:</p> <p>In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential</p>	<p>Section 1032—Parking in Residential Zones:</p> <p>In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential</p>

<p>zones that directly access a garage or carport. Parking of vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel, or road base. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk. All single-family dwellings constructed prior to January 05, 1993, shall be excluded from this provision.</p>	<p>zones that directly access a garage or carport. Accessory Parking parking of vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (weed free), or road base (weed free) as long as it is accessible to and from a legal access point on the same parcel. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk. All single-family dwellings constructed prior to January 05, 1993, shall be excluded from this provision.</p>
<p>Section 1103—Supplementary Requirements for Residential Facilities for Persons with Disabilities:</p> <ol style="list-style-type: none"> 7) Compliance with Health Codes, Building Codes, Fire Codes, and Zoning District Requirements. <ol style="list-style-type: none"> a) No Residential Facility for Persons with a Disability shall be established unless: <ol style="list-style-type: none"> i) It is proposed in a building that complies with all Building, Fire, Health Codes, and Zoning Ordinance, as adopted, applicable to similar structures in the zoning district in which the Residential Facility for Persons with a Disability is proposed, and all other requirements of this Ordinance. 8) Maximum Number of Occupants (Consumers and Staff). For any building proposed to be used for a Residential Facility for Persons with a Disability, the existing building, or building plans, shall be reviewed by the Building Official, considering the Categorical Standards for physical facilities, as established by the State of Utah Department of Human Services. Following this review the Building Official shall determine and establish the maximum number of persons allowed to reside within the Facility. 9) State of Utah Department of Human Services License. At the time of application for a Conditional Use permit to establish a Residential Facility for Persons with a Disability, or within forty-five (45) days following approval of a Conditional Use permit to establish a Residential Facility for Persons with a Disability, the owner or provider shall provide to the Zoning Administrator evidence that the Facility is licensed by the State of Utah Department of Human Services for the type of Facility being considered by the City. The Council shall condition any Conditional Use approval on the presentation of evidence that the Facility is licensed by the State of Utah Department of Human Services, as required by this Section. Failure to provide such evidence shall be grounds for the City to invalidate any existing or pending approvals. 10) Continued Compliance with the Licensure Requirements of the Department of Human Services. The responsibility to license programs, or owners or providers that operate a Residential Facility for Persons with a Disability, as well as require and monitor the provision of adequate services to consumers residing in these facilities shall rest with the State of Utah Department of Human Services. 11) Conditional Use Permit to Operate a Residential Facility for Persons with a Disability Non-transferable. A permit to operate a Residential Facility for Persons with a Disability, as authorized by this Section, is nontransferable and shall only be valid to the owner or provider identified on the application authorizing the operation of the Facility, and as identified as the owner or provider as licensed by the 	<p>Section 1103—Supplementary Requirements for Residential Facilities for Persons with Disabilities:</p> <ol style="list-style-type: none"> 1) Compliance with Health Codes, Building Codes, Fire Codes, and Zoning District Requirements. <ol style="list-style-type: none"> a) No Residential Facility for Persons with a Disability shall be established unless: <ol style="list-style-type: none"> i) It is proposed in a building that complies with all Building, Fire, Health Codes, and Zoning Ordinance, as adopted, applicable to similar structures in the zoning district in which the Residential Facility for Persons with a Disability is proposed, and all other requirements of this Ordinance. 2) Maximum Number of Occupants (Consumers and Staff). For any building proposed to be used for a Residential Facility for Persons with a Disability, the existing building, or building plans, shall be reviewed by the Building Official, considering the Categorical Standards for physical facilities, as established by the State of Utah Department of Human Services. Following this review the Building Official shall determine and establish the maximum number of persons allowed to reside within the Facility. 3) State of Utah Department of Human Services License. At the time of application for a Conditional Use permit to establish a Residential Facility for Persons with a Disability, or within forty five (45) days following approval of a Conditional Use permit to establish a Residential Facility for Persons with a Disability, the owner or provider shall provide to the Zoning Administrator evidence that the Facility is licensed by the State of Utah Department of Human Services for the type of Facility being considered by the City. The Council shall condition any Conditional Use approval on the presentation of evidence that the Facility is licensed by the State of Utah Department of Human Services, as required by this Section. Failure to provide such evidence shall be grounds for the City to invalidate any existing or pending approvals. 4) Continued Compliance with the Licensure Requirements of the Department of Human Services. The responsibility to license programs, or owners or providers that operate a Residential Facility for Persons with a Disability, as well as require and monitor the provision of adequate services to consumers residing in these facilities shall rest with the State of Utah Department of Human Services. 5) Conditional Use Permit to Operate a Residential Facility for Persons with a Disability Non-transferable. A permit to operate a Residential Facility for Persons with a Disability, as authorized by this Section, is nontransferable and shall only be valid to the owner or provider identified on the application authorizing the operation of the Facility, and as identified as the owner or provider as licensed by the State of Utah Department of Human Services. A Conditional

<p>State of Utah Department of Human Services. A Conditional Use permit to operate a Residential Facility for Persons with a Disability terminates if the building is devoted to another use or if the building fails to comply with any of the standards established herein.</p> <p>12) Reasonable Accommodations. The Council shall have the authority, in reviewing an application for a Conditional Use permit to establish and operate a Residential Facility for Persons with a Disability, to modify the requirements, contained herein, if the Council determines such modifications are necessary in order to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.</p>	<p>Use permit to operate a Residential Facility for Persons with a Disability terminates if the building is devoted to another use or if the building fails to comply with any of the standards established herein.</p> <p>6) Reasonable Accommodations. The Council shall have the authority, in reviewing an application for a Conditional Use permit to establish and operate a Residential Facility for Persons with a Disability, to modify the requirements, contained herein, if the Council determines such modifications are necessary in order to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.</p>
<p>Section 1106—Sexually Oriented Business Location and Separation Requirements:</p> <p>A sexually oriented business shall be allowed subject to the following restrictions:</p> <p>4) No sexually oriented business shall be located less than five hundred feet (500') of:</p> <ul style="list-style-type: none"> a) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities; b) A public or private educational facility, including, but not limited to, child daycare facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. "School" includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school; c) A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trail, swimming pool, reservoir, athletic field, basketball or tennis court, pedestrian/bicycle path, wilderness area, or other similar public land within the City which is under the control, operation or management of the City park and recreation authorities; d) An entertainment business which is oriented primarily towards children or family entertainment; or e) Any private club or tavern; f) A boundary of a "residential district", as defined in the zoning code; or g) The property line of a lot devoted to a "residential use", as defined in the zoning code. <p>5) No sexually oriented business shall be located within two hundred feet (200') of the nearest right of way line from Riverdale Road, 1900 West, 5600 South and Hinckley Drive.</p> <p>6) For the purpose of this subsection, measurements shall be made in a straight line, without regard to the intervening structures or objects from the nearest portion of the building or structure used as part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in this subsection. Presence of a City, County, or other political subdivision boundary shall</p>	<p>Section 1106—Sexually Oriented Business Location and Separation Requirements:</p> <p>A sexually oriented business shall be allowed subject to the following restrictions:</p> <p>1) No sexually oriented business shall be located less than five hundred feet (500') of:</p> <ul style="list-style-type: none"> a) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities; b) A public or private educational facility, including, but not limited to, child daycare facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. "School" includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school; c) A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trail, swimming pool, reservoir, athletic field, basketball or tennis court, pedestrian/bicycle path, wilderness area, or other similar public land within the City which is under the control, operation or management of the City park and recreation authorities; d) An entertainment business which is oriented primarily towards children or family entertainment; or e) Any private club or tavern; f) A boundary of a "residential district", as defined in the zoning code; or g) The property line of a lot devoted to a "residential use", as defined in the zoning code. <p>2) No sexually oriented business shall be located within two hundred feet (200') of: the nearest right of way line from Riverdale Road, 1900 West, 5600 South and Hinckley Drive.</p> <ul style="list-style-type: none"> a) A boundary of a "residential district", as defined in the Zoning Code; or b) The property line of a lot devoted to a "residential use", as defined in the zoning code. <p>3) No sexually oriented business shall be located within one hundred (100) feet of the nearest right-of-way line from 1900 West.</p>

<p>be irrelevant for purposes of calculating and applying the distance requirements of this subsection.</p> <p>7) For the purpose of this subsection, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.</p> <p>8) Notwithstanding anything contrary contained in Title 9, Chapter 4 of the Roy City Municipal Code, the more restrictive requirements for signs shall prevail. Signs for sexually oriented businesses shall be limited as follows:</p> <ul style="list-style-type: none"> a) No more than one exterior sign shall be allowed. b) No sign shall be allowed to exceed eighteen (18) square feet. c) No animation shall be permitted on or around any sign or on the exterior walls or roof of such premises. d) No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sign. Said signs shall contain alphanumeric copy only. e) Only flat wall signs and/or awning signs shall be permitted. f) Painted wall advertising shall not be allowed. g) Other than the signs specifically allowed by this subsection, sexually oriented businesses shall not attach, construct, or allow to be attached or constructed, any temporary signs, banner, light, or other device designed to draw attention to the business location. 	<p>4) For the purpose of this subsection, measurements shall be made in a straight line, without regard to the intervening structures or objects from the nearest portion of the building or structure used as part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in this subsection. Presence of a City, County, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this subsection.</p> <p>5) For the purpose of this subsection, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.</p> <p>6) Notwithstanding anything contrary contained in Title 9 13, Chapter 4 of the Roy City Municipal Code, the more restrictive requirements for signs shall prevail. Signs for sexually oriented businesses shall be limited as follows:</p> <ul style="list-style-type: none"> a) No more than one exterior sign shall be allowed. b) No sign shall be allowed to exceed eighteen (18) square feet. c) No animation shall be permitted on or around any sign or on the exterior walls or roof of such premises. d) No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sign. Said signs shall contain alphanumeric copy only. e) Only flat wall signs and/or awning signs shall be permitted. f) Painted wall advertising shall not be allowed. g) Other than the signs specifically allowed by this subsection, sexually oriented businesses shall not attach, construct, or allow to be attached or constructed, any temporary signs, banner, light, or other device designed to draw attention to the business location.
<p>Section 1107—Mobile Home Parks Development Requirements:</p> <p>The purpose of this Section is to provide regulations for the construction and operation of mobile home parks, recreation coach parks and the use of the same in the City in order to promote, protect and secure the public health, safety and general welfare.</p> <p>3) Site Development Standards:</p> <ul style="list-style-type: none"> a) Access: All mobile home parks and recreational coach parks shall have access to a collector street if directly abutting thereon. Parks not abutting a collector street shall show several direct routes to a collector street in order that the traffic may be dispersed along several routes. b) Park Density: In no case may density in the mobile home park exceed seven and one-half (7 1/2) mobile homes per gross acre, and in the recreational coach park, gross density shall not exceed twenty five (25) units per acre. c) Enclosure of Mobile Home Park: The following provisions are applicable in providing buffers between other zone classification properties abutting the mobile home park, recreational coach park or abutments to public rights of way: 	<p>Section 1107—Mobile Home Parks Development Requirements:</p> <p>The purpose of this Section is to provide regulations for the construction and operation of mobile home parks, recreation coach parks and the use of the same in the City in order to promote, protect and secure the public health, safety and general welfare.</p> <p>1) Site Development Standards:</p> <ul style="list-style-type: none"> a) Access: All mobile home parks and recreational coach parks shall have access to a collector street if directly abutting thereon. Parks not abutting a collector street shall show several direct routes to a collector street in order that the traffic may be dispersed along several routes. b) Park Density: In no case may density in the mobile home park exceed seven and one-half (7 1/2) mobile homes per gross acre, and in the recreational coach park, gross density shall not exceed twenty five (25) units per acre. c) Enclosure of Mobile Home Park: The following provisions are applicable in providing buffers between other zone classification properties abutting the mobile home park, recreational coach park or abutments to public rights of way: <ul style="list-style-type: none"> i) A greenbelt planting strip of not less than twenty

<ul style="list-style-type: none"> i) A greenbelt planting strip of not less than twenty feet (20') in width shall be placed along the perimeter of the park where it abuts public rights of way or an area in any other zone classification. Mobile home setbacks shall be in addition to the twenty foot (20') greenbelt. The greenbelt shall be developed with a mixture of hardy deciduous and coniferous plant material, grass or ground cover, as approved by the Commission; or ii) A continual ornamental wall or decorative fence, erected inside property lines abutting other zones and at least six feet (6') from property line abutting public rights of way. All walls or fences on right of way or street corners shall meet sight triangle requirements of City ordinances. Any such wall or fence shall be landscaped with suitable material along both sides of such wall or fence for the total length along rights of way or streets. Wall or fence used on interior property lines shall be landscaped on the park sides. The ornamental wall or fence and landscape materials shall be built to such heights and in such a manner as approved by the Commission and it shall not be necessary for such wall or fence heights to comply with the fence regulations; or iii) Any combination of the two (2) above described methods may be used with approval of the Commission. d) Frontage: All mobile home lots must front on interior mobile home park private streets. None may front on a public thoroughfare. e) Fencing for Individual Mobile Home Lots: Mobile lots in a mobile home park may not have separate individualized fencing around the lot. f) Landscaping: A separate landscape planting design sheet shall be submitted to the Commission during the final approval process. There shall be provided at least two (2) deciduous trees of minimum one and one-half inch (1 1/2") caliper for each mobile home lot. There shall also be provided at the front or rear of the lots at least one evergreen tree for every three (3) lots. Dead trees shall be replaced. g) Lot Standards: Each single wide mobile home lot shall contain a minimum area of three thousand (3,000) square feet with a minimum width of forty feet (40') fronting on a driveway; lots for double wide mobile homes shall contain a minimum area of four thousand (4,000) square feet with a minimum width of fifty feet (50') fronting on a driveway; provided, however, that: <ul style="list-style-type: none"> i) Lots larger than the above minimum sizes may be required where it is determined that said lot size will: <ol style="list-style-type: none"> (1) Be consistent with the general pattern established by mobile home parks in the vicinity; or (2) Be necessary to accommodate mobile home sizes as stated in the mobile home park preliminary plans submitted. ii) Lots on curved driveways or cul-de-sacs where lot lines are either converging or diverging from the front to the rear of the lot shall have an average width of at least thirty feet (30'), but in no case shall their frontage on a driveway be less than twenty 	<ul style="list-style-type: none"> feet (20') in width shall be placed along the perimeter of the park where it abuts public rights of way or an area in any other zone classification. Mobile home setbacks shall be in addition to the twenty foot (20') greenbelt. The greenbelt shall be developed with a mixture of hardy deciduous and coniferous plant material, grass or ground cover, as approved by the Commission; or ii) A continual ornamental wall or decorative fence, erected inside property lines abutting other zones and at least six feet (6') from property line abutting public rights of way. All walls or fences on right of way or street corners shall meet sight triangle requirements of City ordinances. Any such wall or fence shall be landscaped with suitable material along both sides of such wall or fence for the total length along rights of way or streets. Wall or fence used on interior property lines shall be landscaped on the park sides. The ornamental wall or fence and landscape materials shall be built to such heights and in such a manner as approved by the Commission and it shall not be necessary for such wall or fence heights to comply with the fence regulations; or iii) Any combination of the two (2) above described methods may be used with approval of the Commission. d) Frontage: All mobile home lots must front on interior mobile home park private streets. None may front on a public thoroughfare. e) Fencing for Individual Mobile Home Lots: Mobile lots in a mobile home park may not have separate individualized fencing around the lot. f) Landscaping: A separate landscape planting design sheet shall be submitted to the Commission during the final approval process. There shall be provided at least two (2) deciduous trees of minimum one and one-half inch (1 1/2") caliper for each mobile home lot. There shall also be provided at the front or rear of the lots at least one evergreen tree for every three (3) lots. Dead trees shall be replaced. g) Lot Standards: Each single wide mobile home lot shall contain a minimum area of three thousand (3,000) square feet with a minimum width of forty feet (40') fronting on a driveway; lots for double wide mobile homes shall contain a minimum area of four thousand (4,000) square feet with a minimum width of fifty feet (50') fronting on a driveway; provided, however, that: <ul style="list-style-type: none"> i) Lots larger than the above minimum sizes may be required where it is determined that said lot size will: <ol style="list-style-type: none"> (1) Be consistent with the general pattern established by mobile home parks in the vicinity; or (2) Be necessary to accommodate mobile home sizes as stated in the mobile home park preliminary plans submitted. ii) Lots on curved driveways or cul-de-sacs where lot lines are either converging or diverging from the front to the rear of the lot shall have an average width of at least thirty feet (30'), but in no case shall their frontage on a driveway be less than twenty five feet (25'). h) Minimum Off-Street Parking Requirements: Adequate hard surface paving shall be provided for off street
---	---

five feet (25').

