LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
AUGUST 6, 2019

PLANNING COMMISSION
MEMBERS PRESENT: Chairman Brett Nilsson, Vice Chair Tricia Pilny, Commissioners Clint Morris, George Wilson, Brian Allen, Robert Van Duren, Trevor Steenblik, Jeremy Manning, Tyson Roberts

OTHERS PRESENT: Staff: City Council member Tom Day, Asst. City Attorney Mason Kjar, Community Development Director Chad Wilkinson, City Planner Tim Watkins, Planner II Kem Weaver, and Planning Commission Secretary Brittney Whitecar

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

Chairman Nilsson opened the work meeting at 5:30 p.m.

1. WELCOME & ANNOUNCEMENTS

Chairman Brett Nilsson welcomed the newly appointed planning commissioners Trevor Steenblik, Jeremy Manning, and Tyson Roberts, as well as George Wilson in his transition from alternate to regular member of the commission.

2. TRAINING BY ASSISTANT CITY ATTORNEY MASON KJAR

Assistant City Attorney Mason Kjar provided a training to the planning commissioners and staff regarding land use and the responsibility of planning commissions.

He spoke about property owner’s rights and what restrictions the government can and cannot impose upon private landowners regarding the use of their land.

The commission watched a video by Brent Bateman about land use law according to the U.S. Constitution. He detailed the following landowner rights; 1. The right to occupy 2. Right to exclude others 3. Right to use 4. Right to control others use of property 5. Right to alienate property (sell or lease). Property rights are constitutional rights.

3. TEXT AMENDMENTS

Community Development Director Chad Wilkinson presented a proposed change to Layton City Municipal Code Table 5-1 regarding Building Height for community uses within agricultural and residential zoning districts. Community Uses include churches, private schools, non-profits, parks, public buildings, cemeteries, etc. The proposed amendment increases the current 35’ building height maximum in these zones to 100’, given that new setbacks, to be detailed in the code, are met.
Planner Tim Watkins presented a proposed text amendment to Layton City’s residential swimming pool setback pertaining to corner lots; decreasing setbacks to be more consistent with interior lots.

Community Development Director Chad Wilkinson stated that a text amendment needs to be implemented to the subdivision noticing section of the Layton City Code in order to be consistent with Utah State Code.

Planner Tim Watkins detailed the proposed amendment to the Layton City Code text regarding Retail Tobacco & Specialty businesses. State code has made changes that the City should update for consistency.

4. BRIDGET SARGENT ACCESSORY DWELLING UNIT – CONDITIONAL USE

The applicant intends to build a mother-in-law apartment over her existing garage to be used by relatives. The application meets height requirements for zone. The item was presented to the planning commission because it is classified as an ADU (accessory dwelling unit). Commissioner Van Drunen questioned this type of conditional use as requiring Planning Commission approval. Commissioner Pilny agreed that this could be done administratively by staff. She further stated her view that the City should consider ADU’s as an opportunity for homeowners to rent to non-blood relatives. Mr. Watkins replied that the draft Moderate Income Housing Plan element referenced this as a strategy to be further studied and explored.

5. QUARTERS FOR HORSES – CONDITIONAL USE

The applicants would like to open a business boarding up to 26 horses including 3 of their own. No events will be held at the property. No outdoor storage will be allowed except for the storage of operational farming equipment. Restrooms must be kept 50 feet away from property lines adjacent to the single family lots lining the East edge of the property. Lights must be turned off by 10:30 PM. The applicant must provide fire lane access. Commissioner Nilsson inquired where the 26 horse stalls were located on the plan, and others asked where the horse manure might be stored. The applicant responded that 13 horses could be boarded in an existing building, and that an additional building could be constructed on the site to accommodate an additional 13 horses.

6. MORGAN STREET TOWNHOMES – DEVELOPMENT PLAN

No Comments were made regarding this item.

7. EASTRIDGE PARK PRUD PHASES 1G-H – FINAL SUBDIVISION PLAN

No Comments were made regarding this item.

Adjournment:

The work meeting was adjourned by Chairman Nilsson at 6:56 PM.

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Brittney Whitecar, Planning Commission Secretary
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OTHERS PRESENT: Staff: City Council member Tom Day, Asst. City Attorney Mason Kjar, Economic Development Director Lon Crowell, City Engineer Steve Jackson, City Planner Tim Watkins, Planner II Kem Weaver, Planner II Brandon Rypien, and Planning Commission Secretary Brittnay Whitecar

The meeting was held in the City Council Chambers of the Layton City Center. Chairman Nilsson called the meeting to order at 7:03 PM. The Pledge of Allegiance was recited and an invocation was given by Commissioner Allen.

