

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

SEPTEMBER 1, 2022; 5:37 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR JOY PETRO, ZACH BLOXHAM, CLINT
MORRIS, TYSON ROBERTS, BETTINA SMITH
EDMONDSON, AND DAVE THOMAS**

STAFF PRESENT:

**GARY CRANE, STEVE GARSIDE, CHAD
WILKINSON, BRANDON RYPIEN, ED FRAZIER,
AND KIM READ**

EXCUSED:

ALEX JENSEN

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

Mayor Petro opened the meeting and announced Councilmember Smith Edmondson would be late.

AGENDA:

COUNCILMEMBER REPORT

Councilmember Thomas requested clarification on what was taking place at Vae View Park and Steve Garside, Assistant City Manager, responded the activity was associated with the underground monitoring wells being conducted by Hill Air Force Base (HAFB).

**ANNEXATION AGREEMENT, ANNEXATION, AND REZONE REQUEST – JENKINS – A
(AGRICULTURE) TO R-1-10 PRUD (SINGLE FAMILY RESIDENTIAL, PLANNED
RESIDENTIAL UNIT DEVELOPMENT) – RESOLUTION 22-45, ORDINANCE 22-16, AND
ORDINANCE 22-07 – 3071 WEST GENTILE STREET**

Chad Wilkinson, Community and Economic Development Director, indicated Brandon Rypien, Planner, would be addressing the Council later in the meeting and mentioned this would be his last City Council Meeting, as he had accepted a position with Ogden City.

Mr. Wilkinson shared a visual presentation and identified the location of the property and informed the Council of the request. He pointed out a large portion of the proposed development was outside City boundaries and would need to be annexed with the Annexation and Development Agreement, in addition to the rezone.

Councilmember Smith Edmondson arrived at 5:41 p.m.

Mr. Wilkinson referenced an illustration which identified the parcel located within the City boundary and that which needed to be annexed and also identified surrounding properties and uses. He reminded the Council, the City's PRUD Ordinance required the creation of meaningful and useable open spaces for the development. He mentioned Weston Applonie, City Planner, worked closely with the applicant which resulted in open spaces being centrally located, easily accessible to residents of the development, and was a great amenity space. He stated the proposed PRUD development consisted of 91 units; 67 single family homes and 24 townhome units and oriented the Council to illustrate the housing concept plan. He identified the location of the meaningful open space for each of those development components. He shared an illustration reflecting the proposed amenities for the open space and reviewed those with the Council. He pointed out City Code required a minimum of 20% open space and reported the design was slightly higher than that. He shared some elevation illustrations.

He reported the Planning Commission had reviewed the request during more than one of its meetings and identified an adjacent property with a current agriculture use. He reported the owner had attended and expressed concern during both Planning Commission meetings and had requested a larger buffer on the southern property line to mitigate issues with business operations at Perennial Favorites. He reviewed the City's usual mitigation efforts with similar circumstances with bordering agriculture properties: a notice being placed on the plat notifying property owners of an existing agriculture operation.

He informed the Council of the adjacent agriculture property owner's suggestion of a trail system, providing a separation between the properties and the Planning Commission had requested Staff consider the request. He also identified Staffs' concerns regarding the proposed trail; it didn't contribute to the meaningful open space requirement and it could create a space for negative activity. Additionally, Staff recommended an increase in the lot depths to those lots adjacent to the agricultural use intended to provide a balance between that use and the proposed development.

Mr. Wilkinson explained City Code, and language in the Development Agreement, called for a solid vinyl fence at the rear property line between the two separate uses intended for a buffer and the applicant had additionally agreed to record, not only on the plat, but on each individual lot, a declaration providing additional notice to the home buyer they were moving adjacent to an agricultural operation. He reported the Planning Commission also added additional language related to hours of operation, lighting, and other expectations of an agriculture operation. The Planning Commission forwarded a recommendation of approval to the City Council. A discussion took place specific to the buffer and Mr. Wilkinson clarified the City wouldn't be requiring anything additional, other than the fence, on behalf of the agriculture operation. He emphasized he had communicated with the agriculture property owner explaining the City's current ordinance adequately provided for an appropriate buffer.

