LAYTON CITY JOINT PLANNING COMMISSION/CITY COUNCIL WORK MEETING MINUTES  
APRIL 9, 2019

PLANNING COMMISSION
MEMBERS PRESENT:  
Vice Chair Tricia Pilny, Commissioners Brian Allen,  
Dawn Fitzpatrick, Wynn Hansen, Daniela Harding,  
Clint Morris, and George Wilson

MAYOR AND CITY COUNCIL
MEMBERS PRESENT:  
Councilmembers Joyce Brown, J. Scott Carter, Bruce  
Davis, Tom Day, and Joy Petro

MEMBERS ABSENT:  
Chairman Brett Nilsson, Commissioner Robert Van  
Drunen, and Mayor Scott Freitag

OTHERS PRESENT:  
Staff: City Manager Alex Jensen, City Attorney Steve  
Garside, City Attorney Mason Kjar, CED Deputy  
Director Lon Crowell, City Planner Tim Watkins,  
Planner II Brandon Rypien, Planner II Kem Weaver,  
City Engineer Steve Jackson, Consultant Christy  
Brown, and Interim Secretary Kendall Welch

The work meeting was held in the Chambers Conference Room of the Layton City Center. Vice Chair Pilny called the work meeting to order at 5:32 PM.

1. WELCOME  (5:33 PM)  
Vice Chair Pilny welcomed everyone to the meeting and stated that the biggest changes within the draft General Plan would be discussed first. Vice Chair Pilny then turned the meeting over to Tim Watkins, City Planner.

2. REVIEW AND DISCUSSION: DRAFT GENERAL PLAN REFINEMENTS AND OVERVIEW OF PRUD RESEARCH  (5:34 PM)  
Mr. Watkins started in Chapter 2. Land Use, providing an overview of recently applied edits. Mr. Watkins explained that recent changes within the draft plan were an attempt to include standard subdivisions as well as PRUD’s (Planned Residential Unit Developments).

Mr. Watkins shared new text on page 17 of the draft plan which read: “New residential development should be designed with streets and sidewalks that connect to existing or future development, and nearby trails and parks where available. In all residential areas, existing parcels with A (Agriculture) or R-S (Residential Suburban) zoning may conduct agricultural operations with protected agricultural status as surrounding parcels may be sold for development.” Mr. Watkins commented that this has traditionally been the policy of the City and should be carried forward to the new plan.
Mr. Watkins then addressed changes on page 18 of the draft plan under “Community Residential” where the following text was added: “As a standard single family residential subdivision, R-1-6 zoning with a minimum lot size of 6,000 s.f. may apply, or larger lots if desired.” Mr. Watkins stated that this would generally be recommended as a land use transition or buffer between lower single family residential uses, and intensive arterial or collector streets. Mr. Watkins stated that “common open space areas” was added to the section referring to PRUD’s along with a reference to Chapter 6. Residential Neighborhoods with Variety and Amenities.

Also discussed on page 18 was “Neighborhood Residential” where the following text was added: “These single family residential areas include existing neighborhoods and subdivisions, and include vacant or agricultural land areas where future development at a base density of 3 to 4 units per acre may occur. As a standard single family residential subdivision, R-1-10 zoning with a minimum lot size of 10,000 s.f. may apply, or R-1-8 zoning with a minimum lot size of 8,000 s.f. may also apply. The base density may be increased through use of the PRUD overlay ordinance to provide neighborhoods with housing and lot size variety, clustered around common open space amenity areas.”

Mr. Watkins also pointed out that “Low Density Residential” was also changed with the addition of the following statement: “Low Density Residential areas include existing neighborhoods with a base density of 1 to 3.5 units per acre. As a standard single family residential subdivision, R-S zoning with an average lot size of 15,000 s.f. may apply, or R-1-10 zoning with a minimum lot size of 10,000 s.f. may also apply.”