A swearing in of the new planning commissioners was performed by Notary Public Morgan Cloward. Jeremy Manning, Trevor Steenblik, Tyson Roberts and George Wilson took an oath of office as planning commissioners.

APPROVAL OF MINUTES: NONE

PUBLIC REVIEW

Chairman Nilsson called for a motion to open Public Review. Commissioner Wilson made the motion, which was seconded by Commissioner Pilny and approved unanimously.

1. TABLE 5-1 BUILDING HEIGHT - TEXT AMENDMENT

Proposal to amend Title 19, (Zoning Ordinance) Section 19.05, Table 5-1, modifying building height

Community Development Director Chad Wilkinson introduced the item.

Community Uses are allowed in all zoning districts, including single family residential zones and the agricultural zoning district, and are defined as uses which have the primary purpose of serving the educational, recreational, religious, or governmental needs of the community in general. Such uses may include churches, public and private educational institutions, private non-profit recreation grounds, public parks, public buildings, public facilities, cemeteries, and other similar uses. Because of the unique characteristics of these uses, at times the structures associated with the use exceed the maximum height standard of the underlying zone district. Examples of community uses that may exceed height limits in
order to properly function include auditoriums for educational uses, gymnasium areas for school and recreational facilities and assembly areas for religious uses.

Many of the impacts to adjacent property resulting from the additional height needed for community uses can be mitigated by providing additional horizontal separation between the primary structure and adjacent property boundaries. The current proposal allows for principal structures proposed in conjunction with a community use to exceed the maximum height of the underlying zone district provided the structure is setback from the property line an additional one foot (beyond the minimum front, rear, or side yard) for every additional foot of height proposed.

Areas not designed for human occupancy such as equipment and mechanical rooms, elevator penthouses, architectural features and steeples are already exempted from the height requirements of the zoning ordinance. The proposed change would not modify these existing exemptions.

The proposed text amendment increases the building height limit for community uses from 35’ up to 100’ in height within these zones, given that the building meets proper setbacks and/or tiers upwards on a 1’ to 1’ ratio (135 degree angle).

There are currently no height limits for steeples, water tanks, flagpoles, chimneys, mechanical equipment, skylights, etc., which would not be affected by the text amendment.

**PLANNING COMMISSION COMMENTS/QUESTIONS**
Commissioner Pilny asked for clarification the 1’ to 1’ ratio. Chad Wilkinson said its purpose is to allow for steep roof pitches and tiered building design. The intention of the setbacks is to ensure that views on adjacent lots are obstructed as little as possible by requiring adequate space between neighboring structures.

**Public Comments:**
No public comments were made regarding this item.

**Motion:**
Commissioner Wilson motioned that the Planning Commission forward a positive recommendation to the City Council to amend Section 19.05, Table 5-1 of the Layton City Municipal Code amending height standards for community uses in residential and agricultural zones. Commissioner Allen seconded the motion, which was unanimously approved.

**2. POOL SETBACKS - TEXT AMENDMENT**
Proposal to amend Title 19, (Zoning Ordinance) Section 19.25.040, changing setbacks and regulations for swimming pools located on corner lots within all single family zoning districts

City Planner Tim Watkins introduced the item.

Over the past few years, Staff has received multiple requests from residents to reduce the minimum rear yard swimming pool setback requirement for corner lots. The current corner lot rear yard setback requirement has prevented several residents from pursuing a standard-size pool in their rear yard.
Currently, for a corner lot with a rear property line that is adjacent to the side yard of an adjacent home, a minimum swimming pool setback of 25 feet is required from the shared property line.

However, an interior lot could build a swimming pool 4 feet from the shared property line as long as it is 20 feet from the neighboring dwelling’s livable space. In most cases, a single family home is built near the minimum rear yard setback, between 25 feet and 30 feet from the rear property line, which does not provide sufficient space for a 25 foot setback. This text amendment proposes to reduce the rear yard setback for swimming pools on corner lots to be the same as the standard for interior lots.

Staff recommends that the planning commission forward a positive recommendation for the approval of this text amendment as described.

Public Comment:

No comments were heard from public.

Motion:

Commissioner Morris motioned that the planning commission forward a positive recommendation to the City Council to adopt the proposed amendments to Title 19, Section 19.25.040 of the Layton City Municipal Code, decreasing setback requirements for swimming pools on corner lots in all single family residential zoning districts. Commissioner Wilson seconded the motion, which was approved unanimously.

