

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, AUGUST 9, 2011

MEMBERS PRESENT: Brian Bodily, Sharon Esplin, Gerald Gilbert, Tim Pales, Dave Weaver

ALTERNATE MEMBERS PRESENT: Jeremy Davis, Dawn Fitzpatrick

MEMBERS ABSENT: Kristin Elinkowski

ALTERNATE MEMBERS ABSENT:

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Andrew King, Steve Garside, Julie Jewell, and Councilmember Barry Flitton

PUBLIC HEARING:

1. TEXT AMENDMENT – Text Amendment to Title 19 (Zoning) Subsection 19.02.020 – Definitions, Subsection 19.06.060 – Residences for persons with a disability, and Tables 6-1 & 6-2 – Table of Land Use Regulations

Planner I, Andrew King, presented the proposed amendment to Title 19 Subsections 19.02.020 and 19.06.060 and Tables 6-1 & 6-2. He explained that the proposed changes were made as a result of a determination during a conditional use review for Chrysalis Enterprises for a facility for the disabled, that City ordinance was not consistent with State and Federal regulations.

Mr. King reviewed some of the changes and requirements as follows:

- 19.02.020
 - The term "handicapped" would be changed to "disabled."
- 1906.060
 - The title would be changed to Residential Facilities for Persons with Disabilities
 - No conditional use permit would be required for three or fewer residents.
 - If there were four or more residents, a business license would be required and the conditional use application process followed.
 - Remove separation requirement between facilities
 - (8) Add "documented" history of violence

There was a discussion regarding the spacing requirement, and Assistant City Attorney, Steve Garside, said the spacing requirement for this level of service had not been enforced for several years.

Commissioner Fitzpatrick asked if there was a concern that three or fewer residents would not be regulated by the City. Mr. King said the facilities would still be regulated by the State, which would also regulate supervision of the residents.

Commissioner Davis asked what the limit was on the number of residents in a facility. Mr. Garside said it would be a permitted use at three or fewer residents. Mr. Garside also said that five or more residents in this type of facility would not be allowed in a residential zone.

Mr. Wright said that when additional services are needed on site, such as treatment, then the facility would be in another category and regulated differently by zoning.

There was a discussion about the difference between elderly care and care for the disabled as related to needs and regulations.

PUBLIC REVIEWS:

2. WEAVER PARK SUBDIVISION PHASE I – FINAL APPROVAL

This property is located at approximately 800 West Weaver Lane in an R-1-8 (Single Family Residential) zoning district. The applicant and owner, Ed Green is requesting final plat approval for 27 lots on 8.526 acres.

Kem Weaver, Planner II, gave an overview of the layout of the Weaver Park Subdivision Phase I describing the landscaping and fencing on Parcel A with trees along the street frontage, sod, and a three-rail fence. Commissioner Fitzpatrick suggested that landscaping and fencing similar to the Day Break development with shorter fencing and grasses and bushes around the detention basin be considered. Mr. Weaver said he would request the Design Review Committee consider that type of landscaping when reviewing future planned residential unit development (PRUD) projects.

There was a discussion regarding the closing of a portion of Weaver Lane and the timing of the Weaver Park Subdivision connection into the Green Briar Subdivision, which will take place during the construction of Phase 2. Mr. Weaver gave an overview of the routes in and out of the Weaver Park Subdivision.

Mr. Weaver said all lots in the proposed subdivision meet the requirements for lot size and frontage. He also said three lots will be affected by the Chevron easement. Specific requirements for those lots will be written into the covenants for the easements on those lots. All lots meet the R-1-8 requirements for lot size and frontage. Staff recommends the Planning Commission forward a recommendation to the Council to grant final approval for the Weaver Park Subdivision.

OTHER:

City Planner, Peter Matson, informed the Commission that Commissioner Blake Hazen had resigned from the Commission due to scheduling conflicts and other commitments. Mr. Matson said the Mayor had several applications on file to review for this opening on the Commission.

Commissioner Bodily asked the status of the vacant land across from his home and the Jordan Valley Water District Line easement. Staff will determine the status of the easement.



Julie K. Jewell, Planning Commission Secretary

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OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Andrew King, Steve Garside, Julie Jewell, and Councilmember Barry Flitton

Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited and an invocation was given by Commissioner Fitzpatrick.

Planning Commissioner Secretary, Julie Jewell, delivered the Oath of Office to Commissioner Tim Pales.

Chairman Esplin called for a motion to open the Public Hearing. Commissioner Gilbert moved to open the Public Hearing. Commissioner Bodily seconded the motion, and the voting was unanimous.

PUBLIC HEARING:

1. TEXT AMENDMENT – Text Amendment to Title 19 (Zoning) Subsection 19.02.020 – Definitions, Subsection 19.06.060 – Residences for persons with a disability, and Tables 6-1 & 6-2 – Table of Land Use Regulations

Planner I, Andrew King, presented the proposed amendment to Title 19 Subsections 19.02.020 and 19.06.060 and Tables 6-1 & 6-2. He explained that the proposed changes were made as a result of a determination during a conditional use review for Chrysalis Enterprises for a facility for the disabled, that City ordinance was not consistent with State and Federal regulations.

There were no questions or comments from the Commission or the audience. Chairman Esplin called for a motion on the item.

Commissioner Gilbert moved that the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 11-23 amending Title 19 Subsections 19.02.020 and 19.02.060 and Tables 6-1 and 6-2. Commissioner Pales seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close the Public Hearing and open Public Review.

Commissioner Gilbert moved to close the Public Hearing and open Public Review. Commissioner Bodily seconded the motion, and the voting was unanimous.

PUBLIC REVIEWS:

2. WEAVER PARK SUBDIVISION PHASE I – FINAL APPROVAL

This property is located at approximately 800 West Weaver Lane in an R-1-8 (Single Family Residential) zoning district. The applicant and owner, Ed Green is requesting final plat approval for 27 lots on 8.526 acres.

Kem Weaver, Planner II, gave an overview of the layout of the Weaver Park Subdivision Phase I describing the landscaping and fencing on Parcel A with trees along the street frontage, sod, and a three-rail fence. Commissioner Fitzpatrick suggested that landscaping and fencing similar to the Day Break development with shorter fencing and grasses and bushes around the detention basin be considered. Mr. Weaver said he would request that the Design Review Committee consider that type of landscaping when reviewing Planning Residential Unit Development (PRUD) projects.

Mr. Weaver said all lots in the proposed subdivision meet the requirements for lot size and frontage. He said three lots will be affected by the Chevron easement. Specific requirements for those lots (Lots 101, 116 and 117) will be written into the covenants for the easements on those lots. All lots meet the R-1-8 requirements for lot size and frontage.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the Council to grant final approval to the Weaver Park Subdivision Phase I subject to covenants being provided before final plat approval and meeting all Staff requirements as outlined in Staff memorandums.

There were no questions or comments from the Commission or the audience. Chairman Esplin called for a motion on the item.

Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the Council grant final approval to the Weaver Park Subdivision Phase I subject to covenants being provided before final plat approval and meeting all Staff requirements as outlined in Staff memorandums. Commissioner Pales seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close the Public Review and adjourn the meeting.

Commissioner Pales moved to close the Public Review and adjourn the meeting. Commissioner Bodily seconded the motion, and the voting was unanimous.

The meeting adjourned at 7:14 p.m.


Julie K. Jewell, Planning Commission Secretary