On page 19 of the draft plan Mr. Watkins shared the creation of the paragraph “Neighborhood Ag Heritage Overlay” which reads: “The base density of 1 to 3.5 units per acre in Low Density Residential areas may be increased through the use of the PRUD overlay ordinance to provide neighborhoods with housing and lot size variety, clustered around common open space amenity areas. Compared to Community Residential and Neighborhood Residential areas, a greater percentage of open space area should apply to Neighborhood Ag Heritage Overlay areas to provide for recreational activities, and to provide an option for a common garden area or professional-operated ag-plot.”

Mr. Watkins asked the Commission and Council for feedback regarding these sections asking if they felt the descriptions provided were accurate and equally balanced.

Councilmember Brown asked if TDR’s (Transfer of Development Rights) would be covered in this section, or if they would be addressed later on in the draft plan. Mr. Watkins responded that TDR’s are addressed later in Chapter 6.

Hearing no further comments/concerns related to Chapter 2, Vice Chair Pilny requested Mr. Watkins share the changes to Chapter 6.
Before moving on to Chapter 6, Mr. Watkins restated his previous question. Vice Chair Pilny stated that she felt Staff did a good job addressing previously stated concerns, and asked the Commission and Council if there were any other thoughts.

Commissioner Hansen questioned the ag heritage plots of land, specifically community gardens, wondering where guidelines/regulations would be provided to prevent those lands from becoming a nuisance to adjacent properties. Mr. Watkins stated some of those details would be better captured in Chapter 6. Commissioner Hansen questioned if the enforcement of those guidelines/regulations would be up to the City’s Code Enforcement to handle those types of nuisances. Councilmember Day questioned if it would fall under the responsibility of the homeowner’s association (HOA). Commissioner Fitzpatrick stated that if an HOA chose not to maintain, then it would fall to Code Enforcement to enforce guidelines/regulations.

City Manager, Alex Jensen, asked if a City Attorney could respond to the question, also suggesting that a development agreement could be written for each specific ag heritage overlay. Steve Garside, City Attorney, stated that details of the enforcement, and restrictions would be contained within an ordinance, adding that a development agreement could be written for those circumstances where a more specific, tailored approach is needed.

Commissioner Hansen referred to a statement on page 14 of the draft plan under “Nonresidential Uses”, questioning how the City could reserve certain areas for commercial uses. Mr. Jensen responded the City could reserve certain areas through its zoning powers (i.e. rezone process, and master plan).

Commissioner Harding asked for the definition of “common open space” amenity areas. Mr. Watkins stated that these are HOA/private use. Commissioner Harding suggested that the term be defined within the draft General Plan. Mr. Watkins agreed that a definition should be added. Mr. Jensen asked if there was a specific page where the term was used. Commissioner Harding stating no, adding the term was used throughout.

Vice Chair Pilny requested the Commission and Council move on to review of Chapter 6. Mr. Watkins stated that Staff put a lot of time and effort into the revisions contained within this Chapter, adding that refinements should help to describe what a PRUD is and what the intent is, with general statements regarding density bonus. Mr. Watkins stated that the current PRUD ordinance requires a high percentage of open space (30-50%) which often results in developments with a pad site configuration, adding that the public process has identified support for an alternative design format, which places emphasis on the quality/accessibility of common open space areas rather than quantity.

Mr. Watkins added that specific text on page 50 which reads: “These recommendations require further study, which may result in some variation of the anticipated standards.” was included to provide some flexibility within the draft General Plan. Councilmember Day asked why the PRUD paragraphs even need to be included in the plan, adding that he felt there was too much PRUD
related information in the draft plan. Mr. Watkins stated the paragraphs were included for background/educational purposes, as it was one of the more popular topic of interests within the community. Commissioner Fitzpatrick asked about the PRUD information contained within the draft plan, questioning if any of it could potentially trigger an amendment to either then General Plan or PRUD ordinance. Mr. Watkins stated no, citing certain words within the text such as “about” provide flexibility. Mr. Jensen added that an ordinance will provide the execution, while the language outlining and describing the vision should be included in the draft plan.

