WORK MEETING AGENDA OF THE CITY COUNCIL OF LAYTON, UTAH

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Conference Room in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **5:30 PM on September 5, 2019.**

Item:

1. Comprehensive General Plan Amendment – Ordinance 19-18
2. Open and Public Meetings Act Training
3. Conflict of Interest Training
4. Sexual Harassment Training
5. Amend the Layton Municipal Code – Title 19, Chapter 19.05, Table 5-1 - Related to Building Height for Community Uses in Single Family Residential and Agricultural Zones - Ordinance 19-25
6. Amend the Layton Municipal Code – Title 19, Chapter 19.05, Section 19.05.040 - Amending the Setbacks and Regulations for Swimming Pools Located on Corner Lots Within All Single Family Zoning Districts - Ordinance 19-27
7. Mayor's Report

ADJOURN:
In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.

This meeting may involve the use of electronic communications for some of the members of the public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.

Notice is hereby given that by motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.

Date: _____ **By:** _____
Kimberly S Read, City Recorder

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 1.

Subject:
Comprehensive General Plan Amendment – Ordinance 19-18

Background:
The City Council held a Public Hearing on August 22, 2019 to review final draft documents of the proposed Comprehensive General Plan Amendment. Following the hearing, the Council voted unanimously to close the public hearing and continue discussion of the item at the September 5, 2019 Council Meeting, to provide time for Staff to meet with representatives of Terraventure Development.

Terraventure raised concerns during the hearing about proposed future land uses on property located north of West Hill Field Road, between 2200 West and 2700 West. Other plan refinements were suggested during the Staff presentation and public comments. Staff will present a potential list of refinements/modifications to the draft Layton Forward General Plan document as discussed during the August 22, 2019 Public Hearing following discussions with Terraventure Development.

Alternatives:
Alternatives are to 1) Adopt Ordinance 19-18 approving the proposed Comprehensive General Plan Amendment; 2) Adopt Ordinance 19-18 with any amendments the Council deems appropriate; or 3) Not adopt Ordinance 19-18 and remand to Staff with directions.

Recommendation:
Following the June 25, 2019 Planning Commission hearing, the Commission voted unanimously to forward a positive recommendation to the City Council to adopt the Comprehensive General Plan Amendment, including proposed refinements to the draft Future Land Use Map as presented during the public hearings. The Commission also stated an understanding that the draft plan may be edited for clarity and correctness prior to its adoption by the City Council.

Staff supports the Planning Commission's recommendation that the City Council adopt Ordinance 19-18, approving the Comprehensive General Plan Amendment, with the additional refinements/modifications discussed at the August 22, 2019 and September 5, 2019 City Council meetings. The proposed plan amendment is based on extensive public engagement since 2015, and has been drafted to address diverse and changing needs for residents and businesses today, and in the future.

ORDINANCE 19-18
(Comprehensive General Plan Amendment)

AN ORDINANCE UPDATING LAYTON CITY'S GENERAL PLAN AS A COMPREHENSIVE GENERAL PLAN AMENDMENT

WHEREAS, the General Plan is to provide a vision of orderly growth to guide public and private investment for the positive evolution of our community; and

WHEREAS, Layton's future growth and development opportunities will continue to be influenced by changing national and state policies, education and vocational training, market and economic conditions, job trends, consumer spending, land and construction costs, and housing needs; and

WHEREAS, as changing conditions translate to local land use decisions, Layton can adapt while adhering to values of economic and environmental sustainability, social equity, civic responsibility and equal opportunity, through the adoption of a General Plan that is based on supporting growth principles and policies; and

WHEREAS, Layton recognizes the need for diverse housing options to provide opportunities for families and households to live closer to needed services, employment, family and friends; and

WHEREAS, Layton shares in the state-wide responsibility to adopt a plan that will provide a realistic opportunity for moderate income and workforce housing options to meet the needs of people of various income levels living, working, or desiring to live or work in the community, and to benefit from full participation in all aspects of neighborhood and community life; and

WHEREAS, recent changes in State law have also required a need to incorporate selected strategies for the provision of housing diversity in the City; and

WHEREAS, the Layton City Planning Commission has recently engaged the community in future land use discussions related to potential growth and land use changes as part of a General Plan update process, with a focus on land use and housing; and