- h) Minimum Off-Street Parking Requirements: Adequate hard surface paving shall be provided for off street parking, vehicle storage and access in accordance with the following:
- i) Each mobile home lot shall be provided with off street parking space for two (2) vehicles. This may be provided totally on the lot, or in the parking compounds conveniently located and readily accessible to the lot which they are intended to serve, or as a combination of the above; but at least one off street parking space shall be provided on the same lot as the mobile home.
 - ii) Sufficient space shall be provided, in accordance with acceptable standards of the Commission, to fit the scale of the contemplated use and activity to be developed.
 - iii) Each parking space shall have a minimum width of nine feet (9') and a minimum depth of twenty feet (20'). All parking spaces and parking compounds shall be surfaced with an asphalt or concrete surfacing in accordance with specifications approved by the City Engineer. Such facilities shall be so drained as to dispose of all surface water accumulated in the parking area.
 - iv) A separate parking area for recreational vehicles shall be provided at a ratio of one space per four (1:4) mobile home lots. Automobiles or other vehicles being repaired or maintained shall not be permitted on the individual lots. Adequate screening of fences and landscaping shall enclose the area from the living areas of the mobile home park.
 - v) Guest, service and delivery parking shall be provided throughout the park at recreational buildings, service buildings and other convenient locations at a ratio of one space for every five (5) lots.
- i) Mobile Home Height Limits: Maximum height of mobile homes is one and one-half (1 1/2) stories or twenty feet (20').
- j) On Site Laundry Drying Space: On site outdoor laundry drying space of adequate area and suitable location shall be provided if the park is not furnished with indoor dryers or if use of indoor dryers is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities on each lot of the collapsible umbrella type of hanging apparatus shall be allowed in the rear yard only, with park management providing a concrete imbedded sprocket at each site.
- k) Pads: Each mobile home lot shall be provided with a concrete double runner or solid pad which shall run parallel to the length of the lot and shall be not less than four inches (4") in depth or of equal bearing strength if reinforced concrete is used. Each runner shall be at least three feet (3') wide. Minimum pad dimensions for single wide mobile homes shall be twelve feet by sixty feet (12' x 60'); minimum pad dimensions for double wide mobile homes shall be twenty four feet by sixty feet (24' x 60'). Anchor rings shall be provided every fifteen feet (15') in the parking pad, the design of which shall be approved

parking, vehicle storage and access in accordance with the following:

- i) Each mobile home lot shall be provided with off street parking space for two (2) vehicles. This may be provided totally on the lot, or in the parking compounds conveniently located and readily accessible to the lot which they are intended to serve, or as a combination of the above; but at least one off street parking space shall be provided on the same lot as the mobile home.
 - ii) Sufficient space shall be provided, in accordance with acceptable standards of the Commission, to fit the scale of the contemplated use and activity to be developed.
 - iii) Each parking space shall have a minimum width of nine feet (9') and a minimum depth of twenty feet (20'). All parking spaces and parking compounds shall be surfaced with an asphalt or concrete surfacing in accordance with specifications approved by the City Engineer. Such facilities shall be so drained as to dispose of all surface water accumulated in the parking area.
 - iv) A separate parking area for recreational vehicles shall be provided at a ratio of one space per four (1:4) mobile home lots. Automobiles or other vehicles being repaired or maintained shall not be permitted on the individual lots. Adequate screening of fences and landscaping shall enclose the area from the living areas of the mobile home park.
 - v) Guest, service and delivery parking shall be provided throughout the park at recreational buildings, service buildings and other convenient locations at a ratio of one space for every five (5) lots.
- i) Mobile Home Height Limits: Maximum height of mobile homes is one and one-half (1 1/2) stories or twenty feet (20').
- j) On Site Laundry Drying Space: On site outdoor laundry drying space of adequate area and suitable location shall be provided if the park is not furnished with indoor dryers or if use of indoor dryers is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities on each lot of the collapsible umbrella type of hanging apparatus shall be allowed in the rear yard only, with park management providing a concrete imbedded sprocket at each site.
- k) Pads: Each mobile home lot shall be provided with a concrete double runner or solid pad which shall run parallel to the length of the lot and shall be not less than four inches (4") in depth or of equal bearing strength if reinforced concrete is used. Each runner shall be at least three feet (3') wide. Minimum pad dimensions for single wide mobile homes shall be twelve feet by sixty feet (12' x 60'); minimum pad dimensions for double wide mobile homes shall be twenty four feet by sixty feet (24' x 60'). Anchor rings shall be provided every fifteen feet (15') in the parking pad, the design of which shall be approved by the Building Official.
- l) Park Size and Density:
- i) Mobile Homes: Minimum site size for mobile home parks shall be ten (10) acres. Park density shall not exceed seven and one-half (7 1/2)

by the Building Official.

- l) Park Size and Density:
 - i) Mobile Homes: Minimum site size for mobile home parks shall be ten (10) acres. Park density shall not exceed seven and one-half (7 1/2) mobile home units per gross acre.
 - ii) Recreational Coaches: Separate areas designated for recreational coach use may have an average density of twenty five (25) units per acre. Minimum size for a recreational coach park shall be three (3) acres.
- m) Patio: An outdoor patio area of not less than one hundred eighty (180) square feet shall be provided at each mobile home lot, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a mobile home.
- n) Recreational Requirements: A minimum of eight percent (8%) of the gross site shall be reserved for recreational development. These facilities and areas shall be designed with trees, grass, benches and equipment in relationship to park clientele. Provision of separate adult and tot lot recreational areas is encouraged. The recreational area design shall be subject to the Commission approval.
- o) Setbacks:
 - i) Setback from Park Property Line: All mobile homes and recreational coaches shall be set back not less than thirty feet (30') from all park property lines and the yard space so formed shall be landscaped or fenced in accordance with subsection C of this section, and with a site plan approved by the Commission. No structure shall be placed in the thirty foot (30') setback adjacent to a public street. Greater setbacks may be required where, in the opinion of the Commission and/or Council, such setbacks are necessary due to topographic conditions, drainage and/or protection of adjacent properties.
 - ii) Interior Park Lot Setbacks: Interior park lot setbacks for mobile home from mobile home lot line, minimum:
 - (1) Front: Five feet (5') from sidewalk; if no sidewalk, nine feet (9') from curb; but under no circumstances shall the mobile home tongue hitch be closer than two feet (2') to the sidewalk nor six feet (6') from the curb if no sidewalk.
 - (2) Side: Five feet (5') with a total of not less than thirteen feet (13') for both sides.
 - (3) Side Facing Street On Corner Lot: Fifteen feet (15') from sidewalk; if no sidewalk, nineteen feet (19') from curb.
 - (4) Rear: Twenty feet (20').
 - iii) Accessory Building: Detached accessory building may be located in the rear yard of each lot, provided the accessory building is at least six feet (6') from the main structure and two feet (2') from side and rear lot property lines. Lots backing onto public thoroughfares may not have detached accessory structures on the lot.

mobile home units per gross acre.

- ii) Recreational Coaches: Separate areas designated for recreational coach use may have an average density of twenty five (25) units per acre. Minimum size for a recreational coach park shall be three (3) acres.
 - m) Patio: An outdoor patio area of not less than one hundred eighty (180) square feet shall be provided at each mobile home lot, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a mobile home.
 - n) Recreational Requirements: A minimum of eight percent (8%) of the gross site shall be reserved for recreational development. These facilities and areas shall be designed with trees, grass, benches and equipment in relationship to park clientele. Provision of separate adult and tot lot recreational areas is encouraged. The recreational area design shall be subject to the Commission approval.
 - o) Setbacks:
 - i) Setback from Park Property Line: All mobile homes and recreational coaches shall be set back not less than thirty feet (30') from all park property lines and the yard space so formed shall be landscaped or fenced in accordance with subsection C of this section, and with a site plan approved by the Commission. No structure shall be placed in the thirty foot (30') setback adjacent to a public street. Greater setbacks may be required where, in the opinion of the Commission and/or Council, such setbacks are necessary due to topographic conditions, drainage and/or protection of adjacent properties.
 - ii) Interior Park Lot Setbacks: Interior park lot setbacks for mobile home from mobile home lot line, minimum:
 - (1) Front: Five feet (5') from sidewalk; if no sidewalk, nine feet (9') from curb; but under no circumstances shall the mobile home tongue hitch be closer than two feet (2') to the sidewalk nor six feet (6') from the curb if no sidewalk.
 - (2) Side: Five feet (5') with a total of not less than thirteen feet (13') for both sides.
 - (3) Side Facing Street On Corner Lot: Fifteen feet (15') from sidewalk; if no sidewalk, nineteen feet (19') from curb.
 - (4) Rear: Twenty feet (20').
 - iii) Accessory Building: Detached accessory building may be located in the rear yard of each lot, provided the accessory building is at least six feet (6') from the main structure and two feet (2') from side and rear lot property lines. Lots backing onto public thoroughfares may not have detached accessory structures on the lot.
- Note:** Side yard setbacks are to be in addition to that area necessary for off street parking.
- p) Site Coverage: Maximum mobile home lot coverage shall not exceed fifty percent (50%). Coverage shall mean any manmade apparatus, such as a parking space,

Note: Side yard setbacks are to be in addition to that area necessary for off street parking.

- p) Site Coverage: Maximum mobile home lot coverage shall not exceed fifty percent (50%). Coverage shall mean any manmade apparatus, such as a parking space, trailer pad, storage areas, patio and sidewalks.
- q) Skirting, Canopies and Awnings:
 - i) Each mobile home shall be skirted within ninety (90) days after establishment in a mobile home park.
 - ii) Such skirting shall be of metal, aluminum or other non-corrosive metal or material so constructed and attached to the mobile home so as to deter and prevent the entry of animals and to screen from view those materials that may be stored under the mobile home.
 - iii) Canopies and awnings shall not extend into required yard setback nor extend above the mobile home.
 - iv) A permit shall be required for construction or erection of canopies or awnings. A permit shall be required from the building inspector before construction or erection of any screened, glassed in or otherwise enclosed awning or canopy.
- r) Streets and Highways: The Council may require additional dedication and improvements on streets and highways abutting the proposed mobile home park or recreational coach park.
- s) Utilities and Other Services:
 - i) All electric, telephone and other lines from supply poles to each mobile home or lot or recreational coach space shall be underground. When meters are installed they shall be uniformly located.
 - ii) When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas. Cable TV, if desired, shall be located underground.
 - iii) Yard lights, attached to standards approved by the City, shall be provided in sufficient number and intensity to permit the safe movement of vehicles and pedestrians at night, and shall be effectively related to buildings, trees, walks, steps and ramps.
 - iv) The erection, construction, reconstruction, repair, relocation and or alteration of all permanent buildings and structures located within a park shall conform to the requirements of the building code adopted by the City.
 - v) All public utilities shall be installed to meet a capacity as determined by the City Engineer, Building Official and public utility companies.
- t) Utility Cabinet: Each mobile home lot may be provided with one metal, or other suitable material, utility cabinet, which shall be uniform as to size and location throughout the mobile home park site. All cabinets shall be kept clean and shall be maintained in good condition and kept painted and shall contain a minimum of one hundred (100) square feet of

- trailer pad, storage areas, patio and sidewalks.
- q) Skirting, Canopies and Awnings:
 - i) Each mobile home shall be skirted within ninety (90) days after establishment in a mobile home park.
 - ii) Such skirting shall be of metal, aluminum or other non-corrosive metal or material so constructed and attached to the mobile home so as to deter and prevent the entry of animals and to screen from view those materials that may be stored under the mobile home.
 - iii) Canopies and awnings shall not extend into required yard setback nor extend above the mobile home.
 - iv) A permit shall be required for construction or erection of canopies or awnings. A permit shall be required from the building inspector before construction or erection of any screened, glassed in or otherwise enclosed awning or canopy.
- r) Streets and Highways: The **Council Commission** may require additional dedication and improvements on streets and highways abutting the proposed mobile home park or recreational coach park.
- s) Utilities and Other Services:
 - i) All electric, telephone and other lines from supply poles to each mobile home or lot or recreational coach space shall be underground. When meters are installed they shall be uniformly located.
 - ii) When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas. Cable TV, if desired, shall be located underground.
 - iii) Yard lights, attached to standards approved by the City, shall be provided in sufficient number and intensity to permit the safe movement of vehicles and pedestrians at night, and shall be effectively related to buildings, trees, walks, steps and ramps.
 - iv) The erection, construction, reconstruction, repair, relocation and or alteration of all permanent buildings and structures located within a park shall conform to the requirements of the building code adopted by the City.
 - v) All public utilities shall be installed to meet a capacity as determined by the City Engineer, Building Official and public utility companies.
- t) Utility Cabinet: Each mobile home lot may be provided with one metal, or other suitable material, utility cabinet, which shall be uniform as to size and location throughout the mobile home park site. All cabinets shall be kept clean and shall be maintained in good condition and kept painted and shall contain a minimum of one hundred (100) square feet of storage area.
- u) Vehicle Travel Lanes: All roads and driveways shall be hard surfaced and so constructed as to handle all anticipated peak loads, adequately drained and lighted for safety and ease of movement of vehicles. Minimum pavement width shall be thirty six feet (36') for two-way roads, twenty four feet (24') for one-way roads and ten feet (10') for all driveways. The mobile home park and recreation coach park road system should be so designed as to prevent the use of such roads for

storage area.