3. SUBDIVISION NOTICING - TEXT AMENDMENT

Proposal to amend title 18, Chapter 18.07 “Notice Requirements”

Community Development Director Chad Wilkinson introduced the item.

The proposed ordinance amendment includes updated definitions and noticing requirements for proposed subdivision amendments. During the 2019 General Session, the Utah State Legislature passed HB0315, which amended §10-9a (Municipal Land Use, Development, and Management Act) of Utah Code. In order to be consistent and compliant with State law, the Community and Economic Development Department is proposing amendments to Title 18 of Layton Municipal Code, specifically Section 18.04.010 “Generally” and Chapter 18.07 “Notice Requirements”. Layton will add text stating that applicants must receive direct notice of public meeting regarding their item at least 3 days before said public meeting.

Per State code; Layton City code will no longer be required to notify neighboring property owners of public meetings regarding subdivisions that are in compliance with all city code. State code outlines that notice to all property owners within a plat is required when an amendment to their plat is being proposed. All property owners must sign approval for said plat amendment. Layton City will also change advanced noticing requirements where inconsistent with State Code; namely changing some notices from 3 days prior to public meeting, up to 10 days prior to public meeting. Staff recommends approval of this text amendment.
Public Comments:

No public comments were made.

Motion:

Commissioner Van Drunen motioned that the Planning Commission forward a positive recommendation to the City Council for the proposed amendments to Title 18, Chapter 18.07 “Notice Requirements”. Commissioner Pilny seconded the motion which was unanimously approved.

4. RETAIL TOBACCO SPECIALTY BUSINESSES - TEXT AMENDMENT

Proposal to amend Title 5, Section 5.34 “Retail Tobacco Specialty Businesses” and Title 19, (Zoning Ordinance) Section 19.02.020; “Definitions”, and Section 19.06.210 “Retail Tobacco Specialty Business Criteria and Conditions”

City Planner Tim Watkins presented the item.

During the 2018 General Session, the Utah State Legislature passed HB0324, which amended §10-8-41.6 (Regulation of Retail Tobacco Specialty Business) of Utah Code. In order to be consistent and compliant with State law, the Community and Economic Development Department is proposing amendments to Title 5 and Title 19 of Layton Municipal Code, specifically Chapter 5.34 “Retail Tobacco Specialty Businesses”, Section 19.02.020 “Definitions”, and Section 19.06.020 “Retail Tobacco Specialty Business Criteria and Conditions”.

As tobacco products have evolved and the State Statute has changed, a text amendment regarding retail tobacco businesses has become necessary to incorporate into the Layton City Code. A business is classified as a tobacco specialty business if 20% or more of floor or shelf space is tobacco, or if there is any self-serve tobacco area within the store. State and City Licenses must always be displayed on-site at all times and all tobacco related businesses must be placed within an allowed zoning districts.

There must be 600 feet between tobacco businesses and 1,000 feet between any tobacco related business and a homeless shelter. The proposed ordinance amendment includes updated definitions and minor clarity/correctness edits in order to comply with HB0324. The proposed ordinance amendment also outlines a clearly defined administrative review and approval process for retail tobacco specialty business licenses.

Staff recommends approval of this text amendment.

PLANNING COMMISSION QUESTIONS

Commissioner Pilny asked to have difference between marijuana, CBD, vape juice, etc. clarified for those who may not be familiar. Tim Watkins read the definition of tobacco products, which marijuana and vape products are not derivative of, as they contain nicotine or THC but not tobacco. Tobacco products are only cigars, cigarettes, chewing tobacco derived from tobacco.

Public Comments:

No public comments were made regarding this item.
Motion:
Commissioner Pilny recommended that the Planning Commission forward a positive recommendation to City Council to adopt the proposed amendments to Title 5, Section 5.34 “Retail Tobacco Specialty Businesses” and Title 19, (Zoning Ordinance) Section 19.02.020; “Definitions”, and Section 19.06.210 “Retail Tobacco Specialty Business Criteria and Conditions”. Commissioner Van Drunen seconded the motion, which was approved unanimously.

5. BRIDGET SARGENT ACCESSORY DWELLING UNIT – CONDITIONAL USE
The applicant, Bridget Sargent, is requesting conditional use approval for an accessory dwelling unit on .29 acres of property, located at 2552 N. 2600 E. in an R-1-8 (Single Family Residential) zoning District.