Gary Crane, City Attorney, explained how the City's nuisance ordinance wasn't applicable to agriculture use and provided further clarification regarding agriculture uses within the City and the discussion continued regarding development changes taking place within the general area. The Council expressed concern with the proposed dog park and the applicant further explained the dog park proposal and the discussion continued. The applicant also informed the Council he had communicated with the adjacent agricultural user and reported on solutions he believed would mitigate negative impact to residents. Councilmember Roberts suggested including the word "smells" to the required language on the recorded plat. Councilmember Smith Edmondson requested clarification on the number of lots which would be located adjacent to the agricultural operation and the applicant identified the 11 lots.

GENERAL PLAN AMENDMENT – MODERATE-INCOME HOUSING PLAN ELEMENT ADDENDUM – ORDINANCE 22-22

Mr. Wilkinson informed the Council this General Plan Amendment was limited in scope and the proposed minor changes would bring the City into compliance with recently adopted State legislation, House Bill 462.

Brandon Rypien, City Planner, shared a visual illustration specific to the City's Moderate-Income Housing Plan and reviewed the formula used to determine moderate income requirements. He reviewed the proposed amendments to the City's Housing Plan with the Council. He pointed out the advantage with adopting six strategies, as opposed to just the four was the opportunity to receive additional Transportation Funds. He also indicated the City was required to also identify an Implementation Plan describing how the City intended to accomplish the identified strategies. He also explained the City was required to submit a Station Area Plan because of the UTA (Utah Transit Authority) FrontRunner Station located within the City. He indicated the City was required to submit its Annual Plan by October 1, 2022 and reported City Staff would be attending workshops to identify how the City could apply for available grant funding. Mr. Rypien responded to questions from the Council to further clarify the Moderate Income Housing Plan.

AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 18 LAND USE DEVELOPMENT, CHAPTER 18.24 STREETS, SECTION 010 ARRANGEMENT, SECTION 020 WIDTHS, SECTION 040 CUL-DE-SACS, SECTION 050 EASEMENTS; TITLE 19 ZONING, CHAPTER 24 CONDOMINIUM/TOWNHOUSE (C-TH) ZONING DISTRICT, SECTION 080 CONDOMINIUM/TOWNHOUSE DESIGN STANDARDS; REPEAL TITLE 18 LAND USE DEVELOPMENT, CHAPTER 18.24 STREETS SECTION 030 ALLEYS, AND TITLE 18 LAND USE DEVELOPMENT, CHAPTER 18.50 PRIVATE RESIDENTIAL SUBDIVISIONS AND DEVELOPMENTS, SECTION 060 STREET AND DRIVEWAY IMPROVEMENTS TO ESTABLISH PUBLIC AND PRIVATE STREET STANDARDS IN LAYTON CITY – ORDINANCE 22-21

Mr. Wilkinson requested the Council open the public hearing, accept public comments, and then continue the public hearing until the next City Council Meeting on Thursday, September 15, 2022. He explained the proposed ordinance was not quite ready for adoption at this time. He briefly reviewed some issues which developers repeatedly request clarification and need to be addressed in the City's ordinance and reviewed the following:

- Gates to private streets within developments
- Public traffic using private street connections within the City
- Maintenance of private streets

He explained the amendment would no longer be in text form, but rather be converted to a table for developers and the public to easier interpret City Code and also referenced the different types of private streets and reviewed the identified proposed changes with the Council. He added the Public Utility and Drainage Easement Code would also be included with this Text Amendment and mentioned it would also be included with an update and adoption of the Development Guidelines and Design Standards to be submitted by the Engineering Department. He also addressed the proposed standard for a separation of buildings for rear loaded lots/units, which would be addressed with private streets, and explained the importance of that inclusion.

Mr. Wilkinson clarified the draft ordinance had been included in the Council Packet; however, it would be discussed again at a future meeting. He clarified existing private/public street connections would continue as currently used.

MAYOR'S REPORT

Mayor Petro announced Councilmember Thomas was celebrating a birthday. She distributed cupcakes to acknowledge the occasion and wished him a happy birthday.

She also informed the Council of an open house she attended on Monday evening, August 29, 2022, with elected officials representing Davis County and the ULCT (Utah League of Cities and Towns) to identify direction for the upcoming legislative session. She mentioned it had recognized Layton City's perspective and leadership. She announced her intent to continue encouragement regarding the disruption stopped trains cause along the railroad corridor throughout the City and other communities. She believed as the Inland Port continued to grow it would continue to be an issue.

The meeting adjourned at 6:48 p.m.

Kimberly S Read, City Recorder