LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
TUESDAY, NOVEMBER 22, 2011

MEMBERS PRESENT:	Brian Bodily, Sharon Esplin, Gerald Gilbert, Tim Pales
ALTERNATE MEMBERS PRESENT:	Dawn Fitzpatrick
MEMBERS ABSENT:	Kristin Elinkowski, Dave Weaver
ALTERNATE MEMBERS ABSENT:	Jeremy Davis
OTHERS PRESENT:	Staff Members: Peter Matson, Andrew King, Steve Garside, Shannon Hansen

OTHER:

City Planner, Peter Matson updated the Commission on the West Layton Village form-based code project stating that an open house will be scheduled on December 7, 2011, for the public, City Council, and Planning Commission to review the code. Hearings to adopt the code will begin in January, 2012.

Mr. Matson updated the Commission on the revisions to the check cashing ordinance.

Mr. Matson said that Item # 4, which was a conditional use for auto repair, was withdrawn because the owner didn't want to install the required upgrades to the landscaping.

PUBLIC HEARING:

1. **LAYTON CITY/JOHN GAILEY ANNEXATION AND REZONE TO R-1-6 (Single Family Residential)** – .12 acres located at approximately 327 South Fairfield Road. This annexation is to correct a gap created during the process of previous annexations.

City Planner, Peter Matson, explained that the property proposed for annexation and rezone is currently a County island between Layton City and Kaysville. The gap was discovered during the recording of the Estates at Mutton Hollow Subdivision plat. A portion of Lot 1 of this subdivision is included in this County island and must be annexed into the City and rezoned to R-1-6 to allow for a building permit to be issued on the lot.

2. TEMPORARY USES ORDINANCE AMENDMENT AND RE-WRITE -- Chapter 19.21 Temporary and Seasonal Uses

Planner I, Andrew King presented the temporary uses ordinance amendment and re-write with changes requested by the Commission incorporated in the latest draft of the ordinance.

Mr. King said there were two ways to deal with existing conditional uses for temporary use type businesses. He said the City could wait for a non-conforming conditional use to be out of use for one year and then declare the conditional use as abandoned. In the case of a new business wanting to follow the requirements of the new temporary use ordinance, any existing conditional use permit on the property would be forfeited.

Mr. Matson said the City's IT Department is researching in-house software to track these uses.

Mr. King explained each temporary use stating that only temporary seasonal uses and mobile stores would fall under the new ordinance which does not require review by the Planning Commission. However, more design criteria would be required, and the applicant would have to submit drawings and pictures of carts, etc. A site plan review would also be required.

Commissioner Fitzpatrick expressed a concern that the temporary uses ordinance, with a morning business opening time of 6:00 a.m., did not appear to be compatible with the City's noise ordinance of 7:00 a.m. Mr. King said that the only temporary uses that would begin at 6:00 a.m. would be the street vendors who may offer breakfast items.

Mr. King reviewed and explained the ordinance regarding the spacing between street vendors and other types of temporary uses. A discussion followed.

There was a discussion regarding rock chip repair tents, which are not regulated by zone, and by which businesses they would be allowed to locate. Staff will further research the ramifications of allowing rock chip repair tents by automotive related businesses versus just being allowed on gas station properties. The primary site where a rock chip repair business is proposed must have two parking spaces in excess of the required parking spaces to allow for the rock chip repair tent.

There was a discussion regarding fireworks stands, pumpkin patches, and Christmas tree lots and procedures that are regulated by the State and by the City. Mr. King will compare the regulations.

The length of a business license for a snow shack had been omitted from the ordinance. Mr. King will add the length of four months for a snow shack business license to the ordinance.

There was a discussion on produce stands. Farmers selling produce on their own lots are exempt from obtaining a business license.

Mr. King said the Code Enforcement officer would be given a copy of the ordinance and will educate business owners and enforce the code. It was suggested by the Commission that any department, such as Fire Department, which would inspect the temporary uses, be brought up to date on the new ordinance.

PUBLIC REVIEW:

3. BARLOW RETAIL SUBDIVISION – LOT 4 AMENDED

This .92 acre property is located at 423 North Main Street in a C-H (Highway Regional Commercial) zoning district. The owner, Haven Barlow, represented by Adam Hawkes, proposes to split lot 4 into two .45 acre parcels.