- u) Vehicle Travel Lanes: All roads and driveways shall be hard surfaced and so constructed as to handle all anticipated peak loads, adequately drained and lighted for safety and ease of movement of vehicles. Minimum pavement width shall be thirty six feet (36') for two-way roads, twenty four feet (24') for one-way roads and ten feet (10') for all driveways. The mobile home park and recreation coach park road system should be so designed as to prevent the use of such roads for through traffic. The entire width of the vehicle travel lanes shall be surfaced with asphalt-concrete, plant mix, cement or other approved materials and design on suitable road base as approved by the City Engineer. Concrete curb and gutters shall be placed along both sides of all roads. Types of curbs and gutters shall reflect topographic conditions and road design. Walkways may be required on one or both sides of roads providing access to park facility. Approval of design for road system, curb and gutters and walkways will be subject to the Building Official's approval.
 - v) Walkways: Public walks meeting the specifications for the City's sidewalks shall be provided on the public street side for each mobile home site. All public walks, such as from mobile homes or recreational coaches to service buildings and along Roads and driveways, shall be at least four feet (4') in width. Walks used in common by one to three (3) units, connecting the units to a common area or primary walk, shall be at least thirty inches (30") in width. Walks may be required on only one side of drives.
- 4) Other General Requirements:
- a) Bonds to Guarantee Improvements: The developer shall be required to provide a surety or cash bond in amount determined by the Building Official guaranteeing the completion of the development of the recreational areas, open space, landscaping plans or a phase thereof. When completed in accordance with the approved plan, the bond shall be released. If not completed at the end of a two (2) year period, the City will review the progress and may proceed to use the bond funds to make the improvements with the approved plan. The bond shall be approved by the City Manager and by the City Attorney and shall be filed with the City Recorder.
 - b) Certificate of Occupancy: Twenty five (25) mobile home lots and twenty five (25) recreational coach spaces must be completed and ready for use before the first occupancy is permitted. Upon completion of any such mobile home park or recreational coach park, the owner or operator of said park shall make an application to be in writing upon the form provided by said office and shall be filed not less than ten (10) days nor more than twenty (20) days before the park is ready for use. The Building Official shall thereupon make a final inspection of the park referred to in said application and if found to be in conformity with the requirements of this and other ordinances of the City, said department shall forward to the County Health Department a written Certificate of Occupancy.
 - c) Drainage and Flood Hazards: A mobile home park or recreational coach park shall be located on a well-drained site, properly graded to provide for adequate

through traffic. The entire width of the vehicle travel lanes shall be surfaced with asphalt-concrete, plant mix, cement or other approved materials and design on suitable road base as approved by the City Engineer. Concrete curb and gutters shall be placed along both sides of all roads. Types of curbs and gutters shall reflect topographic conditions and road design. Walkways may be required on one or both sides of roads providing access to park facility. Approval of design for road system, curb and gutters and walkways will be subject to the Building Official's approval.

- v) Walkways: Public walks meeting the specifications for the City's sidewalks shall be provided on the public street side for each mobile home site. All public walks, such as from mobile homes or recreational coaches to service buildings and along Roads and driveways, shall be at least four feet (4') in width. Walks used in common by one to three (3) units, connecting the units to a common area or primary walk, shall be at least thirty inches (30") in width. Walks may be required on only one side of drives.
- 2) Other General Requirements:
- a) Bonds to Guarantee Improvements: The developer shall be required to provide a surety or cash bond in amount determined by the Building Official guaranteeing the completion of the development of the recreational areas, open space, landscaping plans or a phase thereof. When completed in accordance with the approved plan, the bond shall be released. If not completed at the end of a two (2) year period, the City will review the progress and may proceed to use the bond funds to make the improvements with the approved plan. The bond shall be approved by the City Manager and by the City Attorney and shall be filed with the City Recorder.
 - b) Certificate of Occupancy: Twenty five (25) mobile home lots and twenty five (25) recreational coach spaces must be completed and ready for use before the first occupancy is permitted. Upon completion of any such mobile home park or recreational coach park, the owner or operator of said park shall make an application to be in writing upon the form provided by said office and shall be filed not less than ten (10) days nor more than twenty (20) days before the park is ready for use. The Building Official shall thereupon make a final inspection of the park referred to in said application and if found to be in conformity with the requirements of this and other ordinances of the City, said department shall forward to the County Health Department a written Certificate of Occupancy.
 - c) Drainage and Flood Hazards: A mobile home park or recreational coach park shall be located on a well-drained site, properly graded to provide for adequate disposition of runoff. Such areas shall be free of flood hazards from natural sources. The **Council Commission** may require dedications and improvements which will ensure proper protection to the park in accordance with this subsection.
 - d) Fee for Permit: A fee for each mobile home park construction permit shall be paid to the Building Official at the time of the filing of the application therefore. Said fee shall be in addition to all other building, electrical, plumbing and other fees required for work included in the construction. Said fee shall be determined by the Council.

disposition of runoff. Such areas shall be free of flood hazards from natural sources. The Council may require dedications and improvements which will ensure proper protection to the park in accordance with this subsection.

- d) Fee for Permit: A fee for each mobile home park construction permit shall be paid to the Building Official at the time of the filing of the application therefore. Said fee shall be in addition to all other building, electrical, plumbing and other fees required for work included in the construction. Said fee shall be determined by the Council.
- e) Inspector's Authority: The Building Official is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this chapter and regulations issued hereunder and may take such steps to enforce compliance with the law.
- f) License and Certificate Requirements: It shall be unlawful for any person to operate any mobile home park or recreational coach park unless he obtains a license from the City's license division and a certificate of occupancy from the Building Official.
- g) Mobile Homes and Recreational Coaches Placed in Parks:
 - i) No occupied mobile home shall be located anywhere within the City except in a licensed mobile home park. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park will be permitted for a period not exceeding twenty four (24) hours. This does not include mobile home sales areas.
 - ii) Recreational coaches which do not include the facilities necessary to be a "mobile home", as defined herein, shall not be used as a place of abode at any place in the City, at any time, for living quarters except in designated camping areas or overnight trailer parks.
- h) Modification in Design: Where mobile home parks or recreational coach parks are submitted for approval which, although not complying with the requirements of design as stated in this section, are consistent with the general intent and purpose of this chapter, the Commission shall review the park design and make recommendations to the Council, which may, at its discretion, approve such parks with conditions and restrictions which will ensure that the general purpose set forth herein will be satisfied.
- i) Permit Requirements: It is unlawful for any person to construct, enlarge, alter, improve or convert any park or to improve any lands for use as a park, or to cause the same to be done, unless such person holds a valid and existing permit issued by the building inspector for the performance of such work.
- j) Power to Enter: The Building Official shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter and regulations issued hereunder.
- k) Zoning: All mobile home parks and recreational coach parks shall be located within the appropriate zone as designated in herein.

- e) Inspector's Authority: The Building Official is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this chapter and regulations issued hereunder and may take such steps to enforce compliance with the law.
- f) License and Certificate Requirements: It shall be unlawful for any person to operate any mobile home park or recreational coach park unless he obtains a license from the City's license division and a certificate of occupancy from the Building Official.
- g) Mobile Homes and Recreational Coaches Placed in Parks:
 - i) No occupied mobile home shall be located anywhere within the City except in a licensed mobile home park. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park will be permitted for a period not exceeding twenty four (24) hours. This does not include mobile home sales areas.
 - ii) Recreational coaches which do not include the facilities necessary to be a "mobile home", as defined herein, shall not be used as a place of abode at any place in the City, at any time, for living quarters except in designated camping areas or overnight trailer parks.
- h) Modification in Design: Where mobile home parks or recreational coach parks are submitted for approval which, although not complying with the requirements of design as stated in this section, are consistent with the general intent and purpose of this chapter, the Commission shall review the park design ~~and make recommendations to the Council, which may~~, at its discretion, approve such parks with conditions and restrictions which will ensure that the general purpose set forth herein will be satisfied.
- i) Permit Requirements: It is unlawful for any person to construct, enlarge, alter, improve or convert any park or to improve any lands for use as a park, or to cause the same to be done, unless such person holds a valid and existing permit issued by the building inspector for the performance of such work.
- j) Power to Enter: The Building Official shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter and regulations issued hereunder.
- k) Zoning: All mobile home parks and recreational coach parks shall be located within the appropriate zone as designated in herein.

Section 1108—Amateur Radio Antennas

- 1) Purpose: The following requirements are provided in order to protect the public health and safety of City residents while providing and allowing reasonable accommodation for amateur radio communications, as provided by Section 10-9a- 515 U.C.A. The following requirements for the location and operation of amateur radio antennas are hereby found by the City Council to be the minimal practical regulation necessary to achieve the purposes of this Section.
- 2) Conditional Use Application Required:
 - a) A request to establish an amateur radio antenna shall be initiated by filing a conditional Use application with the City.
 - b) The review of a Conditional Use application to establish an amateur radio antenna shall be reviewed and approved, approved with conditions, or denied by the Council by following the procedures and requirements for a Conditional Use Permit, as provided herein.
- 3) Location: No amateur radio antenna, or its associated support structure(s), shall be located within any required front yard, side yard, or rear yard of the lot on which the antenna is proposed, as required by the Zoning District in which the lot is located.
- 4) Height:
 - a) No amateur radio antenna, or its associated support structure(s), shall be erected to a height greater than the distance measured from the base of the proposed amateur radio antenna to the closest property line of the lot or parcel on which the amateur radio antenna is located.
 - b) The height of an amateur radio antenna shall be measured from the ground level immediately adjacent to the base of the antenna to the highest point of the amateur radio antenna.
- 5) Mounting: The amateur radio antenna, and its support structure(s), shall be designed to withstand a wind force of 80 miles per hour without the use of supporting guy wires or similar supporting structures.
- 6) Building Permit Required: The establishment of an amateur radio antenna shall require the approval of a building permit, as may be required by the adopted building codes.
- 7) Airport Zoning Regulations: All amateur radio antennas shall comply with all applicable provisions of the Airport Overlay regulations of Roy City, as applicable.
- 8) Reasonable Accommodations: As required by the Section 10-9a-515 U.C.A. and the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R Part 97, the Council, in reviewing an application to establish an amateur radio, may to the extend necessary modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford an Amateur Radio Operator amateur radio communications.

Section 1108—Amateur Radio Antennas

- 1) Purpose: The following requirements are provided in order to protect the public health and safety of City residents while providing and allowing reasonable accommodation for amateur radio communications, as provided by Section 10-9a- 515 U.C.A. The following requirements for the location and operation of amateur radio antennas are hereby found by the City Council to be the minimal practical regulation necessary to achieve the purposes of this Section.
- ~~2) Conditional Use Application Required:

 - a) A request to establish an amateur radio antenna shall be initiated by filing a conditional Use application with the City.
 - b) The review of a Conditional Use application to establish an amateur radio antenna shall be reviewed and approved, approved with conditions, or denied by the Council by following the procedures and requirements for a Conditional Use Permit, as provided herein.~~
- 3) Location: No amateur radio antenna, or its associated support structure(s), shall be located within any required front yard, side yard, or rear yard setbacks of the lot on which the antenna is proposed, as required by the Zoning District in which the lot is located.
- 4) Height:
 - a) No amateur radio antenna, or its associated support structure(s), shall be erected to a height greater than the distance measured from the base of the proposed amateur radio antenna to the closest property line of the lot or parcel on which the amateur radio antenna is located.
 - b) The height of an amateur radio antenna shall be measured from the ground level immediately adjacent to the base of the antenna to the highest point of the amateur radio antenna.
- 5) Mounting: The amateur radio antenna, and its support structure(s), shall be designed to withstand a wind force of 80 miles per hour without the use of supporting guy wires or similar supporting structures.
- 6) Building Permit Required: The establishment of an amateur radio antenna shall require the approval of a building permit, as may be required by the adopted building codes.
- 7) Airport Zoning Regulations: All amateur radio antennas shall comply with all applicable provisions of the Airport Overlay regulations of Roy City, as applicable.
- 8) Reasonable Accommodations: As required by the Section 10-9a-515 U.C.A. and the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R Part 97, the ~~Council~~ **Zoning Administrator**, in reviewing an application to establish an amateur radio, may to the extend necessary modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford an Amateur Radio Operator amateur radio communications.

Section 1110 —Supplementary Development Standards for Multi-family Developments

The purpose of this Section is to provide supplementary regulations and standards for the development and construction of vibrant, quality

Section 1110 —Supplementary Development Standards for Multi-family Developments

The purpose of this Section is to provide supplementary regulations and standards for the development and construction of vibrant, quality

multiple family housing developments that enhance and contribute to the quality of the overall housing stock of the City, and which will promote, protect, and secure the public health, safety and general welfare.

- 2) Multi-Family Development – Multi-Family Developments include projects or developments of more than six (6) units where all or any portion of the proposed dwelling units intended for residential occupation share common walls among two or more units, or projects or developments of any number of units that share property outside the dwelling unit in common among one or more owners. Applications for Multi-Family Developments, as herein defined, shall require Conditional Use review and approval under the guidance of this Section.
- 3) Site Requirements – The provisions and requirements for Multi-Family Development as contained in tables 10-1 and 10-3 of Chapter 10 of the Roy City Zoning Ordinance shall apply except as otherwise noted by this Section.
- 4) Unit Requirements – The following standards and regulations must be considered and applied in the layout and design of Multi-Family Developments:
 - a) Number of Units per Building. The City may limit the number of units per building allowed on the basis of perceived building mass, perceived densities or compatibility with surrounding areas, and to improve the function of the site.
 - b) Height – Maximum building height is thirty-five feet (35'). Additionally, all multi-family structures of two stories or more will be reviewed with respect to the following elements: perceived height, building mass, compatibility with existing development, and compatibility with future development in the area. It is the developer's obligation to demonstrate sensitivity to and mitigation of the impacts of height.
 - c) Additional Height – A Conditional Use may be granted allowing additional height up to 60' under special circumstances as follows:
 - (i) Transit Oriented. Developments in close proximity to Commuter Rail or other major hubs of public transit may be granted an exception for additional height if it can be demonstrated that the additional height will not negatively impact the surrounding neighborhoods both commercial and residential, will contribute to the success of the project, and results in a better and more livable design.
 - (ii) Public Purpose. Developments seeking to further a goal or purpose identified by the City which can be facilitated by an exception may be granted additional height if it can be demonstrated that the exception will in fact provide an amenity to the City and/or neighborhood, further the goals of the City toward such a public amenity, or provide the betterment of an existing amenity that benefits the larger City and neighborhood. It must also be demonstrated that the additional height will be used in manner that does not negatively impact the surrounding neighborhoods, commercial or residential.
- 5) Access and Circulation –To ensure appropriate access and circulation, the following standards shall apply to all Multi-Family Developments:
 - a) Access to Public Right-Of-Way. All Multi-Family development must have access to the public right-of-way. Vehicular service to individual units and buildings may be provided by private access-ways and roads. All private

multiple family housing developments that enhance and contribute to the quality of the overall housing stock of the City, and which will promote, protect, and secure the public health, safety and general welfare.