City Planner Tim Watkins introduced the item:

Background: The applicant is proposing to build an accessory residential dwelling unit to be built above an attached garage. The accessory residential dwelling will be occupied by the property owner’s adult child. All accessory residential dwelling units, whether attached or detached, are required to receive a conditional use permit prior to the issuance of a building permit. The accessory residential dwelling unit will meet all required minimum setbacks and maximum size restrictions. The single-family home and the accessory dwelling unit will use the garage and driveway access to legally park on site.

Recommendation: Staff recommends the Planning Commission grant conditional use approval for the accessory residential dwelling unit subject to the applicant meeting all City requirements.

Public Comments:
No comments were made by the public regarding this item.

Motion:
Commissioner Van Drunen motioned that the planning commission grant Conditional Use approval for the proposed accessory dwelling unit located at 2552 N. 2600 E. Commissioner Wilson seconded the motion, which was unanimously approved.

6. QUARTERS FOR HORSES – CONDITIONAL USE
The applicants, Rick and CJ Benson, are requesting conditional use approval for a horse boarding facility on 3.02 acres of property in an A (Agricultural) zone, located at 2298 N. Bafco Road

Planner Tim Watkins introduced the item:

Background: The Planning Division received an application for horse boarding in the Agricultural zoning district. Horse Boarding is part of the Farm Industry land use category and requires conditional use approval. The applicants, Rick and CJ Benson, own 5 acres on Bafco Road and would like to board up to 26 horses on their property, which would include 3 of their own horses. Bafco Road is an unimproved Davis County owned road that is maintained by the abutting property owners, including the applicants. There are no Layton City utilities in Bafco Road. The only access to Bafco road is from Antelope Drive and it dead ends near Love Estates.
Subdivision. Approximately half of the properties that have frontage along Bafco Road are in the Accident Potential Zone (APZ). However, the subject property is north of the Accident Potential Zone and is not subject to the restrictions of the APZ.

The proposed horse boarding facility plans on providing shelter, food, water, and cleaning for the horses. A farrier station will be provided for horse owners, including storage for saddles and other equipment. The site has an existing 7,200 square foot indoor arena a 1,600 square foot garage/tack room and 2,500 square foot hayshed.

**Recommendation:** Staff recommends the Planning Commission grant conditional use approval for the Farm Industry (Horse Boarding), subject to the applicant meeting all City requirements.

Planner Tim Watkins stated that a condition was added in the study session in which staff recommends that all fire, engineering and planning concerns must be addressed before a business license will be issued. A site plan showing existing utilities must be provided before any further buildings can be constructed on the property. No events will be permitted on the property per the terms of this conditional use – only recreational riding and boarding. The horse stalls shall be cleaned every-other day and manure stored properly. The perimeter fencing must be maintained and lights must be off during quiet hours. No outdoor storage except operational equipment will be allowed and all facilities must be maintained. Bafco road must remain unblocked by vehicles and trailers. Staff recommends approval of this conditional use.

Commissioner Wilson asked if the applicant will have to come back to Planning Commission in order to build future stalls or buildings on this property. Tim Watkins said that an approved plan showing additional buildings could be reviewed at Staff level, not requiring Planning Commission approval.

Commissioner Van Drunen asked if horse owners would be permitted on the property after the 10:30 PM, when quiet hours begin. He asked if the indoor arena would be open late. He also asked if the applicant has a plan to manage dust on their property and their frontage on Bafco Road.

Applicants Rick & CJ Benson –1751 N. 2675 E., Layton, UT. CJ addressed Commissioner Van Drunen’s questions, stating that the facilities will close at 9:00 PM. Rick said putting down asphalt tailings or brine helps maintain dust, which they are already doing. CJ said there are 4 other businesses on Bafco Road so they don’t believe that maintaining dust is fully their responsibility, but they will maintain it on their property.

Commissioner Van Drunen asked about manure storage. Rick said that he will store it on site until he tills it into the soil, which is standard practice. No neighbor has ever complained in many years of doing so.

Commissioner Wilson expressed concern about how many of the commission’s concerns are being addressed vocally by the applicant, but with no written documentation. He stated that further conditions and written clarifications about various aspects of this business should probably be worked through with staff and added to the application.

Commissioner Morris asked how code enforcement can enforce on a county road if needed. Assistant City Attorney Mason Kjar said Code Enforcement has inter-local agreements with surrounding County roads.
Commissioner Nilsson read a memo from the meeting packet by City Engineer Shannon Hanson. The memo requests a site plan showing all utilities on the property before any further construction can be done. Attorney Kjar said that should certainly be required for any further construction.