Commissioner Fitzpatrick mentioned that she thought hyperlinks were going to be provided within the draft plan. Councilmember Petro asked where the definition of “quality building materials” will be provided. Mr. Jensen commented that the definition of “quality building materials” should be included in the ordinance rather than the General Plan. Mr. Watkins confirmed that the printable document and website version would contain various hyperlinks. Commissioner Harding stated that the term “amenities” should be further defined in both the draft plan as well as ordinance. Councilmembers Brown and Petro agreed that “amenities” should be clearly defined in ordinance. Mr. Watkins stated that additional work will be done to define “amenities” and ensure the term is inserted appropriately throughout the draft plan.

Mr. Watkins briefly discussed ag-heritage, stating that the phrase “about eight percent (8%)” was included as an attempt to avoid overly-compressed lot sizes, as well as to allow flexibility for further study. Mr. Watkins also commented that this section of the text could be adjusted in order to accommodate Commissioner Hansen’s concerns about weeds and other nuisances related to agriculture. Councilmember Day asked if there would be an enforcement issue if the HOA decided to sell the land. Commissioner Van Drunen asked that there be clarification added to the text in order to prevent the HOA from selling the land. Commissioner Fitzpatrick stated that perhaps the incorporation of a development agreement would be prudent, which would allow the HOA to have first right of refusal in the event is plot is privately owned. Mr. Watkins agreed that additional work and modifications should be made to this section.

Mr. Watkins shifted focus to PRUD’s, stating that the PRUD ordinance could be used as a tool to solve the need for a park in the Parks and Recreation Gap 6 area. Commissioner Fitzpatrick asked if the PRUD ordinance would be able to produce a ten (10) acre park as outlined in the City’s Master Recreation Plan. Mr. Watkins stated that he believed so, or a sufficiently-sized park area for Parks and Recreation to consider. Councilmember Petro commented that the PRUD would change the density of the homes in that particular area.

Vice Chair Pilney recommended Mr. Watkins briefly review any other outstanding changes within the section, or order to conserve time and move onto the next agenda item. Mr. Watkins stated that he was able to cover everything that needed to be addressed in this section.

Councilmember Brown asked Mr. Watkins if he could explain how TDR’s work. Mr. Watkins explained that no edits had been made to that particular section of the draft plan, and provided a very basic example of how a TDR could work between two parties. Commissioner Harding
asked how many farmers still own their land in West Layton. Mr. Watkins stated that he did not have those numbers available. Councilmember Petro stated she thought roughly six to eight (6-8) people. Mr. Watkins stated that he has received requests in support of TDR’s from at least two (2) or three (3) different people recently.

Commissioner Hansen asked if there are any examples of successful TDR’s. Councilmember Brown stated she thought the Accident Potential Zone (APZ) of Hill Air Force Base could be considered an example. Councilmember Day disagreed with Councilmember Brown. Mr. Watkins cited Mapleton, Utah as an example. Deputy Community and Economic Development Director, Lon Crowell, stated in Wasatch County the conservation area along the Provo River is a local example of a TDR.

Vice Chair Pilney requested the Commission and Council move on to the next agenda item.

3. REVIEW AND DISCUSSION: DRAFT GENERAL PLAN SECTION 4. TOWN CENTERS (6:14 PM)

Mr. Watkins provided the Commission with a brief review of slides which were presented to the general public during the last public meeting workshop. Mr. Watkins stated that two (2) of the proposed Town Center locations (HWY 89/Gordon, and West Layton) are vacant green fields, with the remaining sites primarily being infill/redevelopment opportunities. Mr. Watkins stated that generally the citizens are in support of Town Centers, as they offer amenities to the surrounding neighborhoods. Mr. Watkins explained that during the last workshop transitions were examined between existing single family neighborhoods and the proposed Town Center locations. Mr. Watkins shared slides of various developments which showcase pedestrian friendly, tree lined streets, plazas, and recreation amenities.

Mr. Watkins explained that the West Layton Town Center was discussed during the workshop, and added that the existing General Plan describes a commercial center node sized to service the West Layton area. Mr. Watkins added that the current General Plan also includes language which indicates the population of the West Layton service area can range anywhere from 25,000 – 35,000 people. Mr. Watkins stated that the current plan discourages strip commercial, and promotes good access and pedestrian friendly designs. Additionally, Mr. Watkins noted the current General Plan also describes a mixed-use corridor (residential/professional office) along Hill Field Road, including townhomes at a density of six to twelve (6-12) units per acre.