- 1) Multi-Family Development – Multi-Family Developments include projects or developments of more than six (6) units where all or any portion of the proposed dwelling units intended for residential occupation share common walls among two or more units, or projects or developments of any number of units that share property outside the dwelling unit in common among one or more owners. Applications for Multi-Family Developments, as herein defined, shall require ~~Conditional Use~~ **Site Plan** review and approval under the guidance of this Section.
- 2) Site Requirements – The provisions and requirements for Multi-Family Development as contained in tables 10-1 and 10-3 of Chapter 10 of the Roy City Zoning Ordinance shall apply except as otherwise noted by this Section.
- 3) Unit Requirements – The following standards and regulations must be considered and applied in the layout and design of Multi-Family Developments:
 - a) Number of Units per Building. The City may limit the number of units per building allowed on the basis of perceived building mass, perceived densities or compatibility with surrounding areas, and to improve the function of the site.
 - b) Height – Maximum building height is thirty-five feet (35'). Additionally, all multi-family structures of two stories or more will be reviewed with respect to the following elements: perceived height, building mass, compatibility with existing development, and compatibility with future development in the area. It is the developer's obligation to demonstrate sensitivity to and mitigation of the impacts of height.
 - c) Additional Height – ~~A Conditional Use may~~ **May** be granted allowing additional height up to 60' under special circumstances as follows:
 - (i) Transit Oriented. Developments in close proximity to Commuter Rail or other major hubs of public transit may be granted an exception for additional height if it can be demonstrated that the additional height will not negatively impact the surrounding neighborhoods both commercial and residential, will contribute to the success of the project, and results in a better and more livable design.
 - (ii) Public Purpose. Developments seeking to further a goal or purpose identified by the City which can be facilitated by an exception may be granted additional height if it can be demonstrated that the exception will in fact provide an amenity to the City and/or neighborhood, further the goals of the City toward such a public amenity, or provide the betterment of an existing amenity that benefits the larger City and neighborhood. It must also be demonstrated that the additional height will be used in manner that does not negatively impact the surrounding neighborhoods, commercial or residential.
- 4) Access and Circulation –To ensure appropriate access and circulation, the following standards shall apply to all Multi-Family Developments:
 - a) Access to Public Right-Of-Way. All Multi-Family development must have access to the public right-of-way. Vehicular service to individual units and buildings may be provided by private access-ways and roads. All private

<p>roads and accesses within a Multi-Family Development shall be designated easements for public access, utility and drainage.</p> <p>b) Intersection. The intersection of the access to the development and the public right-of-way must provide no less than thirty-six (36) feet of passable asphalt for a distance to be determined by the City Engineer. Reduced widths of passable asphalt at the intersection may be approved to a minimum of thirty (30) feet by the City Engineer.</p> <p>c) Width. All access and roadways must provide a minimum of twenty-eight (28) feet of passable asphalt surface. If the design includes a parking component on one side of an access or roadway, a minimum of thirty-two (32) feet of passable asphalt is required.</p> <p>d) Pedestrian Access. All accesses and roadways within multi-family projects must provide appropriate pedestrian access to the private or public rights-of-way, and continuous pedestrian access throughout the project on at least one side of the roadway or access. Additionally, pedestrian access to individual buildings not adjacent to a parking area or roadway must also be provided.</p> <p>e) Interconnectivity & Circulation. All multi-family development must provide a plan for the integration of proposed buildings, pedestrian and vehicle circulation patterns, parking areas and other systems of interconnected streets, walkways, trails and parking areas to facilitate development or re-development of adjacent and neighboring parcels as may be necessary.</p> <p>f) Utilities & Service. All multi-family development must provide a plan for the appropriate installation of utilities on site. The plan must address the potential looping of lines and future connection to facilitate development or re-development of adjacent and neighboring parcels. All multi-family development must also plan for the provision of other services as may be needed, such as waste collection and snow removal.</p> <p>6) Parking – Appropriate parking is required for all units, as contained in Chapter 19 of the Roy City Zoning Ordinance, with the following additional considerations:</p> <p>a) Reduction. A reduction in parking ratio requirements may be approved if it can be demonstrated that such a reduction of requirements is appropriate because of proximity to a major public transit facility, and will result in an improvement of one or more components of design.</p> <p>b) Parking Orientation. Parking areas should be located throughout the proposed development, and where possible must be de-centralized. Where larger parking areas are necessary, buffering of the adjacent development components and of adjacent properties will be required.</p> <p>7) Coverage – Maximum coverage of all impervious surfaces in Multi-Family Developments may not exceed a range between 40% - 55%. Factors considered in determining the appropriate impervious surface coverage allowed shall include, but not be limited to, the following: project size, density, adjacent densities, the nature of amenities provided by the proposed development, and the use of pervious and semi-pervious concretes, pavers, permeable paving, and other technology that allows hard surfacing which is not fully impervious.</p> <p>8) Density Bonus. In the R-3 and R-4 zoning districts, an increase in density, up to a total of fifteen (15) units per acre, may be awarded for projects providing exceptional open space creation, green infrastructure preservation or enhancement, the use of sustainable development techniques or construction materials, exceptional amenities, or amenities that are relatable to and provide interconnection with the larger community</p>	<p>roads and accesses within a Multi-Family Development shall be designated easements for public access, utility and drainage.</p> <p>b) Intersection. The intersection of the access to the development and the public right-of-way must provide no less than thirty-six (36) feet of passable asphalt for a distance to be determined by the City Engineer. Reduced widths of passable asphalt at the intersection may be approved to a minimum of thirty (30) feet by the City Engineer.</p> <p>c) Width. All access and roadways must provide a minimum of twenty-eight (28) feet of passable asphalt surface. If the design includes a parking component on one side of an access or roadway, a minimum of thirty-two (32) feet of passable asphalt is required.</p> <p>d) Pedestrian Access. All accesses and roadways within multi-family projects must provide appropriate pedestrian access to the private or public rights-of-way, and continuous pedestrian access throughout the project on at least one side of the roadway or access. Additionally, pedestrian access to individual buildings not adjacent to a parking area or roadway must also be provided.</p> <p>e) Interconnectivity & Circulation. All multi-family development must provide a plan for the integration of proposed buildings, pedestrian and vehicle circulation patterns, parking areas and other systems of interconnected streets, walkways, trails and parking areas to facilitate development or re-development of adjacent and neighboring parcels as may be necessary.</p> <p>f) Utilities & Service. All multi-family development must provide a plan for the appropriate installation of utilities on site. The plan must address the potential looping of lines and future connection to facilitate development or re-development of adjacent and neighboring parcels. All multi-family development must also plan for the provision of other services as may be needed, such as waste collection and snow removal.</p> <p>5) Parking – Appropriate parking is required for all units, as contained in Chapter 19 of the Roy City Zoning Ordinance, with the following additional considerations:</p> <p>a) Reduction. A reduction in parking ratio requirements may be approved if it can be demonstrated that such a reduction of requirements is appropriate because of proximity to a major public transit facility, and will result in an improvement of one or more components of design.</p> <p>b) Parking Orientation. Parking areas should be located throughout the proposed development, and where possible must be de-centralized. Where larger parking areas are necessary, buffering of the adjacent development components and of adjacent properties will be required.</p> <p>6) Coverage – Maximum coverage of all impervious surfaces in Multi-Family Developments may not exceed a range between 40% - 55%. Factors considered in determining the appropriate impervious surface coverage allowed shall include, but not be limited to, the following: project size, density, adjacent densities, the nature of amenities provided by the proposed development, and the use of pervious and semi-pervious concretes, pavers, permeable paving, and other technology that allows hard surfacing which is not fully impervious.</p> <p>7) Density Bonus. In the R-3 and R-4 zoning districts, an increase in density, up to a total of fifteen (15) units per acre, may be awarded for projects providing exceptional open space creation, green infrastructure preservation or enhancement, the use of sustainable development techniques or construction materials, exceptional amenities, or amenities that are relatable to and provide interconnection with the larger community</p>
--	--

(examples may include an amphitheater, public access park, extension of an adjacent park or addition of facilities, trails, trail-heads, etc.).

- 9) Open Space and Amenities Required – All Multi-Family Developments shall provide a plan for open space and amenities in accordance with the following:
- a) Open Space. All Multi-Family Developments shall provide a minimum base open space of twenty percent (20%) for projects up to 20 units. Developments with more than twenty (20) units shall provide between 25% and 30% base open space. Base open space must consist of specifically planned, usable or preserved areas. Remnant, unused areas within a project may not be included in the calculation of base open space. If sustainable techniques and materials are successfully incorporated into the development (for example, high-albedo or garden roofs), a proportion of the open-space and amenity requirement may be reduced.
 - b) Common Amenity Required. All Multi-Family Developments are required to plan for and to provide specific amenities within the open space. Amenities must be usable and accessible to all units in the development.
 - c) Preserved Amenity/Open Space. The preservation of existing open spaces as an amenity should be encouraged (creeks, tree-stands, slopes, etc.). To that end, the developer may propose such preservation to satisfy the requirements of this Section in whole or in part. Preserved open space must be nearly adjacent to a minimum of fifty percent (50%) of the units in a development if the preserved open space is intended to satisfy the entirety of the requirement under this Section.
 - d) Pedestrian and Trail Connections. Continuous pedestrian walkways and trails may be a component of the open space and amenity requirements. Where determined to be applicable, connection of such pathways to sidewalks or trails in the larger area is required.
 - e) Community Oriented Amenities & Open Space. Where it is possible to relate the amenities and/or open space of Multi-Family development to the larger community, to adjacent public open space or recreation infrastructure, or to the amenities and open space of adjoining projects, the developer may propose such variations, reductions or modifications as are appropriate to facilitate that end. The City may approve the variations, reductions or modifications, upon finding that the plan to adjoin or enhance outside open space and amenities also contributes to the stabilization of surrounding neighborhoods, the adaptive re-use of amenities and areas, and will enhance community activity and vibrancy.
- 10) Architectural Considerations and Requirements – Multi-Family Development shall be subject to the considerations and requirements contained in the Roy City Zoning Ordinance, Chapter 15, Section A (Building Design Standards) generally. In order to further promote the improvement and stabilization of housing stock, and to ensure quality new residential development in the City, Multi-Family Developments are also required to adhere to the following standards for architectural consideration:
- a) Mix of Housing Types. Development must include a mix of housing types and styles.
 - b) Roofline Variations. Development must provide variations in rooflines, including alternating overall heights, pitches, orientations, as well as the addition of gables, hips, or dormers to provide interest and visual relief.
 - c) Structural Variation (Staggering). Units within buildings must be structurally staggered to provide additional relief.

(examples may include an amphitheater, public access park, extension of an adjacent park or addition of facilities, trails, trail-heads, etc.).

- 8) Open Space and Amenities Required – All Multi-Family Developments shall provide a plan for open space and amenities in accordance with the following:
- a) Open Space. All Multi-Family Developments shall provide a minimum base open space of twenty percent (20%) for projects up to 20 units. Developments with more than twenty (20) units shall provide between 25% and 30% base open space. Base open space must consist of specifically planned, usable or preserved areas. Remnant, unused areas within a project may not be included in the calculation of base open space. If sustainable techniques and materials are successfully incorporated into the development (for example, high-albedo or garden roofs), a proportion of the open-space and amenity requirement may be reduced.
 - b) Common Amenity Required. All Multi-Family Developments are required to plan for and to provide specific amenities within the open space. Amenities must be usable and accessible to all units in the development.
 - c) Preserved Amenity/Open Space. The preservation of existing open spaces as an amenity should be encouraged (creeks, tree-stands, slopes, etc.). To that end, the developer may propose such preservation to satisfy the requirements of this Section in whole or in part. Preserved open space must be nearly adjacent to a minimum of fifty percent (50%) of the units in a development if the preserved open space is intended to satisfy the entirety of the requirement under this Section.
 - d) Pedestrian and Trail Connections. Continuous pedestrian walkways and trails may be a component of the open space and amenity requirements. Where determined to be applicable, connection of such pathways to sidewalks or trails in the larger area is required.
 - e) Community Oriented Amenities & Open Space. Where it is possible to relate the amenities and/or open space of Multi-Family development to the larger community, to adjacent public open space or recreation infrastructure, or to the amenities and open space of adjoining projects, the developer may propose such variations, reductions or modifications as are appropriate to facilitate that end. The City may approve the variations, reductions or modifications, upon finding that the plan to adjoin or enhance outside open space and amenities also contributes to the stabilization of surrounding neighborhoods, the adaptive re-use of amenities and areas, and will enhance community activity and vibrancy.
- 9) Architectural Considerations and Requirements – Multi-Family Development shall be subject to the considerations and requirements contained in the Roy City Zoning Ordinance, Chapter ~~15~~ **14**, Section ~~1411~~ **1411**, A (Building Design Standards) generally. In order to further promote the improvement and stabilization of housing stock, and to ensure quality new residential development in the City, Multi-Family Developments are also required to adhere to the following standards for architectural consideration:
- a) Mix of Housing Types. Development must include a mix of housing types and styles.
 - b) Roofline Variations. Development must provide variations in rooflines, including alternating overall heights, pitches, orientations, as well as the addition of gables, hips, or dormers to provide interest and visual relief.
 - c) Structural Variation (Staggering). Units within buildings must be structurally staggered to provide additional relief.

- d) Unit Entries. Development must provide a variety of entry styles and sizes to add visual interest and a sense of place to the pedestrian and street levels. For every 6 units, two distinct styles are required. No single building may include less than two (2) styles of entry.
- e) Color & Materials. Development must provide for the use of a variety of colors and construction materials to provide visual interest. A material and color palette must be included with the proposal for approval with the Conditional Use.
- f) Architectural Detail. All multi-family buildings and units shall have sufficient architectural detail, including but not limited to, significant fenestration at the street and upper levels, stonework, exposed beams and columns, cornices, moldings cast and sculpted features, courtyards, patios roof overhangs, bays and balconies, etc. (Ord. 1021, 10-6-2009)

- d) Unit Entries. Development must provide a variety of entry styles and sizes to add visual interest and a sense of place to the pedestrian and street levels. For every 6 units, two distinct styles are required. No single building may include less than two (2) styles of entry.
- e) Color & Materials. Development must provide for the use of a variety of colors and construction materials to provide visual interest. A material and color palette must be included with the proposal for approval ~~with the Conditional Use.~~
- f) Architectural Detail. All multi-family buildings and units shall have sufficient architectural detail, including but not limited to, significant fenestration at the street and upper levels, stonework, exposed beams and columns, cornices, moldings cast and sculpted features, courtyards, patios roof overhangs, bays and balconies, etc. (Ord. 1021, 10-6-2009)

Section 1112 — Supplementary Regulations Allowing Apiary Uses in Single-family Residential Zones.

The purpose of this section is to provide supplementary regulations for limited apiary activities (the keeping of bees) in the single-family zoning districts of the city. It shall be unlawful to keep bees in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones except as provided in this section.

- 3) Allowance - All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones shall be allowed points for bee keeping as defined by this section according the following:
 - a) Points by Lot Size – Lots shall be assigned points by lot area, according to the following table. Points assigned are to be used under this section or Section 1111 inclusively.

15,000 square feet and larger	30 points
10,000 – 14,999 square feet	20 points
8,000 – 9,999 square feet	10 points
Less than 8,000 square feet	No points

- b) Allowance by Points – Apiary, or bee keeping shall be permitted by points according to the following table

Bee keeping	10 points each hive
-------------	---------------------

- 4) Permit Required – A city permit is required for the keeping of bees under this section. Permits may only be issued to the property owner of record.
 - a) Fee. The permit fee shall be set forth in the adopted Fee Schedule of the City.
 - b) Renewal. All permits issued under this section are subject to annual inspection and renewal.
 - c) Inspection. Inspections related to a permit issued under this section must be permitted as deemed necessary by the City
 - d) Revocation. A permit may be revoked by the City for any violation of this section at any time.
 - e) Transfer of Permits. Permits under this section are issued to property owners of specific lots and may not be transferred or assigned to other persons or properties when ownership or residency changes.
 - f) Notice to Adjacent Neighbors. Upon receiving an

Section 1112 — Supplementary Regulations Allowing Apiary Uses in Single-family Residential Zones.

The purpose of this section is to provide supplementary regulations for limited apiary activities (the keeping of bees) in the single-family zoning districts of the city. It shall be unlawful to keep bees in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones except as provided in this section.

