

**LAYTON CITY PLANNING COMMISSION  
WORK MEETING  
Tuesday, September 28, 2004**

Present: Chairman Kim Squire, Commissioners Keith Preece, Mike Bouwhuis, Robert Langford, Hugh Parke and Dave Pratt

Absent: Commissioner Kathy Hyde and Ron Stallworth

Others Present: Staff members Scott Carter, Peter Matson, Kem Weaver, Steve Garside, Gayla Thompson

There was lots of discussion regarding "accessory residential dwellings" among the Commission. They questioned whether the Hutchinson case was subordinate to the primary residence. The staff explained that it is because the secondary residence has less square footage than the primary residence. Commissioner Preece read the portion of the conditional use ordinance that addresses over crowding of the land. He stated that he didn't feel the secondary residence was subordinate to the primary residence. Commissioner Pratt stated he felt the single family zoning designation is being turned into multi-family, (if these types of uses are approved as currently written in the ordinance). Commissioner Bouwhuis questioned whether the Planning Commission could legitimately define "subordinate". Scott Carter cited the dictionary's definition of subordinate. Peter Matson explained that currently an owner could build an accessory use that would not require conditional use approval.

Kem Weaver reviewed Sun Hills Subdivision. The staff recommends preliminary approval be granted subject to the developer meeting all staff requirements.

Kem reviewed Wheatfield Subdivision. The staff recommends preliminary approval be granted subject to the developer meeting all staff requirements.

Kem reviewed the conditional use request for Main Street Sales. The use must comply with a four-year amortization plan. The property owner is required to enter into an agreement with the City that outlines the amortization schedule. The Planning Commission needs to determine the length of the conditional use.

Kem reviewed the conditional use request by Kevin Garn to locate a restaurant in a new office building he plans to build near the Davis County Conference Center. The site plan itself has not been approved so should the Commission vote to approve the conditional use, it would be subject to the applicant meeting all staff requirements.

Scott explained the Peacefield Open Space issue. Alan Johnson, President of the Homeowners' Association (HOA) was present. Scott explained gave the history of the development and stated that it was approved as a PRUD with a mixture of single family, duplex condo units, and professional business. He reviewed the original overlay showing the different water features, walkways and open space. The staff has been working with the HOA and the developer (Gibbs Smith) for more than a year to bring the project into compliance with what was originally

approved. The HOA and the developer are asking approval to replace the water features with additional landscaping and berming and include a gazebo. Mr. Johnson explained the maintenance problems they have had with the existing water features because they were not installed properly and were cheaply constructed. The HOA would be willing to trade for something of equal value to the water features.

Chairman Squire indicated that he is probably the only member that was on the Commission when Peacefield was originally approved. He stated that he felt this project was approved based on the original submittals and that existing property owners purchased their homes under those pretences and are paying HOA fees for those improvements. Mr. Johnson indicated that the HOA is in agreement with the proposed plan unless the developer would be willing to install high quality water features. He stated that Symphony Homes, who is the new developer, has stated that they are not responsible for the existing water features.

The work meeting adjourned at 6:55 p.m.

  
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Gayla Thompson, Secretary to the Planning Commission