WHEREAS, the updated General Plan and Moderate Income Housing Plan element will align with the Transportation Master Plan, and the Parks and Recreation Master Plan as complimentary elements; and

WHEREAS, all General Plan elements combine to provide a comprehensive planning framework for identifying community opportunities and defining goals and policies, to enhance quality of life and achieve a balanced outcome for the collective public good; and

WHEREAS, public engagement efforts to involve Layton's citizenry and business community in future growth conversations include the Envision Layton process from 2015 to 2016 which established a city-wide land use vision and growth principles as a foundation to the General Plan update process ; and

WHEREAS, the 2017 – 2018 Layton Forward General Plan Update process provided an opportunity for the community to explore land use and community design concepts to refine the vision through broad public engagement; and

WHEREAS, after substantial discussion and review throughout the General Plan drafting process, the Layton City Planning Commission has recommended that the General Plan be updated and amended as submitted; and

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizenry to adopt an amendment to the City's General Plan to achieve the benefits as submitted; and

WHEREAS, upon holding a public hearing, and after reviewing the Planning Commission's recommendation and reviewing the Land Use and Population Element of the Layton City General Plan, the City Council now determines that this amendment is reasonably and rationally based.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: **Repealer**. If any provisions of the City's General Plan heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: **Adoption**. That the reviewed Land Use and Population Element of the Layton City General Plan is amended to update and replace all previously-adopted land use and housing elements, except for the City's Downtown Plan which will continue to serve as a resource and policy guide reference.

SECTION III: **Map Amendment**. That the City's General Plan Map is hereby amended to reflect the amendment adopted herein (Exhibit A).

SECTION IV: **Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION V: **Effective date**. This ordinance shall go into effect immediately after final passage as noted below.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ___ **day of** _____**, 20**__**.**

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:

GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

CHAD WILKINSON, Director
Community & Economic Development

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 2.

Subject:
Open and Public Meetings Act Training

Background:
Mr. Gary Crane, Layton City Attorney, will instruct the Mayor and Council on Utah Risk Management Mutual Association (URMMA) required Open and Public Meeting Acts training.

Alternatives:
N/A

Recommendation:
N/A

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 3.

Subject:
Conflict of Interest Training

Background:
Mr. Gary Crane, Layton City Attorney, will instruct the Mayor and Council on Utah Risk Management Mutual Association (URMMA) required Conflict of Interest training.

Alternatives:
N/A

Recommendation:
N/A

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4.

Subject:
Sexual Harassment Training

Background:
Mr. Gary Crane, Layton City Attorney, will instruct the Mayor and Council on Utah Risk Management Mutual Association (URMMA) required Sexual Harassment training.

Alternatives:
N/A

Recommendation:
N/A

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 5.

Subject:
Amend the Layton Municipal Code – Title 19, Chapter 19.05, Table 5-1 - Related to Building Height for Community Uses in Single Family Residential and Agricultural Zones - Ordinance 19-25

Background:
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 exempt from the height requirements of the zoning ordinance. The proposed change would not modify these existing exemptions.

Alternatives:
Alternatives are to 1) Adopt Ordinance 19-25, amending Title 19, Chapter 19.05, Table 5-1 of the Layton Municipal Code by amending the height standards for community uses in Single Family Residential and Agricultural zones; 2) Adopt Ordinance 19-25 with any amendments the Council deems appropriate; or 3) Not adopt Ordinance 19-25 and remand to Staff with directions.

Recommendation:
A public hearing was held on August 6, 2019, during which no public comments were offered. Following the hearing, the Planning Commission voted unanimously to recommend the City Council adopt Ordinance 19-25 amending Title 19, Chapter 19.05, Table 5-1 of the Layton Municipal Code by amending the height standards for community uses in Single Family Residential and Agricultural zones.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 19-25

AN ORDINANCE AMENDING LAYTON CITY MUNICIPAL CODE – TITLE 19, CHAPTER 19.05 "TABLE 5-1" RELATED TO BUILDING HEIGHT FOR COMMUNITY USES IN RESIDENTIAL AND AGRICULTURAL ZONES; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, community uses are defined as uses which have the primary purpose of serving the educational, recreational, religious, or governmental needs of the community in general; and

WHEREAS, the unique character of community uses sometimes requires structures that exceed the maximum height of the underlying zone district; and