- 1) Allowance - All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones shall be allowed points for bee keeping as defined by this section according the following:
 - a) Points by Lot Size – Lots shall be assigned points by lot area, according to the following table. ~~Points assigned are to be used under this section or Section 1111 inclusively.~~

15,000 square feet and larger	30 points
10,000 – 14,999 square feet	20 points
8,000 – 9,999 square feet	10 points
Less than 8,000 square feet	No points

- b) Allowance by Points – Apiary, or bee keeping shall be permitted by points according to the following table

Bee keeping	10 points each hive
-------------	---------------------

- 2) Permit Required – A city permit is required for the keeping of bees under this section. Permits may only be issued to the property owner of record.
 - a) Fee. The permit fee shall be set forth in the adopted Fee Schedule of the City.
 - b) Renewal. All permits issued under this section are subject to annual inspection and renewal.
 - c) Inspection. Inspections related to a permit issued under this section must be permitted as deemed necessary by the City
 - d) Revocation. A permit may be revoked by the City for any violation of this section at any time.
 - e) Transfer of Permits. Permits under this section are issued to property owners of specific lots and may not be transferred or assigned to other persons or properties when ownership or residency changes.
 - f) Notice to Adjacent Neighbors. Upon receiving an application under this section, the Zoning Administrator shall cause notice of the application to be sent by mail to

<p>application under this section, the Zoning Administrator shall cause notice of the application to be sent by mail to all owners of property immediately adjacent to the subject property.</p> <p>g) Site Plan. An application for a permit under this section must be accompanied by a site plan indicating the lot, the primary residence, and the proposed placement of the structures or hives in compliance with the requirements of this section required by this section.</p> <p>h) Zoning Administrator - The Zoning Administrator or his or her designee shall be responsible for the review of applications, issuance or denial of permits, inspection, renewals, investigation of complaints, and revocation of permits when necessary</p> <p>5) Regulations for Bee keeping – The issuance of a permit for Bee keeping under this section shall be predicated upon compliance with the following.</p> <p>a) Registration. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code.</p> <p>b) Personal Use Only. Bee keeping is allowed under this section for family food production and pleasure only. No sale of any kind is permitted.</p> <p>c) Structure. Honeybee colonies shall be kept in hives with removable frames kept in sound and usable condition.</p> <p>d) Location. Hives allowed under this section shall be located a minimum of 30 feet from any dwelling on an adjacent lot, 10 feet from any property line and 10 feet from any dwelling on the same lot.</p> <p>e) Flyways. Any hive allowed under this section shall be located on the property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within 25 feet of an area providing public access or from a property line, a flyway barrier at least 6 feet in height shall be established and maintained around the hive except as is necessary for access. Such a flyway shall consist of a solid wall, fence, dense vegetation, or a combination thereof extending at least 10 feet beyond the hive.</p> <p>f) Water. At a minimum, a convenient source of fresh water must be made continuously available to the colony between March 1 and October 31 of each year. The water source shall be located to minimize any nuisance created by bees seeking water on neighboring properties. (Ord. 1053, 2-19-2013)</p>	<p>all owners of property immediately adjacent to the subject property.</p> <p>g) Site Plan. An application for a permit under this section must be accompanied by a site plan indicating the lot, the primary residence, and the proposed placement of the structures or hives in compliance with the requirements of this section required by this section.</p> <p>h) Zoning Administrator - The Zoning Administrator or his or her designee shall be responsible for the review of applications, issuance or denial of permits, inspection, renewals, investigation of complaints, and revocation of permits when necessary</p> <p>3) Regulations for Bee keeping – The issuance of a permit for Bee keeping under this section shall be predicated upon compliance with the following.</p> <p>a) Registration. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code.</p> <p>b) Personal Use Only. Bee keeping is allowed under this section for family food production and pleasure only. No sale of any kind is permitted.</p> <p>c) Structure. Honeybee colonies shall be kept in hives with removable frames kept in sound and usable condition.</p> <p>d) Location. Hives allowed under this section shall be located a minimum of 30 feet from any dwelling on an adjacent lot, 10 feet from any property line and 10 feet from any dwelling on the same lot.</p> <p>e) Flyways. Any hive allowed under this section shall be located on the property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within 25 feet of an area providing public access or from a property line, a flyway barrier at least 6 feet in height shall be established and maintained around the hive except as is necessary for access. Such a flyway shall consist of a solid wall, fence, dense vegetation, or a combination thereof extending at least 10 feet beyond the hive.</p> <p>f) Water. At a minimum, a convenient source of fresh water must be made continuously available to the colony between March 1 and October 31 of each year. The water source shall be located to minimize any nuisance created by bees seeking water on neighboring properties. (Ord. 1053, 2-19-2013)</p>
<p>Section 1409—Application Requirements to Establish a Permitted Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:</p> <p>1) A completed Permitted Use Application, as provided by Roy City.</p> <p>2) Five (5) 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following;</p> <p>a) The location and dimension of the property boundaries and all proposed uses and buildings, and existing buildings or other structures located on the property. Existing property lines and existing fence lines shall be shown.</p>	<p>Section 1409—Application Requirements to Establish a Permitted Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:</p> <p>1) A completed Permitted Use Application, as provided by Roy City.</p> <p>2) Five (5) Six (6) 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following;</p> <p>a) The location and dimension of the property boundaries and all proposed uses and buildings, and existing buildings or other structures located on the property. Existing property lines and existing fence lines shall be shown.</p>

<ul style="list-style-type: none"> b) The proposed setbacks and exterior dimensions of all proposed buildings and structures. c) The location of roads and streets serving the site, or proposed to serve the site. d) The location and dimension of all existing and proposed ingress and egress points and required off-street parking spaces and loading areas, as applicable. e) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. f) Any proposed modifications in signage on the building or site. g) Additional building plans sufficient to meet the Building Code requirements, as adopted. h) The exterior elevations of every side of all proposed structural modifications to the existing building shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed. i) Information and plans shall be provided identifying all proposed new building lighting identifying the type, design, location, intensity, height, and direction of all building lighting. 	<ul style="list-style-type: none"> b) The proposed setbacks and exterior dimensions of all proposed buildings and structures. c) The location of roads and streets serving the site, or proposed to serve the site. d) The location and dimension of all existing and proposed ingress and egress points and required off-street parking spaces and loading areas, as applicable. e) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. f) Any proposed modifications in signage on the building or site. g) Additional building plans sufficient to meet the Building Code requirements, as adopted. h) The exterior elevations of every side of all proposed structural modifications to the existing building shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed. i) Information and plans shall be provided identifying all proposed new building lighting identifying the type, design, location, intensity, height, and direction of all building lighting.
<p>Section 1410—Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s):</p> <p>All applications to establish a Permitted Use proposing new construction of a building(s) shall include and provide the following information:</p> <ul style="list-style-type: none"> 1) A completed Permitted Use Application, as provided by the City. 2) Five (5) copies of a Site Plan, drawn at a scale as required by the City Engineer, prepared by a licensed engineer or architect, plus fifteen (15) copies of an 11 inch x 17 inch reduced copy of the Site Plan identifying the following: <ul style="list-style-type: none"> a) The location and dimension of the property and all proposed uses and buildings, existing buildings located on the property, and existing buildings located within one-hundred (100) feet of the property. b) The location of any future buildings shall be shown, if applicable, to provide for the function and compatibility of the entire site at full build-out. c) Existing property lines and existing fence lines shall be shown. d) The location of all zoning district boundaries. e) The location and dimension of all existing and proposed natural features including drainage ways and flood plains. f) Existing topography and the proposed finished grade of the site shown as required by the City Engineer. g) The proposed setbacks and exterior dimensions of all proposed buildings and structures. h) The location of roads and streets serving the site, or proposed to serve the site, and including any permits as required by Weber County or the Utah Department of Transportation, as applicable. i) The location and dimension of all proposed ingress 	<p>Section 1410—Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s):</p> <p>All applications to establish a Permitted Use proposing new construction of a building(s) shall include and provide the following information:</p> <ul style="list-style-type: none"> 1) A completed Permitted Use Application, as provided by the City. 2) Five (5) Six (6) 24" x 36" size copies, one (1) 11" x 17" size copies and one (1) digital copy of a Site Plan set, drawn at a scale as required by the City Engineer, prepared by a licensed engineer or architect, plus fifteen (15) copies of an 11 inch x 17 inch reduced copy of the Site Plan identifying the following: <ul style="list-style-type: none"> a) The location and dimension of the property and all proposed uses and buildings, existing buildings located on the property, and existing buildings located within one-hundred (100) feet of the property. b) The location of any future buildings shall be shown, if applicable, to provide for the function and compatibility of the entire site at full build-out. c) Existing property lines and existing fence lines shall be shown. d) The location of all zoning district boundaries. e) The location and dimension of all existing and proposed natural features including drainage ways and flood plains. f) Existing topography and the proposed finished grade of the site shown as required by the City Engineer. g) The proposed setbacks and exterior dimensions of all proposed buildings and structures. h) The location of roads and streets serving the site, or proposed to serve the site, and including any permits as required by Weber County or the Utah

<p>and egress points, off-street parking, and loading areas, including the total number of parking and loading spaces.</p> <p>j) The location and dimension of all pedestrian and biking facilities, including sidewalks and trails, if any.</p> <p>k) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown.</p> <p>3) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:</p> <p>a) All existing and proposed culinary water, secondary water, sanitary sewer, storm drainage, power, gas, and telephone lines and facilities, streets and roads with design plans for any new water, sewer and storm drainage lines and facilities, as applicable, streets and roads, meeting the design and construction requirements of the City, or other agencies, as applicable, and prepared by a licensed engineer, at a scale acceptable to the City Engineer. Access to all utilities and points of utilities connections shall be shown.</p> <p>b) A Landscape Plan(s). Landscape plan(s) shall be included with the Permitted Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant.</p> <p>c) Fences and Walls. The location of all fences and walls, identifying proposed height, materials, and colors shall be shown.</p> <p>d) Building Plans. The exterior elevations of every side of all proposed structures shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed.</p> <p>e) Site and Building Signage Plans. Information and plans shall be provided identifying all proposed site and building signage including the design, height, size, materials, and colors of all building and site signs.</p> <p>f) Site and Building Lighting Plans. Information and plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting. A photometric plan of the site, including all site and building lighting, may be required by the Commission.</p> <p>g) The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed method of screening.</p> <p>h) A Construction Plan identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s), as applicable.</p> <p>4) A narrative, accompanied by necessary tables and other information, describing the proposed Permitted Use Application, to assist the Staff and Commission in the</p>	<p>Department of Transportation, as applicable.</p> <p>i) The location and dimension of all proposed ingress and egress points, off-street parking, and loading areas, including the total number of parking and loading spaces.</p> <p>j) The location and dimension of all pedestrian and biking facilities, including sidewalks and trails, if any.</p> <p>k) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown.</p> <p>3) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:</p> <p>a) All existing and proposed culinary water, secondary water, sanitary sewer, storm drainage, power, gas, and telephone lines and facilities, streets and roads with design plans for any new water, sewer and storm drainage lines and facilities, as applicable, streets and roads, meeting the design and construction requirements of the City, or other agencies, as applicable, and prepared by a licensed engineer, at a scale acceptable to the City Engineer. Access to all utilities and points of utilities connections shall be shown.</p> <p>b) A Landscape Plan(s). Landscape plan(s) shall be included with the Permitted Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant.</p> <p>c) Fences and Walls. The location of all fences and walls, identifying proposed height, materials, and colors shall be shown.</p> <p>d) Building Plans. The exterior elevations of every side of all proposed structures shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed.</p> <p>e) Site and Building Signage Plans. Information and plans shall be provided identifying all proposed site and building signage including the design, height, size, materials, and colors of all building and site signs.</p> <p>f) Site and Building Lighting Plans. Information and plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting. A photometric plan of the site, including all site and building lighting, may be required by the Commission.</p> <p>g) The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed method of screening.</p> <p>h) A Construction Plan identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s), as applicable.</p> <p>4) A narrative, accompanied by necessary tables and other</p>
---	---

<p>review of the Permitted Use Application including:</p> <ol style="list-style-type: none"> A calculation, identifying all pervious and impervious areas. A description of all proposed uses and buildings, including the total site area and building square footage, by building. Projected increase in traffic trips. Projected water and sewer demand. How the proposed Site Plan and proposed uses comply with the Roy City General Plan. 	<p>information, describing the proposed Permitted Use Application, to assist the Staff and Commission in the review of the Permitted Use Application including:</p> <ol style="list-style-type: none"> A calculation, identifying all pervious and impervious areas. A description of all proposed uses and buildings, including the total site area and building square footage, by building. Projected increase in traffic trips. Projected water and sewer demand. How the proposed Site Plan and proposed uses comply with the Roy City General Plan.
<p>Section 1502—Authority:</p> <p>The Council, following a Commission Recommendation, is hereby authorized to review and render a final decision in approving, approving with conditions, or denying Conditional Use Applications, as identified herein, with an accompanying and required Site Plan Application.</p>	<p>Section 1502—Authority:</p> <p>The Council, following a Commission Recommendation, is hereby authorized to review and render a final decision in approving, approving with conditions, or denying Conditional Use Applications (as per § 1510), as identified herein, with an accompanying and required Site Plan Application.</p>
<p>Section 1503—Initiation:</p> <p>All requests to establish a Conditional Use, as identified as a Conditional Use in the Table of Uses, Chapter 17 herein, shall be made on the applicable application form provided by the City. A property owner may present a Conditional Use Application for review by the Commission and decision by the Council. An agent of the property owner, or a lessee of the property, may present a Conditional Use Application to the Commission and Council for review and decision, provided such Application is accompanied by a property owner affidavit of authorization.</p>	<p>Section 1503—Initiation:</p> <p>All requests to establish a Conditional Use, as identified as a Conditional Use in the Table of Uses, Chapter 17 herein, shall be made on the applicable application form provided by the City. A property owner may present a Conditional Use Application for review and approval by the Commission and decision by the Council. An agent of the property owner, or a lessee of the property, may present a Conditional Use Application to the Commission and Council for review and decision, provided such Application is accompanied by a property owner affidavit of authorization.</p>
<p>Section 1505—Applications, Commission Public Hearing Required, Commission Recommendation, Council Authorized to render Conditional Use Decisions:</p> <ol style="list-style-type: none"> The procedures for the review and consideration of a Conditional Use Application are identified by Figure 15-1, herein. An application for a Conditional Use Permit shall be considered by the Zoning Administrator for application completeness, as provided by Section 1207 herein. The Zoning Administrator shall submit copies of the complete Conditional Use Application to the DRC or public agencies providing utilities or services to the proposed site for review and compliance with City Ordinances, building codes, or other development requirements. Commission Public Hearing Required. Prior to deciding a Conditional Use Application, the Commission shall consider the Conditional Use Application at a public hearing by providing a minimum of ten (10)-days' notice of the Commission public hearing. Required Commission Public Hearing Notice. The minimum notice required for the Commission public hearing shall be provide as required in Chapter 9, herein. Commission Recommendation. Following the close of the public hearing, or at a subsequent meeting(s), the Commission shall render a recommendation to the Council on the Conditional Use Application. The Commission may recommend approval of the Conditional Use Application as presented, approval of the Conditional Use Application with 	<p>Section 1505—Applications, Commission Public Hearing Required, Commission Recommendation, Council Authorized to render Conditional Use Decisions:</p> <ol style="list-style-type: none"> The procedures for the review and consideration of a Conditional Use Application are identified by Figure 15-1, herein. An application for a Conditional Use Permit shall be considered by the Zoning Administrator for application completeness, as provided by Section 1207 herein. The Zoning Administrator shall submit copies of the complete Conditional Use Application to the DRC or public agencies providing utilities or services to the proposed site for review and compliance with City Ordinances, building codes, or other development requirements. Commission Public Hearing Required. Prior to deciding a Conditional Use Application, the Commission shall consider the Conditional Use Application at a public hearing by providing a minimum of ten (10)-days' notice of the Commission public hearing. Required Commission Public Hearing Notice. The minimum notice required for the Commission public hearing shall be provide as required in Chapter 9, herein. Commission Recommendation. Following the close of the public hearing, or at a subsequent meeting(s), the Commission shall render a recommendation to the Council on the Conditional Use Application. The Commission may recommend approval of the Conditional Use Application as presented, approval of the Conditional Use Application with conditions, or denial of the Conditional Use Application.

