

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

OCTOBER 5, 2017; 5:30 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
BRUCE DAVIS, TOM DAY, SCOTT FREITAG
AND JOY PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
TIM WATKINS AND KIM READ**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Stevenson opened the meeting and turned the time over to Staff.

AGENDA:

**REZONE REQUEST – PRATT REZONE – A (AGRICULTURE) TO R-S (RESIDENTIAL
SUBURBAN) – ORDINANCE 17-40 – 1823 WEST 1000 SOUTH**

Bill Wright, Community & Economic Development Director, shared a visual illustration identifying the property proposed for the rezone. He explained Mr. Pratt had purchased the home located near Weaver Lane and West Side Drive on property owned by Davis School District and stated the proposed rezone would allow for the five - year old home on the property to be relocated as opposed to being demolished. He reminded the Council the School District had purchased the property to facilitate the construction of a new Junior High School and mentioned the rezone would also accommodate a future seminary building in conjunction with the new school. He emphasized the Council wasn't being asked to approve the subdivision at this time. He stated the Planning Commission recommended approval based upon the fact it was consistent with the General Plan.

Councilmember Petro asked if the barn currently located on the property would remain as a barn and Mr. Wright responded that would be up to the property owner. Mr. Wright referred to a Google earth illustration identifying the existing structures and the proposed location for other structures. Mr. Wright also explained other specifics associated with the roads in the area and explained the reason for a proposed flag lot on the parcel was due to the existing homes and roads in the area.

**DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY AND PAUL HOSKINS –
REZONE REQUEST – A (AGRICULTURE) TO M-1 (LIGHT
MANUFACTURING/INDUSTRIAL) – RESOLUTION 17-70 AND ORDINANCE 17-42 – 2105
NORTH FORT LANE**

**DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY AND THE REDEVELOPMENT
AGENCY (RDA) OF LAYTON CITY – REZONE REQUEST – A (AGRICULTURE) TO M-1
(LIGHT MANUFACTURING/INDUSTRIAL) – RESOLUTION 17-72 AND ORDINANCE 17-35 –
305 EAST ANTELOPE DRIVE**

**DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY AND TRENT E AND TARA J
JENSEN – REZONE REQUEST – A (AGRICULTURE) TO M-1 (LIGHT
MANUFACTURING/INDUSTRIAL) – RESOLUTION 17-71 AND ORDINANCE 17-43 – 1816
NORTH FORT LANE**

**DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY AND HEARTLAND LLC –
REZONE REQUEST – A (AGRICULTURE) TO M-1 (LIGHT
MANUFACTURING/INDUSTRIAL) – RESOLUTION 17-69 AND ORDINANCE 17-41 – 320**

EAST ANTELOPE DRIVE

Mr. Wright informed the Council the next four rezone requests were similar in that the properties were all located within the APZ (Accident Potential Zone) of Hill Air Force Base (HAFB). He reminded the Council it recently approved a Resolution authorizing further study specific to land use compatibility in that zone. He stated these four rezone requests were submitted prior to the approval date of July 20, 2017 and Staff was processing the requests. He reported the Planning Commission reviewed the requests and public hearings took place during its meeting on Tuesday, September 26, 2017. He shared an illustration which reflected all properties proposed for the rezones and subsequent Development Agreements. He pointed out each public hearing would be addressed separately during the City Council Meeting.

The proposed Development Agreements were similar in nature and the following discussion took place relative to each of them. Mr. Wright shared a visual illustration identifying each of the parcels proposed for rezone and development in relation to the APZ and specifically addressed the Hoskins agenda item. He reviewed specifics associated with the parcel and indicated the home would be demolished in conjunction with the development. He directed the Council to the Development Agreement and reported the Planning Commission expressed concern about the agriculture use within the M-1 Zone and subsequently recommended approval with restrictions specific to keeping of animals which required feeding troughs and breeding. He indicated this provision would also be applicable to the other properties and stated all applicants had expressed agreement with the restriction. He reported it was the Planning Commission's position that the keeping and breeding of the larger animals was incompatible given the proximity to single family homes. He continued some of the applicants qualified for the "green belt" designation used for property tax purposes if the parcel didn't develop in its entirety and reported the Planning Commission based its decision on compatibility and conformance. He emphasized residential uses of any kind couldn't be built on any of the properties. He remarked HAFB had also expressed concern about people living in or operating businesses out of storage units and explained how the City intended to address those concerns with the completion of inspections.

Councilmember Brown stated she would prefer businesses be established on the properties as opposed to storage units if she lived near any of the parcels; however, she understood the challenges associated with what was allowed within the APZ.

Mr. Wright informed the Council a privacy fence would be needed near the Jensen property along Fort Lane because of the conservation easement and reviewed the adjacent uses.

Tim Watkins, City Planner, pointed out truck rental wouldn't be allowed on any of the properties.

DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY AND HEARTLAND LLC – REZONE REQUEST – A (AGRICULTURE) TO M-1 (LIGHT MANUFACTURING/INDUSTRIAL) – RESOLUTION 17-69 AND ORDINANCE 17-41 – 320 EAST ANTELOPE DRIVE

Mr. Wright referred to the development agreement with Heartland and reported on the changes which had been pointed out by its attorney and reviewed those with the Council:

- Consistent use of "storage sheds" and "storage warehouse" in 4.4.3
- Replacing "shall" to "may" in 4.5 which referenced all development proposals be submitted to HAFB. He stated the City wasn't in agreement with that request and emphasized the City was a partner with HAFB and indicated that language wouldn't be changed. He suggested the City eliminate the last portion of the sentence which reflected "interpretation of APZ Land Use Easements relative to the proposed development."
- Completion date of the project

Councilmember Day arrived at the meeting.

The attorney for Heartland distributed a handout identifying Heartland's proposed changes to the Development Agreement and reviewed it with the Council:

- 4.4.3 changing language which clarified a business license wouldn't be needed when renting a storage unit
- 4.5 suggested language should reflect that HAFB could interpret rights specific to development within the APZ. He believed that action was the City's duty and clarified Heartland representatives would work with HAFB.
- 5.2 would allow the developer to pursue completion of the development, possibly in phases as needed.

Mr. Wright stated Staff concurred with the proposed recommendations.

OPEN FORUM – DAVIS COUNTY COMMISSIONERS

Mayor Stevenson, on behalf of the Council and City, expressed appreciation to the Davis County Commission.

Jim Smith, County Commission Chair, explained the purpose and idea behind these visits to the cities and emphasized its intent in making the Commission more available to the residents. He stated the Commission welcomed feedback from the public.

Commissioner Brett Milburn arrived at 6:00 p.m.

Commissioner Smith solicited questions of concerns of the Council and Staff which the Commission address or speak to and there were none.

The Commissioners, Jim Smith, Randy Elliott and Bret Milburn introduced themselves and each explained its respective assignments to the Council. A discussion took place regarding proposed events and issues of concern within the County. It expressed appreciation for the opportunity to work with the elected officials of cities within the County.

Mayor Stevenson expressed appreciation to the Commissioners for their visit.

The meeting adjourned at 6:45 p.m.

Kimberly S Read, City Recorder