WHEREAS, the Layton City Planning Commission held a public hearing on August 6, 2019 and voted unanimously to approve the proposed amendment; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Title 19 Section 19.05;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: **Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: **Enactment.** Title 19, Chapter 19.05 "Table 5-1" shall be amended to read as follows:

TABLE 5-1

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
LOT SIZE									
Min. Lot Area 1st Dwelling [1]	43,560 s/f	15,000 s/f	10,000 s/f	8,000 s/f	6,000 s/f	8,000 s/f	8,000 s/f	10,000 s/f	10,000 s/f
Min Lot Area for Add. Unit	43,560 s/f	15,000 s/f	10,000 s/f	8,000 s/f	6,000 s/f	4,000 s/f	2,500 s/f	1,750 s/f	1,400 s/f
Min. Lot Width @ Setback [2 & 3]	100/100 f	100/100 f	80/90 f	70/80 f	60/70 f	70/80 f	80/90 f	80/90 f	80/90 f
Min. Frontage [4]	80 f	70 f	60 f	55 f	50 f	60 f	70 f	70 f	70 f
PRINCIPLE STRUCTURE SETBACKS									
Min. Front Yard on Arterial [5]	30' 40'	30' 40'	25' 40'	25' 40	25' 40'	25' 40'	30' 40'	30' 40'	30' 40'
Min. Between Facing Structures on Same Lot			60'	60'	60'	50'	50'	50'	50'
Min. Side yard side/total	10'/24'	8'/20'	8'/16'	8'/16'	6'/12'	8'/18'	10'/22'	10'/22'	8'/18'
Min. Side Yard Between R-M & R-H adj. to A, R-S, R-1, R-2							25'	25'	25'
Min. Corner Side Yard on Arterial	30' 30'	25' 25'	20' 25'	20' 25'	20' 25'	20' 30'	25' 30'	25' 30'	25' 30'
Min. Side to Side Separation Between Residential Structures on Same Lot			20'	16'	13'	15'	15'	15'	15'
Min. Separation Side to Front, Side to Rear, Rear to Rear			30'	30'	30'	25'	25'	25'	25'
Min. Rear Yard [6]	30'	30'	25'	25'	25'	30'	30'	30'	30'
Min. Rear Yard (double face street) [6]	40'	40'	35'	35'	35'	40'	30'	30'	30'
Min. Corner Rear Yard [6]	30'	30'	25'	25'	25'	25'	25'	25'	25'

ACCESSORY STRUCTURE SETBACKS									
Min. Front Yard	30'	30'	25'	25'	25'	25'	25'	25'	25'
Min. Side Yard [7]	3'	3'	3'	3'	3'	3'	3'	3'	3'
Min. Corner Side Yard [8] on Arterial	30' 30'	30' 30'	20' 30'	20' 30'	20' 30'	20' 30'	25' 30'	25' 30'	25' 30'
Min. Rear Yard	3'	3'	3'	3'	3'	3'	3'	3'	3'
Agriculture Struc. Front Yard Min.	100'	100'							
Agriculture Struc. Side Yard Min.	10'	10'							
Agriculture Struc. Rear Yard Min.	10'	10'							
Agriculture Struc. Distance from Neighboring Dwelling	100'	100'							
Distance Between Accessory and Principle Bldgs (same lot)	6'	6'	6'	6'	6'	6'	6'	6'	6'
Distance Between Accessory & Principle Struc. (adjacent lot)	12'	12'	12'	12'	12'	12'	12'	12'	12'
STRUCTURE HEIGHT AND LOT COVERAGE									
Max. Height Principle Struc.[9]	35'	35'	30'	30'	30'	30'	35'	35'	35'
Max. Height Accessory Struc. [10]	25'	23'	18'	18'	18'	18'	18'	18'	18'
Min. Height Principle Struc.	10'	10'	10'	10'	10'	10'	10'	10'	10'
Max. Lot Coverage			60%	60%	60%	60%	70%	70%	70%

1. The R-2 and R-M1 zones require eight thousand (8,000) square feet for the first two dwelling units. The R-M2 and R-H zones require ten thousand (10,000) square feet for the first two (2) dwelling units.