<p>conditions, or denial of the Conditional Use Application.</p> <p>14) Council Decision. The Council shall consider the recommendation by the Commission, the Conditional Use Application, reports by the DRC, and all other input received on the application. The Council may approve, approve with conditions, or deny the Conditional Use Application.</p>	<p>7) Council-Commission Decision. The Council-Commission shall consider the recommendation by the Commission, the Conditional Use Application, reports by the DRC, and all other input received on the application. The Council-Commission may approve, approve with conditions, or deny the Conditional Use Application. (as per § 1510)</p>
<p>Section 1506—Application Requirements to Establish a Conditional Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:</p> <ol style="list-style-type: none"> 1) A completed Permitted Use Application, as provided by Roy City. 2) Five (5) 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following: <ol style="list-style-type: none"> a) The location and dimension of the property boundaries and all proposed uses and buildings, and existing buildings or other structures located on the property. Existing property lines and existing fence lines shall be shown. b) The proposed setbacks and exterior dimensions of all proposed buildings and structures. c) The location of roads and streets serving the site, or proposed to serve the site. d) The location and dimension of all existing and proposed ingress and egress points and required off-street parking spaces and loading areas, as applicable. e) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. f) Any proposed modifications in signage on the building or site. g) Additional building plans sufficient to meet the Building Code requirements, as adopted. h) The exterior elevations of every side of all proposed structural modifications to the existing building shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed. i) Information and plans shall be provided identifying all proposed new building lighting identifying the type, design, location, intensity, height, and direction of all building lighting. 	<p>Section 1506—Application Requirements to Establish a Conditional Use Occupying an Existing Building(s), Remodeling the Interior of an Existing Building(s), or Proposing Structural Modifications to the Exterior of an Existing Building(s), as applicable:</p> <ol style="list-style-type: none"> 1) A completed Permitted Use Application, as provided by Roy City. 2) Five (5) Six (6) 11x17 size copies of a Site Plan with the proposed building(s) drawn at a scale as required by the City Engineer, identifying the following: <ol style="list-style-type: none"> a) The location and dimension of the property boundaries and all proposed uses and buildings, and existing buildings or other structures located on the property. Existing property lines and existing fence lines shall be shown. b) The proposed setbacks and exterior dimensions of all proposed buildings and structures. c) The location of roads and streets serving the site, or proposed to serve the site. d) The location and dimension of all existing and proposed ingress and egress points and required off-street parking spaces and loading areas, as applicable. e) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. f) Any proposed modifications in signage on the building or site. g) Additional building plans sufficient to meet the Building Code requirements, as adopted. h) The exterior elevations of every side of all proposed structural modifications to the existing building shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed. i) Information and plans shall be provided identifying all proposed new building lighting identifying the type, design, location, intensity, height, and direction of all building lighting.
<p>Section 1507—Application Requirements to Establish a Conditional Use for New Construction of a Building(s):</p> <p>All applications to establish a Conditional Use shall include a Site Plan and provide the following information:</p> <ol style="list-style-type: none"> 1) A completed Conditional Use Application, as provided by the City. 2) Stamped, addressed envelopes for all owners of property located within 300 feet of the property, the subject of the Conditional Use Application. (A list of property owners is 	<p>Section 1507—Application Requirements to Establish a Conditional Use for New Construction of a Building(s):</p> <p>All applications to establish a Conditional Use shall include a Site Plan and provide the following information:</p> <ol style="list-style-type: none"> 1) A completed Conditional Use Application, as provided by the City. 2) Stamped, addressed envelopes for all owners of property located within 300 feet of the property, the subject of the Conditional Use Application. (A list of property owners is

<p>available from the Weber County Recorder's Office).</p> <p>3) Five (5) copies of a site plan, drawn at a scale required by the City Engineer, prepared by a licensed engineer or architect, plus fifteen (15) copies of an 11 inch x 17 inch reduced copy of the site plan set identifying the following:</p> <ul style="list-style-type: none"> a) The location and dimension of the property and all proposed uses and buildings, existing buildings located on the property, and existing buildings located within one-hundred (100) feet of the property. b) The location of any future buildings shall be shown, if applicable, to provide for the function and compatibility of the entire site at full build-out. c) Existing property lines and existing fence lines shall be shown. d) The location of all zoning district boundaries. e) The location and dimension of all existing and proposed natural features including, but not limited to, scenic views, existing vegetation, wetlands, drainage ways, flood plains, water bodies, and wildlife habitat areas. f) Existing topography and the proposed finished grade of the site shown as required by the City Engineer. g) The proposed setbacks and exterior dimensions of all proposed buildings and structures. h) The location of roads and streets serving the site, or proposed to serve the site, and including any permits as required by Weber County or the Utah Department of Transportation, as applicable. i) The location and dimension of all proposed ingress and egress points, off-street parking, and loading areas, including the total number of parking and loading spaces. j) The location and dimension of all pedestrian and biking facilities, including sidewalks and trails, if any. k) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. <p>4) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:</p> <ul style="list-style-type: none"> a) All existing and proposed culinary water, secondary water, sanitary sewer, storm drainage, power, gas, and telephone lines and facilities, streets and roads with design plans for any new water, sewer and storm drainage lines and facilities, as applicable, streets and roads, meeting the design and construction requirements of the City, or other agencies, as applicable, and prepared by a licensed engineer, at a scale acceptable to the City Engineer. Access to all utilities and points of utilities connections shall be shown. b) A Landscape Plan(s). Landscape plan(s) shall be included with the Conditional Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant. c) Fences and Walls. The location of all fences and walls, identifying proposed height, materials, and colors shall be shown. d) Building Plans. The exterior elevations of every side of all proposed structures shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a proposed building materials and colors board including color chips and material samples. The location of all 	<p>available from the Weber County Recorder's Office).</p> <p>3) Five (5) Six (6) 24" x 36" size copies, one (1) 11" x 17" size copies and one (1) digital copy of a Site Plan set, drawn at a scale as required by the City Engineer, prepared by a licensed engineer or architect, plus fifteen (15) copies of an 11 inch x 17 inch reduced copy of the Site Plan identifying the following:</p> <ul style="list-style-type: none"> a) The location and dimension of the property and all proposed uses and buildings, existing buildings located on the property, and existing buildings located within one-hundred (100) feet of the property. b) The location of any future buildings shall be shown, if applicable, to provide for the function and compatibility of the entire site at full build-out. c) Existing property lines and existing fence lines shall be shown. d) The location of all zoning district boundaries. e) The location and dimension of all existing and proposed natural features including, but not limited to, scenic views, existing vegetation, wetlands, drainage ways, flood plains, water bodies, and wildlife habitat areas. f) Existing topography and the proposed finished grade of the site shown as required by the City Engineer. g) The proposed setbacks and exterior dimensions of all proposed buildings and structures. h) The location of roads and streets serving the site, or proposed to serve the site, and including any permits as required by Weber County or the Utah Department of Transportation, as applicable. i) The location and dimension of all proposed ingress and egress points, off-street parking, and loading areas, including the total number of parking and loading spaces. j) The location and dimension of all pedestrian and biking facilities, including sidewalks and trails, if any. k) All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown. <p>4) Located on the Site Plan sheet(s), or on separate sheets, as may be proposed by the applicant, or required by the Zoning Administrator for readability, the following information shall be provided:</p> <ul style="list-style-type: none"> a) All existing and proposed culinary water, secondary water, sanitary sewer, storm drainage, power, gas, and telephone lines and facilities, streets and roads with design plans for any new water, sewer and storm drainage lines and facilities, as applicable, streets and roads, meeting the design and construction requirements of the City, or other agencies, as applicable, and prepared by a licensed engineer, at a scale acceptable to the City Engineer. Access to all utilities and points of utilities connections shall be shown. b) A Landscape Plan(s). Landscape plan(s) shall be included with the Conditional Use Application, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, including all proposed plant materials, including their locations and sizes. All proposed plant materials should be drought tolerant. c) Fences and Walls. The location of all fences and walls, identifying proposed height, materials, and colors shall be shown. d) Building Plans. The exterior elevations of every side of all proposed structures shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades. This information shall include a
---	--

<p>associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed.</p> <ul style="list-style-type: none"> e) Site and Building Signage Plans. Information and plans shall be provided identifying all proposed site and building signage including the design, height, size, materials, and colors of all building and site signs. f) Site and Building Lighting Plans. Information and plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting. A photometric plan of the site, including all site and building lighting, may be required by the Council. g) The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed method of screening. h) Erosion Control Plan(s). Information and plans identifying proposed temporary and permanent erosion control measures. i) A Construction Plan identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s), as applicable. <p>5) A narrative, accompanied by necessary tables and other information, describing the proposed Conditional Use Application, to assist the Zoning Administrator, Commission, and Council in the review of the Conditional Use Application including:</p> <ul style="list-style-type: none"> a) A calculation, identifying all pervious and impervious areas. b) A description of all proposed uses and buildings, including the total site area and building square footage, by building. c) Projected increase in building trips. d) Projected water and sewer demand. e) How the proposed Site Plan and proposed uses comply with the Roy City General Plan. 	<p>proposed building materials and colors board including color chips and material samples. The location of all associated mechanical and ancillary equipment, if any, shall be provided, including any screening treatments proposed.</p> <ul style="list-style-type: none"> e) Site and Building Signage Plans. Information and plans shall be provided identifying all proposed site and building signage including the design, height, size, materials, and colors of all building and site signs. f) Site and Building Lighting Plans. Information and plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting. A photometric plan of the site, including all site and building lighting, may be required by the Council. g) The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed method of screening. h) Erosion Control Plan(s). Information and plans identifying proposed temporary and permanent erosion control measures. i) A Construction Plan identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s), as applicable. <p>5) A narrative, accompanied by necessary tables and other information, describing the proposed Conditional Use Application, to assist the Zoning Administrator, Commission, and Council in the review of the Conditional Use Application including:</p> <ul style="list-style-type: none"> a) A calculation, identifying all pervious and impervious areas. b) A description of all proposed uses and buildings, including the total site area and building square footage, by building. c) Projected increase in traffic trips. d) Projected water and sewer demand. e) How the proposed Site Plan and proposed uses comply with the Roy City General Plan.
<p>Section 1508— Additional Site Standards and Design Requirements to Establish A Conditional Use:</p> <p>To achieve the purposes of this Ordinance, Site and Building Design Standards or Design Guidelines are categorized as follows:</p> <ul style="list-style-type: none"> 1) Site Standards related to buildings and structures including building design, location of buildings, access locations, parking and loading areas, landscaping treatments and buffer areas, signs and sign location, site and building lighting, and other features are required for all Site Plan Applications. Building Design Standards are required in addition to standards set forth in this Ordinance and are indicated by the verb “shall.” 2) Design Guidelines indicate additional actions that may be taken to enhance development design and achieve greater compatibility with adjacent land uses. Guidelines use the verb “should” (rather than “shall”) signifying that the guidelines are desirable objectives. Application of the guidelines will depend on the nature of the proposed Site Plan and the surrounding area, as may be determined by the Commission or Council. <p>A. Building Design Standards:</p> <p>All Site Plan Applications shall balance the proportion and scale of all proposed buildings and structures to the project site, adjacent buildings and structures, and streets from which the</p>	<p>Section 1508— Additional Site Standards and Design Requirements to Establish A Conditional Use:</p> <p>To achieve the purposes of this Ordinance, Site and Building Design Standards or Design Guidelines are categorized as follows:</p> <ul style="list-style-type: none"> 1) Site Standards related to buildings and structures including building design, location of buildings, access locations, parking and loading areas, landscaping treatments and buffer areas, signs and sign location, site and building lighting, and other features are required for all Site Plan Applications. Building Design Standards are required in addition to standards set forth in this Ordinance and are indicated by the verb “shall.” 2) Design Guidelines indicate additional actions that may be taken to enhance development design and achieve greater compatibility with adjacent land uses. Guidelines use the verb “should” (rather than “shall”) signifying that the guidelines are desirable objectives. Application of the guidelines will depend on the nature of the proposed Site Plan and the surrounding area, as may be determined by the Commission or Council. <p>A. Building Design Standards:</p> <p>All Site Plan Applications shall balance the proportion and scale of all proposed buildings and structures to the project site, adjacent buildings and structures, and streets from which the</p>

building will be accessed or viewed. Building plans, elevations and cross-section drawings, photographs, or other studies or models may be required to illustrate or fully explain how a proposed buildings and structures will address these issues.

It is the vision of the City that all buildings, and their associated facilities and improvements, will enhance the built environment of the City. To achieve this goal and to preserve and increase property values all Site Plan shall incorporate the following building design elements:

- 1) **Coherent Building Design.** All sides of a building shall include consistency of building materials, colors and shall provide architectural treatments and building features. A consistent level of detail and finish on all sides of a building shall be provided.
- 2) **Accessory structures.** All accessory structures shall take on the same character as the primary building, using the same colors, materials, shape, and style.
- 3) **Continuous building wall surfaces.** Continuous building walls longer than thirty (30)- feet shall be relieved with variations of wall planes or overhangs that create shadow areas and add visual interest.
- 4) **Visual patterns.** Every building shall provide shadow relief created by recesses and projections. Recesses may include courtyards, entryways, or boxed window openings, along the exterior of the building. Projections may include stairs, balconies, entrances, or bays. Covered walkways, breezeways, patios, trellises, landscape areas, and wide roof overhangs are encouraged to produce shadow effects. Stepped structures may also be used to offset building massing.
- 5) **Architectural details.** Surface details, ornaments, and other building elements that enrich the character of a building shall be provided. Attention to detail, including all building and architectural design elements shall be required. The following architectural details are desirable and encouraged:
 - a) Stonework.
 - b) Exposed beams and columns.
 - c) Cornices, moldings, bands, pop-outs, decorative vents, cast or sculpted features.
 - d) Covered walkways, breezeways, bays, and balconies.
 - e) Courtyards and patios.
 - f) Wide roof overhangs.
 - g) Accessories such as art features, benches, pots, lamps, artwork, and sculptures.
- 6) **Building Additions.** All additions to existing buildings shall incorporate the predominant architectural features, materials, and colors of the existing building.
- 7) **Mechanical Equipment.** Air conditioning units, generators and other auxiliary equipment shall be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for adjacent properties and public rights-of-way. Screening walls, landscaping, and other screening treatments shall be used so all required mechanical equipment is screened from public streets and adjoining properties. All building-mounted mechanical or communications equipment shall be a color to make it as unobtrusive as possible. If located on or adjacent to a building wall or on the roof, the color of all mechanical and communications equipment shall blend with the design details of the building or screened from view.

building will be accessed or viewed. Building plans, elevations and cross-section drawings, photographs, or other studies or models may be required to illustrate or fully explain how a proposed buildings and structures will address these issues.

It is the vision of the City that all buildings, and their associated facilities and improvements, will enhance the built environment of the City. To achieve this goal and to preserve and increase property values all Site Plan shall incorporate the following building design elements:

- 1) **Coherent Building Design.** All sides of a building shall include consistency of building materials, colors and shall provide architectural treatments and building features. A consistent level of detail and finish on all sides of a building shall be provided.
- 2) **Accessory structures.** All accessory structures shall take on the same character as the primary building, using the same colors, materials, shape, and style.
- 3) **Continuous building wall surfaces.** Continuous building walls longer than thirty (30)- feet shall be relieved with variations of wall planes or overhangs that create shadow areas and add visual interest.
- 4) **Visual patterns.** Every building shall provide shadow relief created by recesses and projections. Recesses may include courtyards, entryways, or boxed window openings, along the exterior of the building. Projections may include stairs, balconies, entrances, or bays. Covered walkways, breezeways, patios, trellises, landscape areas, and wide roof overhangs are encouraged to produce shadow effects. Stepped structures may also be used to offset building massing.
- 5) **Architectural details.** Surface details, ornaments, and other building elements that enrich the character of a building shall be provided. Attention to detail, including all building and architectural design elements shall be required. The following architectural details are desirable and encouraged:
 - a) Stonework.
 - b) Exposed beams and columns.
 - c) Cornices, moldings, bands, pop-outs, decorative vents, cast or sculpted features.
 - d) Covered walkways, breezeways, bays, and balconies.
 - e) Courtyards and patios.
 - f) Wide roof overhangs.
 - g) Accessories such as art features, benches, pots, lamps, artwork, and sculptures.
- 6) **Building Additions.** All additions to existing buildings shall incorporate the predominant architectural features, materials, and colors of the existing building.
- 7) **Mechanical Equipment.** Air conditioning units, generators and other auxiliary equipment shall be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for adjacent properties and public rights-of-way. Screening walls, landscaping, and other screening treatments shall be used so all required mechanical equipment is screened from public streets and adjoining properties. All building-mounted mechanical or communications equipment shall be a color to make it as unobtrusive as possible. If located on or adjacent to a building wall or on the roof, the color of all mechanical and communications equipment shall blend with the design details of the building or screened from view.