Mr. Watkins contrasted these existing findings with the proposed draft plan, highlighting a proposed zero to three (0-3) units per acre in the outlying residential areas with a range of 10,000 square foot sized lots up to one (1) acre sized lots. Mr. Watkins stated that the draft plan would also encourage PRUD’s with additional density granted for superior design features and quality amenities. Mr. Watkins added that the only substantial difference to between the current plan and the proposed draft is to include moderate income housing opportunities along Hill Field Road in specified locations.

Commissioner Harding left the meeting at 6:18 PM.
Vice Chair Pilney asked if the Commission or Council had any questions or comments on this section of the draft plan. Commissioner Hansen asked if the City has reflected back on the previous failures at this location in order to ensure that it doesn’t happen again. Mr. Jensen commented that he felt one of the previous mistakes made at the time was the adoption of a form based code. Mr. Jensen explained that too much emphasis and focus was placed on the code itself, and not enough time was taken on the site plan. Mr. Jensen added that he also felt the form based code left too much room for interpretation, worst case scenarios, and uncertainties. Commissioner Hansen stated that he felt it is critical to get the buy in of West Layton citizens.

Vice Chair Pilney commented that she thought the City has provided good education opportunities, however she noted that one of the most common comments she still receives is the “what is this” question. Commissioner Hansen stated that he liked the graphic currently on the screen, as it illustrates the compatibility of proposed uses. Mr. Jensen commented that with recent changes at the State level, the City will now have an opportunity to educate and respond to comments in the event a referendum is sought, adding that the City previously did not have these opportunities. Commissioner Hansen added that he felt the West Layton and HWY 89/Gordon have the most attention from the public since they are presently vacant.

Mr. Watkins asked if there were any additional questions or comments pertaining to comfort level on the Town Centers. Vice Chair Pilney suggested the Commission and Council should address any specific Town Center related questions first, then move into general questions/comments.

4. REVIEW AND DISCUSSION: NEXT STEPS FOR DRAFT GENERAL PLAN UPDATE (6:28 PM) Councilmember Brown asked if there would be any additional ordinances or code requirements added specifically for the Town Centers. Mr. Watkins stated that it was a possibility, adding that existing zoning districts might also be amended. Commissioner Fitzpatrick asked about the amendment of the City’s Land Use Table. Mr. Watkins stated yes, adding that development agreements can also be used to for additional clarification, or limitation of uses.

Councilmember Day stated that he felt the commercial aspect of the West Layton Town Center is ok, however he expressed concern with the layout and proposed transitions, stating the he felt the transitions should be at a much slower rate to the higher densities. Councilmember Day added that his biggest concern is still the PRUD, adding that he feels the PRUD ordinance needs to be totally rewritten. Mr. Jensen asked Councilmember Day to clarify his concerns with the current PRUD ordinance. Councilmember Day stated that he felt the PRUD is only being used to increase density, adding that he feels nothing is being given back to the community. Councilmember Day stated that he feels there needs to be more open space provided than what is currently being proposed, and added that the building materials need to be revised as some should not qualify for a bonus density, as they are nothing more than typical materials.
Commissioner Hansen stated that he agreed with Councilmember Day, adding that there needs to be better balance between the needs and wants of the developer and of the needs and wants of the citizens. Vice Chair Pilney commented that she felt the draft plan will help on the planning end of things, as so much housing is needed for the future. Vice Chair Pilney added that she thinks if the plan does not take into account the need for future housing, the City is only shooting itself in the foot, as everything will be developed with larger lots, with no room for additional housing. Commissioner Hansen stated that he was not suggesting that everything be developed with larger lot sizes, clarifying that his comment was more that the PRUD’s should be used appropriately, and the City should gain something positive from those developments, and not give approvals solely because the developer wants additional units.

Mr. Watkins stated that a lot of time and effort has gone into the development of the graphics displaying various types of PRUD configurations, adding that there is community support for these types of developments. Commissioner Hansen reiterated that he is in support of PRUD’s, but feels the City needs to stick to their guns and apply the vision and requirements of the PRUD, and not cave or concede when it comes to issues like open space.