Mr. King presented the request for an amendment to Lot 4 of the Barlow Retail Subdivision to allow for this lot to be split into two lots. He explained the reason for the lot split to allow for a Rancheritos restaurant to be built on the north portion of the lot. The north parcel will be addressed at 437 North Main Street and the south parcel will be addressed at 423 North Main Street.

Access to the property, both current and future, was discussed.

4. BLOW OUT AUTO SALES – CONDITIONAL USE FOR AUTO SALES

3086 North 750 East – The applicant, Gerrardas Doesburg, has withdrawn the application.

Julie K. Jewell

Julie K. Jewell, Planning Commission Secretary

LAYTON CITY PLANNING COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 22, 2011

MEMBERS PRESENT:	Brian Bodily, Sharon Esplin, Gerald Gilbert, Tim Pales
ALTERNATE MEMBERS PRESENT:	Dawn Fitzpatrick
MEMBERS ABSENT:	Kristin Elinkowski, Dave Weaver
ALTERNATE MEMBERS ABSENT:	Jeremy Davis
OTHERS PRESENT:	Staff Members: Peter Matson, Andrew King, Steve Garside, Shannon Hansen

Chairman Esplin called the meeting to order. The Pledge of Allegiance was recited, and an invocation was given by Commissioner Bodily.

PUBLIC HEARING:

1. **LAYTON CITY/JOHN GAILEY ANNEXATION AND REZONE TO R-1-6 (Single Family Residential)** – .12 acres located at approximately 327 South Fairfield Road. This annexation is to correct a gap created during the process of previous annexations.

City Planner, Peter Matson, explained that the property proposed for annexation and rezone is currently a County island between Layton City and Kaysville. The property is approximately 22 feet wide and 260 feet long and covers a portion of Lot 101, which must be annexed into the boundaries of the City and rezoned to R-1-6 to allow for a building permit to be issued on the lot.

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

Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to approve the annexation of the .12 acre property at approximately 327 South Fairfield Road. Commissioner Pales seconded the motion, and the voting was unanimous.

Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to rezone the .12 acre property at approximately 327 South Fairfield Road to R-1-6. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

2. TEMPORARY USES ORDINANCE AMENDMENT AND RE-WRITE -- Chapter 19.21 Temporary and Seasonal Uses

Chairman Esplin said that Item 2 would be tabled to the December 13, 2011, Planning Commission Meeting. He asked for input from the public, but there was none. Chairman Esplin called for a motion on the item.

Commission Gilbert moved that the Temporary Uses Ordinance Amendment and Re-Write be tabled to the December 13, 2011, Planning Commission Meeting. 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 REVIEW:

3. BARLOW RETAIL SUBDIVISION – LOT 4 AMENDED
This .92 acre property is located at 423 North Main Street in a C-H (Highway Regional Commercial) zoning district. The owner, Haven Barlow, represented by Adam Hawkes, proposes to split lot 4 into two .45 acre parcels.

Mr. King presented the request for an amendment to Lot 4 of the Barlow Retail Subdivision to allow for this lot to be split into two lots. He outlined the uses in the subdivision and explained the reason for the lot split to allow for a Rancheritos restaurant to be built on the north portion of Lot 4.

The applicant, Adam Hawkes, 387 West 350 South, Kaysville, Utah, was present and said he was representing the property owner, Haven Barlow, as a broker to bring users to the site.

Access to the property both current and future was discussed, and Mr. Hawkes said the Rancheritos building was being positioned to allow for shared parking with a future user of the lot that will be created to the south.

There were no further comments or questions 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 City Council to approve the amendment to Lot 4 of the Barlow Retail Subdivision. Commissioner Bodily seconded the motion, and the voting was unanimous.

4. BLOW OUT AUTO SALES – CONDITIONAL USE FOR AUTO SALES
3086 North 750 East – The applicant, Gerrardas Doesburg, has withdrawn the application.

Chairman Esplin said that item 4 had been removed from the agenda at the request of the applicant.

Chairman Esplin called for a motion to close Public Review and adjourn the meeting. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

Julie K. Jewell

Julie K. Jewell, Planning Commission Secretary