- 8) **Building Scale.** The size and scale of all buildings and structures shall be found to be compatible with, and not dominate, the surrounding buildings and structures and surrounding natural features.
- 9) **Pedestrian scale.** Regardless of overall building size, elements, such as windows, lighting, and facades, at the pedestrian level shall achieve a sense of human scale and create visual interest at eye-level.
- 10) **Building Materials.** Exterior building materials shall be compatible with those predominantly used in the surrounding area. The following materials shall be used on exterior walls:
 - a) Natural or cultured stone.
 - b) Stucco.
 - c) Masonry including integrally colored split faced block and brick.
 - d) Exposed aggregate or colored concrete with a stamped, pitted or other textured.

The following materials are prohibited for use on exterior walls:

- e) Unfinished block.
- f) Unfinished concrete.

The use of Metal materials for use on exterior walls:

- g) Metal buildings shall be prohibited in all commercial zones. Metal buildings in the manufacturing zone may be considered with the incorporation and addition of other building materials such as masonry, stone, stucco, or other non-metal treatments.

B. Site Design Standards:

All Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned, pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails, and parking areas.

- 2) **Building Location.** All buildings shall have an orientation to the street to encourage a pedestrian relationship. Building placement shall allow interconnected walkways and shared site accesses for increased convenience, accessibility, and enhanced safety for pedestrians. All Site Plan Application approvals shall provide agreements or easements to allow cross vehicle access, pedestrian connections and shared parking, as determined necessary by the Council.
- 3) **Naturally Occurring Site Features.** All Site Plan Applications shall recognize and preserve, as practicable, the natural features and sensitive areas occurring on the site including areas of historic value, unusual or hazardous topography, or lands subject to flooding. All natural features shall be preserved, as practical, and integrated into the site plan design.
- 4) **Interconnected Open Space.** Provide an interconnected system of open space areas. The locations of all buildings and structures shall allow and provide an interconnected system of open space allowing open space and landscaping areas to connect with similar open spaces and landscaping areas existing, or planned to be located, on adjacent

- 8) **Building Scale.** The size and scale of all buildings and structures shall be found to be compatible with, and not dominate, the surrounding buildings and structures and surrounding natural features.
- 9) **Pedestrian scale.** Regardless of overall building size, elements, such as windows, lighting, and facades, at the pedestrian level shall achieve a sense of human scale and create visual interest at eye-level.
- 10) **Building Materials.** Exterior building materials shall be compatible with those predominantly used in the surrounding area. The following materials shall be used on exterior walls:
 - a) Natural or cultured stone.
 - b) Stucco.
 - c) Masonry including integrally colored split faced block and brick.
 - d) Exposed aggregate or colored concrete with a stamped, pitted or other textured.

The following materials are prohibited for use on exterior walls:

- e) Unfinished block.
- f) Unfinished concrete.

The use of Metal materials for use on exterior walls:

- g) Metal buildings shall be prohibited in all commercial zones. Metal buildings in the manufacturing zone may be considered with the incorporation and addition of other building materials such as masonry, stone, stucco, or other non-metal treatments.

B. Site Design Standards:

All Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned, pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails, and parking areas.

- 1) **Building Location.** All buildings shall have an orientation to the street to encourage a pedestrian relationship. Building placement shall allow interconnected walkways and shared site accesses for increased convenience, accessibility, and enhanced safety for pedestrians. All Site Plan Application approvals shall provide agreements or easements to allow cross vehicle access, pedestrian connections and shared parking, ~~as determined necessary by the Council.~~
- 2) **Naturally Occurring Site Features.** All Site Plan Applications shall recognize and preserve, as practicable, the natural features and sensitive areas occurring on the site including areas of historic value, unusual or hazardous topography, or lands subject to flooding. All natural features shall be preserved, as practical, and integrated into the site plan design.
- 3) **Interconnected Open Space.** Provide an interconnected system of open space areas. The locations of all buildings and structures shall allow and provide an interconnected system of open space allowing open space and landscaping areas to connect with similar open spaces and landscaping areas existing, or planned to be located, on adjacent

properties.

- 5) **Site Access.** The location and number of access points to the site, the interior circulation pattern, and the separation between pedestrians and vehicles shall be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings. Appropriate vehicular and pedestrian cross access agreements and easements shall be provided.
- 6) **Trash and Refuse Collection Areas.** All solid waste and refuse collection areas shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. All dumpster and refuse enclosures shall be a minimum of six (6) feet high, constructed of materials to match the primary buildings on the site, and provide latching gates for screening the opening to the enclosure.
- 7) **Noise Impact.** Site design shall include provisions and strategies for limiting noise, particularly to adjacent property. The occupants of a proposed development should be protected from noise from both outside and within the site through screening, setbacks, and building materials. Noise generating equipment shall be located and buffered to minimize potential on-site and off-site impacts.
- 8) **Off-street Parking Areas and Loading Bays.** Off-street parking and loading docks/bays shall be screened by landscaped areas and walls. Loading bays and docks shall be separated from customer parking where possible. Loading bays shall be oriented away from neighboring residential areas and public streets. The number and dimension of required off-street parking spaces and loading bays shall be in accordance with the requirements of the Chapter 19, herein.
- 9) **Flood Channels and Drainage Ways.** Drainage ways shall be retained and protected in their naturally occurring condition, where possible, and integrated into the open space areas of the site and may include areas for use as trails or parks. Flood channels and drainage ways may be contoured to be gentle and rounded and may incorporate the use of rocks, boulders, and landscaping to increase interest.
- 10) **Site Landscaping and Screening Treatments.** Landscape improvements should mitigate building and parking lot impact, add aesthetic interest, and character. Landscaping is an integral element of site development. Landscaping should complement the architecture of the building and provide visual interest and variety, provide screening elements, add to year round site beautification, highlight building design features, and conserve water. The minimum landscaping requirement is based on the Zoning District in which the site is located, as provided in Table 10-2. Landscape designers shall recognize the following landscape design principles with the Landscape Plan(s) materials:
 - i) **Landscape Buffers.** Landscape buffers between dissimilar or conflicting land uses shall be provided. Landscape buffers shall be provided for off-street parking and service areas and streetscape landscape buffer areas shall be provided on the perimeter of all proposed Site Plans, as required by the Council.
 - ii) **Internal Parking Lot Landscaping** To minimize the environmental and visual impacts created by large areas of off street parking hard surfacing all off street parking areas shall be designed and constructed to meet the following minimum landscape requirements.

properties.

- 4) **Site Access.** The location and number of access points to the site, the interior circulation pattern, and the separation between pedestrians and vehicles shall be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings. Appropriate vehicular and pedestrian cross access agreements and easements shall be provided.
- 5) **Trash and Refuse Collection Areas.** All solid waste and refuse collection areas shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. All dumpster and refuse enclosures shall be a minimum of six (6) feet high, constructed of materials to match the primary buildings on the site, and provide latching gates for screening the opening to the enclosure.
- 6) **Noise Impact.** Site design shall include provisions and strategies for limiting noise, particularly to adjacent property. The occupants of a proposed development should be protected from noise from both outside and within the site through screening, setbacks, and building materials. Noise generating equipment shall be located and buffered to minimize potential on-site and off-site impacts.
- 7) **Off-street Parking Areas and Loading Bays.** Off-street parking and loading docks/bays shall be screened by landscaped areas and walls. Loading bays and docks shall be separated from customer parking where possible. Loading bays shall be oriented away from neighboring residential areas and public streets. The number and dimension of required off-street parking spaces and loading bays shall be in accordance with the requirements of the Chapter 19, herein.
- 8) **Flood Channels and Drainage Ways.** Drainage ways shall be retained and protected in their naturally occurring condition, where possible, and integrated into the open space areas of the site and may include areas for use as trails or parks. Flood channels and drainage ways may be contoured to be gentle and rounded and may incorporate the use of rocks, boulders, and landscaping to increase interest.
- 9) **Site Landscaping and Screening Treatments.** Landscape improvements should mitigate building and parking lot impact, add aesthetic interest, and character. Landscaping is an integral element of site development. Landscaping should complement the architecture of the building and provide visual interest and variety, provide screening elements, add to year round site beautification, highlight building design features, and conserve water. The minimum landscaping requirement is based on the Zoning District in which the site is located, as provided in Table 10-2. Landscape designers shall recognize the following landscape design principles with the Landscape Plan(s) materials:
 - a) **Landscape Buffers.** Landscape buffers between dissimilar or conflicting land uses shall be provided. Landscape buffers shall be provided for off-street parking and service areas and streetscape landscape buffer areas shall be provided on the perimeter of all proposed Site Plans, ~~as required by the Council.~~
 - b) **Internal Parking Lot Landscaping** To minimize the environmental and visual impacts created by large areas of off street parking hard surfacing all off street parking areas shall be designed and constructed to meet the following minimum landscape requirements. Site Plan Application approval by the ~~Council~~ **Commission** may require additional parking area

Site Plan Application approval by the Council may require additional parking area landscaping to achieve the purposes of this Ordinance.

- (i) Minimum Internal Parking Area Landscaping. All off street parking areas, providing twenty (20) or more parking spaces shall provide a minimum of five percent (5%) of the total parking area as landscape treatments. Areas to be landscaped may include;
 - (ii) Traffic islands separating adjacent parking spaces.
 - (iii) Peninsulas parallel to individual parking spaces.
 - (iv) Planter areas located at the ends of parking rows or other planter areas located within the off street parking area.
 - (v) The area provided for off street parking shall be the greatest area defined by the distance from the curb-lines or edges of the outermost parking space, aisle, or driveways.
 - (vi) No required setback areas shall be included as meeting the required parking area landscaping as required by this Section.
 - (vii) All required landscaped areas shall be provided with a permanent and adequate means of irrigation and regularly maintained, including weed control.
 - (viii) All parking lot hard surfacing shall provide a sufficient area around all trees and landscaping to permit water absorption and prevent soil compaction.
 - (ix) Off-street parking areas shall be screened by landscaped areas and/or screening walls.
- c) **Landscape Materials.** All proposed plants and landscape materials shall be consistent with (but not uniform) and of a similar scale with existing natural landscape, neighboring landscape, and adjacent streetscape areas where appropriate. Drought tolerant plant materials are encouraged. Landscaping improvements may also include berming, contouring, rocks, and boulders.
- d) **Native Vegetation Materials.** All landscape plans are encouraged to use vegetation, native to northern Utah.
- e) **Plant Size, Spacing, and Scale.** The size and spacing of landscape elements shall be consistent and establish a coordinated relationship to any existing or proposed streetscape plantings. The size and spacing of landscape elements shall also be of appropriate scale and character to all proposed site structures and features.
- f) **Screening Walls, Fences, and Other Visual Barriers.** Walls, fences, and barriers that create a continuous surface greater than twenty (20) feet in length shall be softened visually with acceptable landscaping. All walls and fences shall conform to the major architectural style of the Site Plan.
- g) **Non-vegetative Ground Cover.** Non-vegetative ground cover treatments may include boulders, small stones less than ½ inch in diameter and bark and mulch. Areas of non-vegetative ground cover materials shall be broken up and interspersed with plant materials.
- h) **Landscape Maintenance.** All landscape plans shall include necessary irrigation plans and shall demonstrate that long-term landscape maintenance has been considered in the landscape design.

landscaping to achieve the purposes of this Ordinance.

- (i) Minimum Internal Parking Area Landscaping. All off street parking areas, providing twenty (20) or more parking spaces shall provide a minimum of five percent (5%) of the total parking area as landscape treatments. Areas to be landscaped may include;
 - (ii) Traffic islands separating adjacent parking spaces.
 - (iii) Peninsulas parallel to individual parking spaces.
 - (iv) Planter areas located at the ends of parking rows or other planter areas located within the off street parking area.
 - (v) The area provided for off street parking shall be the greatest area defined by the distance from the curb-lines or edges of the outermost parking space, aisle, or driveways.
 - (vi) No required setback areas shall be included as meeting the required parking area landscaping as required by this Section.
 - (vii) All required landscaped areas shall be provided with a permanent and adequate means of irrigation and regularly maintained, including weed control.
 - (viii) All parking lot hard surfacing shall provide a sufficient area around all trees and landscaping to permit water absorption and prevent soil compaction.
 - (ix) Off-street parking areas shall be screened by landscaped areas and/or screening walls.
- c) **Landscape Materials.** All proposed plants and landscape materials shall be consistent with (but not uniform) and of a similar scale with existing natural landscape, neighboring landscape, and adjacent streetscape areas where appropriate. Drought tolerant plant materials are encouraged. Landscaping improvements may also include berming, contouring, rocks, and boulders.
- d) **Native Vegetation Materials.** All landscape plans are encouraged to use vegetation, native to northern Utah.
- e) **Plant Size, Spacing, and Scale.** The size and spacing of landscape elements shall be consistent and establish a coordinated relationship to any existing or proposed streetscape plantings. The size and spacing of landscape elements shall also be of appropriate scale and character to all proposed site structures and features.
- f) **Screening Walls, Fences, and Other Visual Barriers.** Walls, fences, and barriers that create a continuous surface greater than twenty (20) feet in length shall be softened visually with acceptable landscaping. All walls and fences shall conform to the major architectural style of the Site Plan.
- g) **Non-vegetative Ground Cover.** Non-vegetative ground cover treatments may include boulders, small stones less than ½ inch in diameter and bark and mulch. Areas of non-vegetative ground cover materials shall be broken up and interspersed with plant materials.
- h) **Landscape Maintenance.** All landscape plans shall include necessary irrigation plans and shall demonstrate that long-term landscape maintenance has been considered in the landscape design.

C. Site Lighting Standards.

All outside lighting, including parking areas, shall be “down lighting” so that lighting does not trespass to adjoining properties. All exterior lighting shall provide for the illumination of buildings and grounds for safety purposes, but in an aesthetic manner. All exterior lighting shall be shielded or hooded so that light does not spill, or trespass, onto adjacent properties.

All exterior lighting shall be reduced to the minimum levels necessary for safety and security purposes. The use of motion sensors and timers is encouraged.

- 1) **Parking Lot Lighting.** All off street parking area lighting shall be designed and installed to meet the following minimum requirements.
 - a) All lighting fixtures and poles shall be a decorative nature and painted a color as approved with Site Plan Application.
 - b) The height of all lighting poles shall not exceed twenty (20) feet, measured to the top of the pole or luminary.
 - c) All light fixtures, including security lighting, shall be fully hooded or shielded and aimed and so that all direct illumination shall be confined to the property boundaries of the source. All motion sensing light fixtures shall be fully shielded and adjusted, according to the manufacturer’s specifications, to turn off when detected motion ceases.
- 2) **Preferred Site and Building Lighting Types:**
 - a) Indirect Lighting.
 - b) Recessed Lighting.
 - c) “Shielded” or “hooded” Fixtures.
 - d) “Bollards” or other low-level walkway lighting.
 - e) Ground Lighting.
 - f) Decorative building and site lighting.
- 3) **Prohibited Lighting Types:**
 - a) Exposed Bulb Fixtures.
 - b) Directional Floodlights.
 - c) Excessive or intense lighting of any kind.
- 4) **Decorative poles.** Decorative poles used to mount light fixtures shall be painted a color to enhance the overall design of the project.
- 5) **Indoor Lighting.** Indoor lighting shall not be provided or constructed to provide lighting for any outdoor areas.