Councilmember Day commented that he felt the PRUD examples didn’t accurately reflect the size of open spaces of typical developments which the City may see out in West Layton. Planner II, Brandon Rypien, commented that the PRUD example was depicting a ten (10) acre piece of property, which would equate to roughly a one (1) acre sized park. Councilmember Day stated that he felt like respondents of the survey couldn’t accurately visualize a one (1) acre park, since a one (1) acre park is not big enough for ball fields, and other recreational activities which citizens want. Councilmember Day added that he thought the PRUD examples provided a false reading, since most people would naturally envision a larger community park, not a smaller one (1) acre park. Councilmember Day also disagreed with Vice Chair Pilney, stating that he felt options also need to be provided in the draft plan for people who want and can afford the cost of larger lots.

Mr. Watkins stated that R-S (Residential Suburban) zoning would not be precluded from the area surrounding the West Layton Town Center. Councilmember Day pointed out several high density, small lot subdivisions in West Layton south of Gentile Street, stating that these are his reasoning for why he feels the PRUD ordinance needs to be re-written and implemented better. Mr. Rypien stated that the PRUD overlay requires a rezone, therefore the City had the chance to make its decision on those developments. Mr. Jensen commented that he agrees with Councilmember Day in the sense that the draft plan should provide something for everyone, and should not exclude anyone. Councilmember Day clarified his position stating that he does not have a problem with the Town Center itself, rather he has several issues with the current PRUD ordinance and the awarding of densities without equal amenities provided.

Commissioner Fitzpatrick commented that she would not have bought a home in a PRUD if less than ten percent (10%) open space was provided. Commissioner Hansen, Councilmembers Petro and Day agreed with Commissioner Fitzpatrick that quality and quantity of open space need further deliberation/discussions.
Councilmember Day stated that how the open space is calculated also needs further discussion as he felt that individual yard spaces benefiting only a single resident should not be included in those calculations. Mr. Rypien stated that some PRUD developments have had to move toward pad sites, rather than individual lots in order to achieve the existing open space requirements. Councilmember Day stated that in those instances he felt yard spaces should not have been included in the overall calculation towards open space, as the space is not usable. Councilmember Petro cited the property on north Hill Field Road, formerly Morrelli’s, as an example of concern.

Vice Chair Pilney suggested that an opportunity be given to those members of the Commission and Council who have not had a chance to speak.

Commissioner Morris stated that he would like to commend the City for their efforts in listening to what the citizens have to say, adding that at the end of the day he feels the City should look to be in line with current market demands.

Commissioner Wilson stated that he is concerned some of the current housing trends may be a fad, questioning what some areas of the City may look like five (5) years down the road.

Commissioner Allen stated that he understands market conditions but feels the Commission has a responsibility to help shape the community. Commissioner Allen closed by stating there has been good discussion and that he is hopeful a compromise can be reached.

Councilmember Davis stated that he likes the draft plan and believes that it is important to outline the City’s vision within the plan. Councilmember Davis added that he believes the most challenging aspects of future development will be development agreements and PRUDs as constant vigilance is required. Councilmember Davis stated that while he does not believe there will be complete harmony with this plan, he feels that it is a good step forward in the right direction.

Councilmember Carter stated that he feels now is the time for Staff, Commission, and Council to stand their ground when it comes to quality PRUD designs. In regards to the proposed Town Center at Hill Field Road and 2200 West, Councilmember Carter stated that in order to capture sales tax going to other communities (i.e. Kaysville, Syracuse) the City needs to provide quality designed services that the residents will embrace.

Vice Chair Pilney asked that the few remaining minutes be allotted for questions pertaining to TDRs.

Councilmember Brown asked if once the rights are sold, an agreement is made to prohibit development. Mr. Watkins stated yes, that the agreement could either be a development agreement, conservation easement, land trust, or similar. Councilmember Brown asked if a farm
owner had the option to sell off some, but not all of the development rights in the event they still wanted to continue farming a smaller piece of land. Mr. Watkins stated yes. Councilmember Petro pointed out that purchased development rights could be used in other portions of the City. Mr. Watkins clarified that this was applicable within the proposed Neighborhood Ag Heritage overlay area shown on the Draft Future Land Use Map.

