LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
OCTOBER 22, 2019

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

MEMBERS ABSENT:

OTHERS PRESENT: Staff: City Attorney Gary Crane, CED Director Chad Wilkinson, City Planner Tim Watkins, Planning Commission Secretary Brittney Whitecar

City Council Member: Joy Petro, Tom Day

The work meeting was held in the Chambers Conference Room of the Layton City Center. Chairman Nilsson called the work meeting to order at 5:30 PM.

1. WELCOME AND ANNOUNCEMENTS (5:30 PM)

The Commission reviewed the meeting schedule for the month of November, 2019.

2. PLANNING COMMISSION TRAINING

City Attorney Gary Crane presented a Utah League of Cities and Towns video focusing on the responsibilities and restrictions of Planning Commissions, particularly the legislative, administrative and quasi-judicial hats to wear, or roles allowed by State Law and defined by the City’s code.

3. TEXT AMENDMENT: TITLE 19 “ZONING” - (CANNABIS PRODUCTION)

Chad Wilkinson presented the proposed amendment by stating that State law now allows cannabis production in all industrial zones unless a City restricts it to specific zones within their municipal code. City Staff anticipates that cannabis production would likely be indoors. Cannabis production must be separated from schools, churches, parks, and government buildings by State mandated setbacks. The City has selected the M-2 zone as the allowed zone, as it provides area that meets the setback requirements in State law.

Vice Chair Pilny asked if pharmacies are permitted, or just production. Chad Wilkinson stated that they may have medical distribution/pharmacies at the same facility.

4. TEXT AMENDMENT: TITLE 19 “ZONING” – A-2 (AGRICULTURAL RODUCTION)

State law now permits agricultural cannabis production in all agricultural zones unless certain zones are specified by each City. Layton is proposing a new A-2 zone that would be later defined on the zoning
map as part of a future land use review. This review process will consider locations that meet the legal setback requirements from schools, churches, parks, and government buildings.

5. **REZONE: 1450 NORTH MAIN STREET – “C-H” TO “MU”**

Planner Tim Watkins stated that this rezone will be added to an upcoming regular meeting agenda to accommodate for a live/work condominium building at the proposed location.

Mixed uses are commonly being proposed along major roads as supported by the updated Layton City Plan in order to promote live/work communities and the possibility of multi-family dwellings above or nearby surrounding businesses.

6. **TEXT AMENDMENT: TITLE 19, CHAPTER 19.08 – “PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) OVERLAY ZONE**

The amendments proposed to the Layton City Municipal Code aim to increase design standards and quality of buildings within PRUDs. Density bonuses for exceeding minimum design standards will be defined.

The amendment specifies that open space must be usable and face streets. Detention basins will only count toward PRUD open space percentage if they are usable for recreation.

**ADJOURNMENT**

At 6:57, Chairman Nilsson adjourned the work session in order to proceed into the regular meeting.

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Brittney Whitecar
Planning Commission Secretary
MEMBERS PRESENT: Chairman Brett Nilsson, Vice Chair Tricia Pilny, Commissioners Clint Morris, George Wilson, Brian Allen, Robert Van Drunen, Jeremy Manning, Tyson Roberts, Trevor Steenblik

MEMBERS ABSENT: 

OTHERS PRESENT: Staff: City Attorney Gary Crane, CED Director Chad Wilkinson, City Planner Tim Watkins, Planning Commission Secretary Brittney Whitecar

City Council Member: Tom Day

PLEDGE OF ALLEGIANCE AND INVOCATION
The pledge of allegiance was conducted and an invocation was offered by Chairman Nilsson.

APPROVAL OF MEETING MINUTES: NONE

PUBLIC HEARING
MOTION: Commissioner Van Drunen motioned to open the public hearing. Vice Chair Pilny seconded the motion, which was unanimously approved.

1. 1450 NORTH MAIN STREET - REZONE
The applicant, Bryce Thurgood, representing the property owner RAYZAN L.C., is seeking to rezone a 0.64 acre parcel located at approximately 1450 North Main Street from C-H (Planned Highway Commercial) to MU (Mixed-Use).

City Planner Tim Watkins introduced the item.

Background: The property proposed for rezone contains a total of 0.64 acres and is located at approximately 1450 North Main Street.

The applicant for this rezone request is Bryce Thurgood, representing the property owner RAYZAN L.C. It is the applicant’s desire to rezone the property from C-H to MU in order to construct an additional multi-family residential building with ground floor amenities as an extension of the Villas on Main Street residential community.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone request from C-H (Planned Highway Commercial) to MU (Mixed-Use). This recommendation is based on consistency with the current General Plan’s land use designation for this property.
Public Comments:
No Comments.

Planning Commission Discussion:
No comments.