D. Site and Building Sign Standards.

The placement and design of all allowed signs shall be found to be compatible with building design and architecture. All signs shall be provided as an integral site and building design element and shall be compatible with the style of the buildings in terms of location, scale, color, and lettering style.

- 1) **Sign Location.** Signs shall not create a sight line obstruction for pedestrians or vehicles at street intersections or driveways.
- 2) **Sign Size.** The maximum size of all allowed and permitted signs shall be in accordance with the requirements of Roy

C. Site Lighting Standards.

All outside lighting, including parking areas, shall be “down lighting” so that lighting does not trespass to adjoining properties. All exterior lighting shall provide for the illumination of buildings and grounds for safety purposes, but in an aesthetic manner. All exterior lighting shall be shielded or hooded so that light does not spill, or trespass, onto adjacent properties.

All exterior lighting shall be reduced to the minimum levels necessary for safety and security purposes. The use of motion sensors and timers is encouraged.

- 1) **Parking Lot Lighting.** All off street parking area lighting shall be designed and installed to meet the following minimum requirements.
 - a) All lighting fixtures and poles shall be a decorative nature and painted a color as approved with Site Plan Application.
 - b) The height of all lighting poles shall not exceed twenty (20) feet, measured to the top of the pole or luminary.
 - c) All light fixtures, including security lighting, shall be fully hooded or shielded and aimed and so that all direct illumination shall be confined to the property boundaries of the source. All motion sensing light fixtures shall be fully shielded and adjusted, according to the manufacturer’s specifications, to turn off when detected motion ceases.
- 2) **Preferred Site and Building Lighting Types:**
 - a) Indirect Lighting.
 - b) Recessed Lighting.
 - c) “Shielded” or “hooded” Fixtures.
 - d) “Bollards” or other low-level walkway lighting.
 - e) Ground Lighting.
 - f) Decorative building and site lighting.
- 3) **Prohibited Lighting Types:**
 - a) Exposed Bulb Fixtures.
 - b) Directional Floodlights.
 - c) Excessive or intense lighting of any kind.
- 4) **Decorative poles.** Decorative poles used to mount light fixtures shall be painted a color to enhance the overall design of the project.
- 5) **Indoor Lighting.** Indoor lighting shall not be provided or constructed to provide lighting for any outdoor areas.

D. Site and Building Sign Standards.

The placement and design of all allowed signs shall be found to be compatible with building design and architecture. All signs shall be provided as an integral site and building design element and shall be compatible with the style of the buildings in terms of location, scale, color, and lettering style.

- 1) **Sign Location.** Signs shall not create a sight line obstruction for pedestrians or vehicles at street intersections or driveways.
- 2) **Sign Size.** The maximum size of all allowed and permitted signs shall be in accordance with the requirements of Roy City Sign Ordinance.

<p>City Sign Ordinance.</p> <p>3) Sign Materials and Colors. All sign materials shall be compatible with the buildings materials and colors. The illumination of all signs shall be accomplished in a manner which focuses light on the sign and fully shields the light source.</p>	<p>3) Sign Materials and Colors. All sign materials shall be compatible with the buildings materials and colors. The illumination of all signs shall be accomplished in a manner which focuses light on the sign and fully shields the light source.</p>
<p>Section 1509—Conditions for Approval for a Conditional Use:</p> <p>The Council may impose such reasonable requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control, hours of operation, and other items for the Conditional Use Permit deemed necessary for the protection of adjacent properties and the public interest.</p>	<p>Section 1509—Conditions for Approval for a Conditional Use:</p> <p>The Council may impose such reasonable requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control, hours of operation, and other items for the Conditional Use Permit deemed necessary for the protection of adjacent properties and the public interest.</p>
<p>Section 1510—Findings and Conditions:</p> <p>The Council may grant a Conditional Use Permit in compliance with this Ordinance if, from the application and the facts presented, the Council finds:</p> <ol style="list-style-type: none"> 5) The use is a Conditional Use within the zoning district, as identified in the Table of Uses, Chapter 17 herein. 6) The use complies with the requirements applicable to the zoning district in which it is located, including minimum area, setbacks, height, and all other requirements, as applicable. 7) The proposed use meets, and will be conducted in compliance with the requirements of this Ordinance, all other applicable Ordinances, and all applicable Federal, State, or Local regulations and permits. 8) The property on which the Conditional Use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties. 9) The proposed use is consistent with the goals and policies of the General Plan and will assist in the implementation of such goals and policies, as applicable. <p>In approving a Conditional Use Application, the Council may impose reasonable conditions necessary to secure the purposes of this Ordinance. These conditions may include:</p> <ol style="list-style-type: none"> i) Size, configuration, and location of the site, and proposed site plan layout. ii) Proposed site ingress and egress to existing and proposed roads and streets. iii) The provision of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protection, and other utilities. iv) Location and amount of off-street parking and loading areas. v) Site circulation pattern for vehicular and pedestrian traffic. vi) Building size and location, building design and exterior building features, building materials, and building colors. vii) The location and design of all site features, including proposed signage, lighting, and refuse collection. viii) The provision of useable open space, public features, and recreational amenities. ix) Fencing, screening and landscape treatments and other 	<p>Section 1510—Findings and Conditions:</p> <p>The Council Commission shall approve a Conditional Use: may grant a Conditional Use Permit in compliance with this Ordinance if, from the application and the facts presented, the Council finds:</p> <ol style="list-style-type: none"> 1) The use is a Conditional Use within the zoning district, as identified in the Table of Uses, Chapter 17 herein. 2) The use complies with the requirements applicable to the zoning district in which it is located, including minimum area, setbacks, height, and all other requirements, as applicable. 3) The proposed use meets, and will be conducted in compliance with the requirements of this Ordinance, all other applicable Ordinances, and all applicable Federal, State, or Local regulations and permits. 4) The property on which the Conditional Use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties. 5) The proposed use is consistent with the goals and policies of the General Plan and will assist in the implementation of such goals and policies, as applicable. <p>In approving a Conditional Use Application, the Council may impose reasonable conditions necessary to secure the purposes of this Ordinance. These conditions may include:</p> <ol style="list-style-type: none"> a) Size, configuration, and location of the site, and proposed site plan layout. b) Proposed site ingress and egress to existing and proposed roads and streets. c) The provision of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protection, and other utilities. d) Location and amount of off-street parking and loading areas. e) Site circulation pattern for vehicular and pedestrian traffic. f) Building size and location, building design and exterior building features, building materials, and building colors. g) The location and design of all site features, including proposed signage, lighting, and refuse collection. h) The provision of useable open space, public features, and recreational amenities. i) Fencing, screening and landscape treatments and other features designed to increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.

<p>features designed to increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.</p> <ul style="list-style-type: none"> x) Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation. xi) Measures designed to protect the natural features of the site, including wetlands and drainage ways, and ground water protection. xii) The regulation of operating hours for activities affecting normal schedules and functions. xiii) Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval. xiv) Such other conditions determined reasonable and necessary by the Council to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Ordinance. 	<ul style="list-style-type: none"> j) Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation. k) Measures designed to protect the natural features of the site, including wetlands and drainage ways, and ground water protection. l) The regulation of operating hours for activities affecting normal schedules and functions. m) Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval. n) Such other conditions determined reasonable and necessary by the Council to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Ordinance. 1) If reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. 2) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposed or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. (§ 10-9a et. Seq. U.C.A., as amended)
<p>Section 1511—Effect of Approval:</p> <p>Approval of a Conditional Use Application shall approve the establishment of the use only. A Conditional Use Application shall not authorize the establishment of any building, activity, construction, or occupancy. Only when the Council has approved, or approved with conditions, the necessary and required Site Plan Application may any building, activity, construction, or occupancy be established, subject to any conditions of approval. The approval of a Conditional Use Application shall not be deemed an approval of any other application, permit, or license.</p>	<p>Section 1511—Effect of Approval:</p> <p>Approval of a Conditional Use Application shall approve the establishment of the use only. A Conditional Use Application shall not authorize the establishment of any building, activity, construction, or occupancy. Only when the Council Commission has approved, or approved with conditions, the necessary and required Site Plan Application may any building, activity, construction, or occupancy be established, subject to any conditions of approval. The approval of a Conditional Use Application shall not be deemed an approval of any other application, permit, or license.</p>
<p>Section 1512—Appeal:</p> <p>Any person aggrieved by a decision of the Council regarding a Conditional Use Application may appeal the decision to the authorized Appeal Authority as provided by Chapter 28, herein.</p>	<p>Section 1512—Appeal:</p> <p>Any person aggrieved by a decision of the Council Commission regarding a Conditional Use Application may appeal the decision to the authorized Appeal Authority as provided by Chapter 28, herein.</p>
<p>Section 1515—Revocation or Modification of a Conditional Use Permit Approval:</p> <ul style="list-style-type: none"> 3) A Conditional Use Permit approved in accordance with the provisions of this Ordinance may be revoked by the Council if any of the conditions of approval are not been met, or if the permit is used to violate any law or ordinance. 4) The Zoning Administrator shall notify the permit holder by certified mail if any permit violation or if a violation exists in any conditions of approval. If no attempt to correct the violation is made within ten (10) days after notification, the Conditional Use Permit shall be revoked by the Council and considered null and void. A Conditional Use Permit may be revoked by the Council, if the Council finds that one or more of the following conditions exists: <ul style="list-style-type: none"> a) The Conditional Use Permit was obtained in a fraudulent 	<p>Section 1515—Revocation or Modification of a Conditional Use Permit Approval:</p> <ul style="list-style-type: none"> 1) A Conditional Use Permit approved in accordance with the provisions of this Ordinance may be revoked by the Council Commission if any of the conditions of approval are not been met, or if the permit is used to violate any law or ordinance. 2) The Zoning Administrator shall notify the permit holder by certified mail if any permit violation or if a violation exists in any conditions of approval. If no attempt to correct the violation is made within ten (10) days after notification, the Conditional Use Permit shall be revoked by the Council Commission and considered null and void. A Conditional Use Permit may be revoked by the Council Commission, if the Council Commission finds that one or more of the following conditions exists: <ul style="list-style-type: none"> a) The Conditional Use Permit was obtained in a fraudulent

<p>manner.</p> <ul style="list-style-type: none"> b) The use for which the Conditional Use Permit was granted has now ceased for at least six (6) consecutive calendar months. c) One or more of the conditions of the Conditional Use Permit have not been met. <p>Additionally, the Council, following a public hearing, may modify the conditions under which a Conditional Use Permit was originally approved if the Council finds that the use or related development constitutes or is creating a nuisance.</p>	<p>manner.</p> <ul style="list-style-type: none"> b) The use for which the Conditional Use Permit was granted has now ceased for at least six (6) consecutive calendar months. c) One or more of the conditions of the Conditional Use Permit have not been met. <p>Additionally, the Council-Commission, following a public hearing, may modify the conditions under which a Conditional Use Permit was originally approved if the Council-Commission finds that the use or related development constitutes or is creating a nuisance.</p>
---	--

REQUEST FOR COUNCIL ACTION

Office of the City Manager



DATE: March 7, 2017
TO: Mayor and City Council
FROM: Jay Baughman, City Manger
RE: Request funding of a Light at 4400 South

Ordinance **Resolution** **Motion** **Information**

Executive Summary

The Beautification Committee discussed placing a light pole at the new round-a-bout on 4800 South. The Public Works Department is able to purchase and install the light with the funds from the project.

With that, Councilwoman Yeoman has asked whether or not we can place another light at the round-a-bout on 4400 South.

Recommendation

Staff would recommend the placement of the light to enhance the look of the round-a-bout and provide additional lighting in the area.

Fiscal Impact

Staff estimates that the light would cost approximately \$15,000. The amount could be transferred from Capital Projects to the Street Division to purchase the light.

Background

At the February 7th City Council meeting, adjustments to the FY 2017 budget were approved. Included in the adjustments was setting aside fund balance reserve for possible use on capital projects. Public Works Director Ross Oliver estimates that the light would cost approximately \$15,000. The amount could be transferred from Capital Projects to the Street Division to purchase the light. The City Council can approve the transfer without the need for another public hearing, because the budget is not being increased. Available funds are merely being transferred from one department to another.

If the City Council wishes to have a light installed at 4400 South, staff will place an order for the light, and bring a formal adjustment back to them at the March 21st meeting.

REQUEST FOR COUNCIL ACTION

Office of the City Manager



DATE: March 7, 2017
To: Mayor and City Council
FROM: Jay Baughman, City Manger
RE: Waiver of Noise Ordinance for UDOT Road Work

Ordinance **Resolution** **Motion** **Information**

Executive Summary UDOT is currently in the design phase of microsurfacing SR-108. This project is scheduled to be begin in the summer of 2018 and will require night work. UDOT is requesting a waiver of our noise Ordinance.

Recommendation

It is recommended that we allow UDOT a waiver of our noise Ordinance.

Fiscal Impact

None.

Background

Utah Senate Bill 177, which was passed in March of 2016, started a new UDOT process for obtaining noise waiver permissions. In the past, contractors were responsible for obtaining the noise permit waiver prior to construction. However, due to delays that were caused by this, UDOT is now in charge of procuring the noise permits during the design phase. By so doing, they hope to avoid costly delays during the advertising and construction phases of projects. A Net Benefit Analysis has been completed and included in the City Council Packet for your review.

NET BENEFIT ANALYSIS

Senate Bill 177

PROJECT INFORMATION

Date:	February 15 2017
Project PIN:	14197
Project Name:	SR-108; 2300 N to 4600 S and Hinckley Dr. to SR-126
Project Manager:	Daryl Ballantyne
Project Scope:	Pavment Preservation (Microsurface)
Lowest Posted Speed Limit:	45 MPH
Local Jurisdictional Authority(s) (LJA) Affected:	Roy City, SR-108 Davis County line to 4600 S and Hinckley Dr. to SR-126
LJA Contact Name(s) and Number(s):	Jay Baughman (801) 774-1020

NET BENEFIT ANALYSIS - Compare Nighttime Work to Daytime Work

Check the box if documentaton is attached

<input type="checkbox"/>	Public Health <i>(Noise Pollution, Sleep)</i>	No Change	No residential building in the immediate vicinity.
<input type="checkbox"/>	Project Completion Time <i>(Schedule, Project Duration)</i>	Positive	Project duration impacted less due to decreased traffic at night.
<input type="checkbox"/>	Air Quality <i>(Congestion Reduction)</i>	Positive	Less pollution due to less traffic delays and shorter construction duration.
<input type="checkbox"/>	Traffic <i>(Delays, Construction Impacts)</i>	Positive	Less traffic delays due to reduced traffic during night work.
<input type="checkbox"/>	Economics <i>(User costs, Business access)</i>	Positive	User cost and Buisness impacted less during night work.
<input type="checkbox"/>	Safety <i>(Traveling Public, Workers)</i>	Positive	Overall safer to public and workers because less traffic impacts at night.
<input type="checkbox"/>	LJA Concerns <i>(Preference)</i>	Negative	Noise and sleep impact due to construction activity.

CONCLUSION - Engineer's Analysis

Net Positive - Safety, Production, Schedule, Air Quality, Economics and traffic delays.

Final Assessment **Positive**

LJA Requested Mitigation Measures

Noise Permit Information - LJA Permits (s) and Date Received