Councilmember Day stated that he did not believe there was any housing product which isn’t currently selling in Layton due to demand. Councilmember Day added that the plan should not be written to address what the market is currently selling, rather it should be written to address what the citizens want the City to look like in the future.

The work meeting was adjourned at 6:58 PM.

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Kendall Welch,
Interim Planning Commission Secretary
LAYTON CITY PLANNING COMMISSION MEETING MINUTES  
APRIL 9, 2019

MEMBERS PRESENT:  Vice Chair Tricia Pilny, Commissioners Brian Allen, 
Dawn Fitzpatrick, Wynn Hansen, Clint Morris, and 
George Wilson

MEMBERS ABSENT:  Chairman Brett Nilsson, Commissioners Robert Van 
Drunen, and Daniela Harding

OTHERS PRESENT:  Staff: City Attorney Mason Kjar, Planner II Kem 
Weaver, and Interim Secretary Kendall Welch

The meeting was held in the City Council Chambers of the Layton City Center. Vice Chair Pilny 
called the meeting to order at 7:05 pm. The Pledge of Allegiance was recited and an invocation 
was given by Commissioner Hansen.

APPROVAL OF MINUTES:  NONE

PUBLIC REVIEW

Vice Chair Pilny called for a motion to open Public Review. Commissioner Fitzpatrick moved to 
open Public Review. Commissioner Allen seconded the motion. All Commissioners were in favor 
and the motion passed unanimously.

1. CIMMARON PLACE SUBDIVISION – 1ST AMENDMENT  (7:07 PM)
   The applicant, John Hansen, is requesting to amend the final plat of the Cimmaron Place 
   Subdivision located at approximately 209 East Gordon Avenue in the PB (Professional Office) 
   zoning district. The proposed amendment is to split Lot 22 into two lots, creating an additional 
   lot.

   Kem Weaver, Planner II, stated that the Cimmaron Place Subdivision is composed primarily 
   of residential lots, with only a singular commercial lot (Lot 22). Mr. Weaver explained there 
   are two (2) existing office buildings on Lot 22, which are going to be sold by the property 
   owner. Mr. Weaver acknowledged the applicant, John Hansen, and added that the proposal 
   includes cross access agreement for entrance, shared parking (existing), and clarified no 
   changes to the existing landscaping are proposed at this time. Mr. Weaver stated that all 
   items (parking, landscaping, etc.) are existing and in conformance with the City’s code.

   Mr. Weaver stated that Staff’s recommendation is for the Planning Commission to forward a 
   positive recommendation to the City Council to approve the amended plat for Cimmaron 
   Place Subdivision, 1st Amendment subject to meeting Staff requirements as outlined in Staff 
   memorandums.
Vice Chair Pilny opened the item for questions from the Planning Commission.

Commissioner Hansen stated that he did not see any issue with this item. Commissioner Fitzpatrick noted that she has previously seen parking issues at this location with a business located at this address. Commissioner Fitzpatrick suggested that future uses/tenants should be in keeping with parking requirements in order to avoid parking issues elsewhere in the subdivision. Mr. Weaver stated that parking would be reviewed for compliance with code during the business licensing process for future businesses.

Vice Chair Pilny opened the item to the public for questions or comments. There were no comments from the public on this item.

**MOTION**: Vice Chair Pilny called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the City Council to approve the amended plat for Cimmaron Place Subdivision, 1st Amendment subject to meeting Staff requirements as outlined in Staff memorandums. Commissioner Hansen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**ADJOURNMENT** (7:12 PM)
Vice Chair Pilny called for a motion to close Public Review and adjourn. Commissioner Fitzpatrick moved to close Public Review and adjourn. Commissioner Wilson seconded the motion. All Commissioners were in favor and the motion passed unanimously.

The meeting adjourned at 7:12 PM.

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Kendall Welch,
Interim Planning Commission Secretary