MOTION:
Commissioner Van Drunen motioned that the Planning Commission forward a positive recommendation to the City Council to approve the rezone request from C-H (Planned Highway Commercial) to MU (Mixed-Use). Vice Chair Pilny seconded the motion, which was approved unanimously.

2. CANNABIS PRODUCTION – TEXT AMENDMENT
A proposal to amend the Layton City Zoning Ordinance – Title 19, Chapter 19.02, Section 19.02.020 “Definitions”, adding a definition for “Cannabis Production”; Chapter 19.06 “Land Use Regulations”, adding Section 19.06.250 “Cannabis Production”; and Table 6-1 and Table 6-2 “Table of Land Use Regulations”, adding “Cannabis Production” as a permitted use in the M-2 (Heavy Manufacturing/Industrial) zone.

Community Development Director Chad Wilkinson introduced the item.

Background: During the September 2019 1st Special Session of the Utah State Legislature, Senate Bill 1002 was passed which amended several sections of Utah Code related to the distribution and production of cannabis related products. The adopted law establishes that cannabis production is permitted in all industrial zones within a City unless the municipality designates a specific industrial zone where the use is permitted. The City has two industrial zones: (1) the M-1 (Light Manufacturing/Industrial) zone; and the M-2 (Heavy Manufacturing/Industrial) zone. The primary purpose of the M-1 zone is to provide a place for less intensive industrial uses. The primary area zoned M-1 is located near Hill Air Force Base and includes uses such as Kihomac and Janicki which focus on composites manufacturing and which are primarily contained within the building. Uses in the M-1 zone typically have lower noise, odor, lighting, and other impacts. The M-2 zone is a heavy manufacturing zone that allows for a wider range of industrial uses and includes uses that operate both indoors and outdoors.

Based on Staff’s understanding of the operational characteristics of cannabis production facilities constructed in surrounding states, the M-2 zone seems to be the most appropriate area for location of cannabis production. The current M-2 district is separated from residential uses by the existing rail corridor on the east and trail corridor on the west. In addition to these buffers created by existing transportation corridors, State Code requires minimum separations of six hundred feet (600’) from residentially zoned property and one thousand feet (1,000’) from community locations such as churches, schools and public parks. This will limit the properties available for cannabis production to those located away from residential properties.

Cannabis production facilities are still subject to the underlying zoning requirements for building setbacks, height, parking and lighting restrictions. However, per State Code the uses are to be permitted, with no conditional use permits being required.
**Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt the proposed amendments to Title 19, Section 19.02.020 “Definitions”; Chapter 19.06 “Land Use Regulations”, adding Section 19.06.250 “Cannabis Production”; and Table 6-1 and 6-2 “Table of Land Use Regulations”, adding “Cannabis Production” as a permitted use in the M-2 (Heavy Manufacturing/Industrial) zone.

**Public Comments:**

No comments.

**Planning Commission Discussion:**

No comments.

**MOTION:**

Vice Chair Pilny motioned that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed amendments to Title 19, Section 19.02.020 “Definitions”; Chapter 19.06 “Land Use Regulations”, adding Section 19.06.250 “Cannabis Production”; and Table 6-1 and 6-2 “Table of Land Use Regulations”, adding “Cannabis Production” as a permitted use in the M-2 (Heavy Manufacturing/Industrial) zone. Commissioner Van Drunen seconded the motion, which was approved unanimously.

### 3. A-2 (AGRICULTURAL PRODUCTION) – TEXT AMENDMENT

A proposal to amend the Layton City Zoning Ordinance – Title 19, Chapter 19.04, Section 19.04.010 “Zoning Districts and Classification Established” and Section 19.04.020 “Purpose of Zoning Districts”, to include the A-2 (Agricultural Production) zoning district; Chapter 19.06, Section 19.06.250 “Cannabis Production”, to include the A-2 zone; Chapter 19.05, Table 5-1 and 5-2, establishing the minimum lot area, setbacks, building heights, and lot coverage requirements for the A-2 zone; and Table 6-1 and 6-2 “Table of Land Use Regulations”, to include “Cannabis Production” as a permitted use in the A-2 zone.

Community Development Director Chad Wilkinson introduced the item.

