

ORDINANCE No. 1071

AN ORDINANCE AMENDING CHAPTER 17 OF THE ROY CITY ZONING ORDINANCE BY ESTABLISHING SECTION 1702, EXCEPTIONS TO THE TABLE OF USES.

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Chapter 17 - the table of uses regarding Outdoor Display and Outdoor Storage; and

WHEREAS, the Roy City Council finds that additional regulation of the Outdoor Display and Outdoor Storage will be of benefit and use in enhancing and increasing long-term viability of development within commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held several public hearings as required by law and has favorably recommended an amendment 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 Chapter 17, Section 1702 as follows:

Remove - Language to be removed has been struck through.

Table 17-2

~~Pawnshop. Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the 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. Pawn Shops shall not engage in any outdoor display or outdoor storage of merchandise.~~

Add

Section 1702 – ~~Exceptions to the Table of Uses:~~

- 1) Outdoor Display: Permitted or Conditional uses within the CC, RC and BP may include the outdoor display of merchandise for sale as part of Site Plan approval, only if all of the following conditions are met:
 - a) The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.
 - b) The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
 - c) No item shall be displayed outdoors except for those lawfully displayed and sold inside the business. No hazardous and/or flammable materials (such as antifreeze, kerosene, poisons, pesticides and other similar items) may be displayed outdoors.
 - d) The aggregate outdoor display area shall not exceed twenty-five percent (25%) of the linear frontage of the store front or ten (10) linear feet, whichever is greater. Businesses located on a corner shall be considered as having two (2) store fronts.
 - e) No outdoor display shall exceed six (6) feet in height.
 - f) Items shall be displayed outdoors only during the hours when the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.
 - g) Additional signs, beyond those normally allowed for the subject business, shall not be allowed as part of the outdoor display and sales area.
 - h) Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Zoning Administrator for a period not to exceed fourteen (14) days provided such special displays do not create parking, access, or traffic hazards.
- 2) Outdoor Storage: Permitted or Conditional uses within the CC, RC, BP, LM and M may include the outdoor storage as part of Site Plan approval, only if all of the following conditions are met:

- a. The outdoor storage area are located to the side or rear of the building.
- b. All outdoor storage is screened from public view
- c. All outdoor storage does not exceed the height of the screening, when viewed at ground level at any location within one hundred feet (100') of any required screening.
- d. All materials stored outdoors shall be contained so that wind will not carry the items to adjacent properties.
- e. Outdoor storage of vehicles that are being repaired or are in queue for repairs longer than 72 hours must be screened.

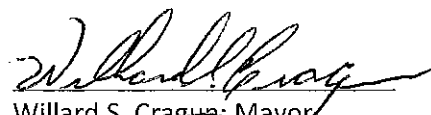
TABLE 17-3 - TABLE OF ALLOWED SCREENING

A minimum 6 foot tall solid fence of either wood, vinyl or chainlink with interlocking opaque vinyl or a minimum 6 foot tall decorative masonry wall with textured surfacing facing the street	Screens ground level lights, noise, objectionable views, provides privacy and access restriction, and texturing provides aesthetic relief. "Decorative masonry" shall include split face block or brick, brick, fluted block, or masonry wall with stucco finish, but shall not include openings in the wall surface below a height of 6 feet. Bumper guards set back a minimum of 2½ feet from the fence shall be required when fence abuts parking.
Minimum 6 foot chainlink fence with inserts in the fence fabric	Provides security and access restriction. Inserts help screen objectionable views. Inserts shall be of a durable opaque material and shall be kept in good repair. Bumper guards, set back a minimum of 2½ feet from the fence, shall be required when fence abuts parking.
6 foot open fence with evergreen trees and shrubs	Screens ground level and higher level lights, provides security and access restriction. Vegetative screen provides additional noise mitigation and screens objectionable views. Trees and shrubs shall be of a locally adapted evergreen species such as arborvitae, juniper, pyracantha, evergreen euonymus, pines or spruces, with a planted size of at least 15 gallons for trees and 5 gallons for shrubs, and shall be expected to reach a height of at least 5 feet within 5 years of planting. Trees shall be planted at 20 feet on center and shrubs at 5 feet on center.

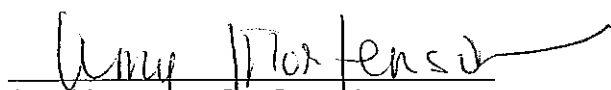
This Ordinance has been approved by the following vote of the Roy City Council:

	AYE	NAY	ABSTAIN
Councilman Becraft	<u> X </u>	<u> </u>	<u> </u>
Councilman Cordova	<u> X </u>	<u> </u>	<u> </u>
Councilman Hilton	<u> X </u>	<u> </u>	<u> </u>
Councilman Tafoya	<u> X </u>	<u> </u>	<u> </u>
Councilman Yeoman	<u> X </u>	<u> </u>	<u> </u>

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this 18th day of November, 2014.


 Willard S. Cragun; Mayor

Attested and Recorded:


 Amy Mortenson; City Recorder