**Public Review:**

J.R. Nalder, 991 E. Antelope Dr., Layton, UT - said that the Benson’s are stubbed into a neighbor’s utilities which probably isn’t legal and the neighbor could cut them off at any time. He said that Bafco Road is not wide enough for two vehicles to pass each other so adding significant traffic could cause problems. He also stated that snow removal has been a problem on Bafco Road for over 20 years, causing at least one serious injury. He expressed concern about the increase of dust on the road that covers his animals as they graze near the road in his pasture.

Allan Higgs, 1189 N. 300 E., Layton, UT – said he has owned land on Bafco Road for over 40 years and the City should let the applicants run agricultural business there, otherwise the street will just remain stagnant like it has been for decades. He supports people being able to use their property for uses that fit in with the zone.

Anna Pro, 1458 Cherry Lane, Layton UT – Supports the facility because there is nothing like it nearby and booming development has taken up all the horse pasture space. Having a place in East Layton for people to ride and keep horses is great. She stated that protecting Agricultural space is good because kids are now riding horses on neighborhood streets as land use has become denser.

Kris Nalder, 991 E. Antelope Dr., Layton UT – Stated that she lives in a beautiful area. She said that rules should be rules and has no problem with people using their property but doesn’t want to see the increased traffic and dust presented by this use. Says that the Benson’s say they’ll keep dust down and plow road, but who will do that if the Benson’s aren’t present or available.

Laurie Higgs, 1189 N. 300 E., Layton, UT – Bought the property at the top of Bafco Road in 1975 with her family thinking they could build on it. They went before the Planning Commission at the time who said they could not. The property to the East got approval and is now a residential subdivision. She stated that she would like to see the land on Bafco be used for something after 45 years of the area sitting there unused.

Janita Wheeler, 2347 N. 1075 E., Layton, UT – Said that her back yard lines the Benson property. Over the years the Benson’s have taken good care of their property and maintained it well. She doesn’t see much traffic on Bafco Road and the dust doesn’t seem to be a big deal. Wishes that all property owners along Bafco would take good care of their land like the Benson’s. She supports the Benson’s proposed use.

Assistant City Attorney Mason Kjar reminded the public and the commission that it is not the position of the planning commission to require improvements outside of the property at hand. Requesting the applicants make road improvements or mitigate dust past the frontage of their property is a big asking. Concerns with increased traffic off-site are not the focus of a planning commission when approached with a proposal on a specific property, unless the health and safety of the general public would be directly affected by the proposal.

Chad Wilkinson said that there may be have been misunderstandings leading up to this point. He stated that the staff recommends tabling the item until the next meeting. Staff was not fully aware that the 26
horses being approved by this conditional use would require constructing an additional building. Staff was under the impression that the current facilities would house all 26 proposed horses. Building a new structure poses questions due to City Engineer Shannon Hansen’s request for a utilities site plan should any further buildings be constructed. Staff does not feel they can recommend approval of a conditional use without the utility site plan now that it is understood that further construction is proposed within this conditional use permit.

Motion:
Commissioner Pilny recommended that the Planning Commission table the item until the August 27th 2019 meeting. Commissioner Wilson seconded the motion, which was approved unanimously.

7. MORGAN STREET TOWNHOMES – DEVELOPMENT PLAN
The applicant, Steve Glezos of Celebrity Construction, is requesting a development plan approval for an 11 unit townhome development on .511 acres of property in a MU (Mixed Use) zone, located on the Northwest Corner of Fort Lane and Morgan Street

Planner Kem Weaver introduced the item:

**Background:** On May 14, 2019, at the request of the applicant and City staff, the development plan for the Morgan Street Townhomes was tabled to an uncertain date by the Planning Commission. The purpose for tabling the development plan was to direct the applicant to meet the landscape buffer requirement of 10 feet along the west boundary of the development. An updated site plan shows that the 10 foot setback has been provided for the two buildings that back and side onto the west boundary line. As a reminder, the applicant, Steve Glezos of Celebrity Construction, is requesting Development Plan approval for an 11 unit townhome development in a Mixed Use (MU) zone.

Morgan Street Townhomes is a redevelopment project on a .511 acre site that is about ¼ mile south of the Fort Lane Village Shopping Center, and adjacent to commercial land uses. The site was previously single-family residential with a dilapidated home that was demolished about one year ago.