**Background:** During the September 2019 1st Special Session of the Utah State Legislature, Senate Bill 1002 was passed which amended several sections of Utah Code related to the distribution and production of cannabis related products. The adopted law establishes that cannabis production is permitted in all agricultural zones within a City unless the municipality designates a specific agricultural zone where the use is permitted. The City currently has only one agricultural zoning district which encompasses not only the remaining agricultural operations in the City, but also includes some public uses and community facilities such as North Ridge High School, a portion of Weber State University’s Davis County campus, the U.S. Post Office, and both Valley View and Sun Hills Golf Courses among others. State Code requires minimum separations of six hundred feet (600’) from residentially zoned property and one thousand feet (1,000’) from community locations such as churches, schools and public parks. This will limit the properties available for cannabis production to those located away from residential properties and community uses. Because of the wide variety of existing and allowed uses in the current agricultural zone, it is appropriate to create an additional agricultural zoning district where cannabis production could be accommodated with fewer conflicts with incompatible uses.
The proposed amendments to the City’s land use regulations would create a new zoning designation known as A-2 (Agricultural Production) where cannabis production could be accommodated. The proposed revisions would also establish general development standards including appropriate setbacks, height, minimum lot size, etc, for the A-2 zone. Cannabis production facilities would be subject to the underlying zoning requirements for building setbacks, height, parking and lighting restrictions. However, per State Code the uses are to be permitted, with no conditional use permits being required. Future public discussion will need to occur to determine the locations appropriate for the zoning district based on compatibility with adjacent existing and anticipated uses.

**Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt the proposed amendments to Title 19, Chapter 19.04, Section 19.04.010 “Zoning Districts and Classification Established” and Section 19.04.020 “Purpose of Zoning Districts”, to include the A-2 (Agricultural Production) zoning district; Chapter 19.06, Section 19.06.250 “Cannabis Production”, to include the A-2 zone; Chapter 19.05, Table 5-1 and 5-2, establishing the minimum lot area, setbacks, building heights, and lot coverage requirements for the A-2 zone; and Table 6-1 and 6-2 “Table of Land Use Regulations”, to include “Cannabis Production” as a permitted use in the A-2 zone.

**Public Comments:**
No comments.

**Planning Commission Discussion:**
No comments.

**MOTION:**
Commissioner Steenblik motioned to approve the item as noted in the agenda. Commissioner Wilson seconded the motion, which was approved unanimously.

4. **PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) OVERLAY ZONE – TEXT AMENDMENT**

A proposal to amend the Layton City Zoning Ordinance – Title 19, Chapter 19.08 “Planned Residential Unit Development (PRUD) Overlay Zone” to more closely align with recommendations provided in Chapter 6 of the Layton Forward General Plan.

City Planner Tim Watkins introduced the item.

**Background:** Following the recent adoption of the comprehensive General Plan update, the City Council has requested that planning staff review the PRUD standards to 1) address concerns with existing implementation of the ordinance, and 2) to analyze the relationship of the PRUD ordinance to the recommendations provided in Chapter 6 of the General Plan. Concerns have been expressed in recent joint Planning Commission and City Council work meetings, specifically about the quality of design and consistency in implementation and interpretation of open space, and density bonus provisions in the existing PRUD ordinance. Department staff have reviewed the existing ordinance and applied design testing to hypothetical and real sites to support public review of the proposed revisions.

The significant changes to the PRUD standards to be discussed include the following:

- Providing minimum standards for PRUD developments that must be met by all projects before a density bonus can even be considered
A focus on quality of open space rather than quantity by:

- Allowing smaller percentages than the current 30 percent minimum, but ensuring quality, usability and public access
- Requiring that open space areas front on public or private streets
- Excluding areas between buildings unless part of a specific pedestrian circulation or trail network
- Counting detention areas toward open space only where pedestrian access and useable recreation areas are present
- Requiring that open space supports walkable pedestrian circulation

- Providing better clarification on types of materials available for consideration for Density Bonus
- Providing a connection between Neighborhood Ag Heritage overlay designation anticipated in the proposed General Plan update and the standards for PRUD’s.

October 8, 2019 Planning Commission Hearing

A public hearing was held during the October 8, Planning Commission Meeting, during which no public comments were provided. The Planning Commission voted unanimously to table the item until the October 22nd meeting to allow time for further discussion of the proposed PRUD standards, including the variety of agricultural uses that could take place in Neighborhood Agricultural Heritage areas. The attached materials include draft ordinance revisions, including refinements proposed after the October 8th Planning Commission hearing and work meeting (highlighted in yellow, and red text strikes), and summaries depicting how new standards would apply to development under the amended PRUD ordinance.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the proposed amendments to Title 19, Section 19.08.080 and Section 19.08.090 of the Layton City Municipal Code (including the refinements / modifications as presented) by amending design standards and regulations within the PRUD Overlay Zone.

Public Comments:

No Comments.

Planning Commission Discussion:

No Comments.

MOTION:

Commissioner Morris motioned that the Planning Commission forward a positive recommendation to the City Council to approve the proposed amendments to Title 19, Section 19.08.080 and Section 19.08.090 of the Layton City Municipal Code by amending design standards and regulations within the PRUD Overlay Zone as presented by Staff. Commissioner Van Drunen seconded the motion, which was approved unanimously.
ADJOURNMENT

At 7:35 pm, Commissioner Van Drunen motioned to close the public review and adjourn. Vice Chair Pilny seconded the motion and the meeting was adjourned.

Brittney Whitecar
Planning Commission Secretary