2. Corner lots shall meet the minimum lot width requirement on both street frontages.

3. In a subdivision of eight (8) lots or more, the lots shall be designed to provide for a variety of lot widths. Twenty-five percent (25%) of the lots in the subdivision shall have a lot width at least five feet (5') wider at the required front setback, than the required minimum of the zone. Twenty-five percent (25%) of the lots in the subdivision shall have a lot width at least ten feet (10') wider at the required front setback, than the required minimum of the zone. In order to distribute the varied lot widths throughout the subdivision, no more than five (5) lots in a row of the minimum lot width of the zone shall be provided.

4. Measured along the chord length for lots on curves.

5. Residential building lots should not face onto arterial streets. In those limited circumstances where the only available frontage is on an arterial street, it is important to achieve the greatest setback possible to protect residents from the noise and safety hazards associated with potentially high volumes of traffic and high speeds. Side yard setbacks should also include greater setbacks for those same reasons. Arterial streets are defined in 19.02 Layton Municipal Code.

6. In the R-1 and R-2 zones, the landscape buffer requirements of 19.16.090 apply.

7. Minimum side yard setback for an accessory structure on an interior lot is three feet (3') if the accessory structure is located at least six feet (6') behind the principal structure - otherwise, side yard setback for principal structures would apply to the accessory structure.

8. Corner lots may have an accessory structure located within five feet (5') of the corner side yard property line nearest the street when: It is not more than twelve feet (12') in height to mid-point; the yard is walled or fenced to a minimum height of six feet (6'). The wall or fence is sight-obscuring; and extended three feet (3') in length beyond the accessory structure and runs parallel to the adjacent street(s). The accessory structure is not adjacent to the front yard of the adjoining property; the accessory structure is placed behind the rear foundation line of the principle structure; and is in compliance with clear view requirements. Accessory structures with a garage door facing and running parallel with the adjacent street must comply with the corner side yard setbacks of the specific zone.

9. In Agricultural and Single Family Residential zones, primary structures constructed in conjunction with a Community Use as defined in Section 19.02.020 shall be allowed an additional 1 (one) foot of building height for every 1 (one) foot of additional building setback up to a maximum of 100 feet of height. Deeper building setbacks may apply, or building height(s) may be tiered as one or more architectural step back(s) from the minimum setbacks. Nothing in this section shall be construed to limit the exceptions to building height found in section 19.05.030.

~~9.~~ 10. Accessory structures over eighteen feet (18') in height shall have an additional three feet (3') setback from all property lines and the rear of the main structure for every additional one foot (1') in height.

SECTION III: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: **Effective Date.** This ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ___ **day of** _____**, 20__.**

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:

GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

CHAD WILKINSON, Director
Community & Economic Development

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 6.

Subject:
Amend the Layton Municipal Code – Title 19, Chapter 19.05, Section 19.05.040 - Amending the Setbacks and Regulations for Swimming Pools Located on Corner Lots Within All Single Family Zoning Districts - Ordinance 19-27

Background:
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 twenty-five feet is required from the shared property line.

However, an interior lot could build a swimming pool four 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 twenty-five feet and thirty feet from the rear property line, which does not provide sufficient space for a twenty-five 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.

Alternatives:
Alternatives are to 1) Adopt Ordinance 19-27, amending Title 19, Chapter 19-05, Section 19.05.040 of the Layton Municipal Code by changing setback requirements for swimming pools on corner lots in all single family residential zoning districts; 2) Adopt Ordinance 19-27 with any amendments the Council deems appropriate; or 3) Not adopt Ordinance 19-27 remand to Staff with directions.

Recommendation:
A public hearing was held on August 6, 2019, during which no public comments were offered. Following the hearing, the Planning Commission voted unanimously to recommend the City Council adopt the proposed amendments to Title 19, Chapter 19.05, Section 19.05.040 of the Layton Municipal Code by changing setback requirements for swimming pools on corner lots in all single family residential zoning districts.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 19-27

AN ORDINANCE AMENDING TITLE 19, CHAPTER 19.05, SECTION 19.05.040 "PRIVATE SWIMMING POOLS, TENNIS COURTS, SKATEBOARD RAMPS, SATELLITE DISHES, AND BASKETBALL STANDARDS OR COURTS"; BY AMENDING THE SETBACKS FOR SWIMMING POOLS WITHIN ALL SINGLE FAMILY ZONING DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, the City has received multiple inquiries for a potential change in the zoning requirements for swimming pools setbacks for corner lots that have a rear yard next to a side yard in single family zoning districts; and

WHEREAS, the City code setback requirement of a swimming pool when placed in the rear yard area of a corner lot that has a rear lot line that is also a side lot line of the adjacent lot, has a twenty-five (25) foot minimum setback requirement from the pool to the shared property line.