City Staff and the applicant met with the Design Review Committee (DRC) as required by ordinance. The purpose of the DRC meeting was for the applicant to present the proposed design elements of the building with regards to materials and scale. The DRC also reviewed urban treatments for landscaping. The density of the development is 21.5 units per acre; however, the MU zone does not require a density range. Density bonuses were not required for the development.

**Recommendation:** Staff recommends the Planning Commission approve the Development Plan for Morgan Street Townhomes subject to meeting all City requirements as outlined in staff memorandums to the developer.

Kem Weaver said that the item was tabled in May, 2019 due to a landscape buffer issue on the West boundary. The West buffer requirement is 10’ which was not met. In addition, two of the buildings were originally closer together than the 10’ separation requirement. These issues have been worked through since that time.

Commissioner Van Drunen asked if these units will be rentals. Kem Weaver said yes.

**Public Comments:**
No comments were made by the public.
Commissioner Wilson motioned that the planning commission approve the development plan for the Morgan Street Townhomes, subject to all City requirements as outlined. Commissioner Steenblik seconded the motion, which was unanimously approved.

8. EASTRIDGE PARK PRUD PHASE 1G-H

The applicant, Adams Property, LLC, is requesting final plat approval for the next two phases of the Eastridge Park PRUD development located on 2.15 acres of property in a (Single Family Residential) R-1-10 PRUD zone, at approximately 1900 N. Emerald Drive

City Planner Kem Weaver introduced the item.

**Background:** The applicant, Adams Property LLC, is requesting final plat approval for the next two phases of the Eastridge Park PRUD development with a total of 2.15 acres. The two phases include pad lots for cottage homes. The same type of cottage home developments have been developed to the north and east, the North Fork of Kays Creek is to the west and future phases of single family lots within the development are proposed to the south (see attached overall plan).

The applicant/developer received preliminary plat approval from the City Council on May 7, 2015. Since this approval, the developer has constructed the first fourteen phases of the development, which contain all the townhomes, cottage homes and detached single family homes on typical single family lots. The current proposal includes 15 cottage homes within the two phases.

As part of the mass grading for these two phases, the developer is implementing certain conditions that were approved with the preliminary plat by the City Council. These conditions are outlined in the staff report and consist of monitoring the vibration of compaction equipment and plat notices. In addition, some changes have been made to the proposed trail system based on analysis by the Parks Department.

**Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for Eastridge Park PRUD Phases 1G and 1H subject to meeting all City requirements as outlined in Staff memos to the developer.

Planner Kem Weaver said that though final plats don’t usually need planning commission approval, this item is in sensitive land area, so it requires Planning Commission and City Council approval. The applicant has done a lot of mitigation with mass grading in order to make the slope buildable. This phase consists of cottage homes only.

Staff is requiring that notice be publicly available on all plats for the various phases of this subdivision regarding the sensitive lands and geotechnical reports performed. A notice of disclosure is required on each lot providing potential owners notice of the geotechnical and geological reports.

Chad Wilkinson said that the trail that runs along Antelope Drive and along the West side of the Phase has been discussed. A secondary connection has been found to be too steep so it has been removed. A new transition between the trails is in the works.

**Public Comments:**

Dave Weaver, 1251 E. 1525 N., Layton UT - asked about the land drains on Emerald Drive. Kem Weaver said there are no land drains, the Geo-tech and building code have determined not to require land drains. Dave
Weaver said there are sump pumps being used by nearby homeowners and said that not requiring them could be bad for future homeowners. He said that there are construction workers there at 6:00 in the morning making noise and asked that they be required not to start until 7:00.

Mike Flood – 12 S. Main, Kaysville UT – is the developer on the project. He addressed the land drain comment, stating that a new Geo-tech study is done on each phase and they have been found acceptable. The Geo-tech has researched this area thoroughly and said that there may be individual springs here and there but overall the water table is low and has not been a problem as they have built the units in their past phases. He said he will remind his contractor to stop allowing construction activity before 7:00 AM. He said that they will do their best to manage dust via wetting down the soil with a water truck.

Motion:

Commissioner Pilny recommend the Planning Commission forward a positive recommendation to City Council for the Eastridge Park PRUD development, subject to all Layton City requirements. Commissioner Van Drunen seconded the motion, which was unanimously approved.

ADJOURNMENT

Chairman Nilsson called for a motion to close Public Review and adjourn. Commissioner Van Drunen moved to close Public Review and adjourn. Commissioner Pilny seconded the motion. All Commissioners were in favor and the motion passed unanimously.

The meeting adjourned at 8:51 PM.

Brittney Whitecar,
Planning Commission Secretary