WHEREAS, in most cases, this prohibits homeowners who live on a corner lot from building a standard-size swimming pool. Most single family homes are built to the minimum setbacks of the zoning district and therefore are restricted from building a swimming pool; and

WHEREAS, a single family home on a corner lot currently requires a minimum setback greater than twenty-five (25) feet from the rear property line to meet all of the minimum setback requirements for a standard-size pool.

WHEREAS, a single family home that is not on a corner lot is currently allowed to have a swimming pool that is four (4) feet from a side or rear property line as long as it is twenty (20) feet from the neighboring dwelling; and

WHEREAS, by allowing swimming pools on corner lots to be placed four (4) feet from the rear property line as long as it is a minimum of twenty (20) feet from the neighboring dwelling regardless of its orientation, a homeowner would be allowed to build a swimming pool on a corner lot with reasonable standards, and not be impacted by the orientation of an adjacent home.

WHEREAS, the Planning Commission has reviewed the proposed ordinance and has recommended the amendment for swimming pools on corner lots in single family zoning districts be approved; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: **Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: **Enactment.** Title 19, Chapter 19.05, Section 19.05.040 shall be amended and enacted to read as follows:

19.05.040 Private Swimming Pools, Tennis Courts, Skateboard Ramps, Satellite Dishes, And Basketball Standards Or Courts

1. **Swimming Pool (private)**. No such pool shall be allowed in any zoning district except as an accessory use and unless it complies with the following conditions and requirements:

    a. It is an accessory use to a main building and is located within the side or rear yard thereof ~~;~~and accessory structure setbacks do not apply to the swimming pool;

    b. It is intended and is to be used solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located;

    c. It may not be located closer than four feet (4') to any property line or to the home on ~~of~~ the property on which it is located; the setback is measured from the water's edge to the property line;

    d. It shall not be less than twenty feet (20') from any neighboring~~s~~ dwelling's livable space, ~~or fifteen feet (15') from any side lot line of an adjacent vacant lot;~~ It shall not be less than fifteen feet (15') from any neighbors' non-livable area of their dwelling, which includes, but is not limited to, the garage, carport, or storage areas;

    e. It shall not be less than ~~fifteen feet (15') from any neighbors' non-livable area of their dwelling, which includes, but is not limited to, the garage, carport, or storage areas;~~fifteen feet (15') from any side lot line of an adjacent vacant lot or parcel;

    ~~f. On a corner lot where the rear lot line is coterminous with a side lot line of an adjoining lot, it shall be located not less than twenty-five feet (25') from such lot line;~~ If pool is adjacent to the side yard of the neighboring dwelling's livable area, then the pool shall not be less than twenty ~~five~~ feet (20~~5~~') from the neighboring dwelling's livable area, measured from the edge of the pool to the foundation of the neighboring dwelling's livable area.

    ~~g.~~f. The swimming pool, or the entire property on which it is located, shall be walled or fenced to a minimum height of six feet (6'). The fence shall be constructed to limit any individual from accessing the pool area. The fence shall comply with all current building codes. All gates on said fences shall be self-closing and fitted with a self-latching device located on the interior side of the gate;

    ~~h.~~g. Where a swimming pool is completely enclosed in a building, the location and setback requirements for an accessory structure ~~and main buildings~~ shall apply. Where a swimming pool is to be located in the near vicinity of any septic tank or sewage disposal drain field, the location must be approved by the Davis County Health Department; and

    ~~i.~~h. Any above ground pool lighting shall be installed and directed such that the light source or light bulb is not directly visible from any point five feet (5') high along the neighboring property line.

SECTION III: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: **Effective Date.** This ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ **day of** _____**, 2019.**

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:

for GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

CHAD WILKINSON, Director
Community and Economic Development

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 7.

Subject:
Mayor's Report

Background:
N/A

Alternatives:
N/A

Recommendation:
N/A