REGULAR 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 Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 p.m. on April 4, 2013.**

AGENDA ITEMS: **Page**

1. **CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:**
   Minutes of Layton City Council Meeting – February 21, 2013 1
   Minutes of Joint Layton City Council and Planning Commission Strategic Planning Work Meeting – February 28, 2013....10

2. **MUNICIPAL EVENT ANNOUNCEMENTS:**

3. **VERBAL PETITIONS AND PRESENTATIONS:**

4. **CONSENT ITEMS:** (These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)
   A. Agreement with Davis County for Conducting the 2013 Municipal Election under the Oversight of the 19
   City Recorder – Resolution 13-16
   B. Final Plat Approval – Roberts Farms Subdivision Phase 8 – Approximately Layton Parkway and Angel Street 28
   C. Utility and Street Easement Vacation – The Cottages at Chapel Park Subdivision Phase 5 – Resolution 13-15.....38
   Approximately 80 South Chapel Street

5. **PUBLIC HEARINGS:**
   A. Amending Title 19, Section 19.21.070 of the Layton City Municipal Code – Seasonal Outdoor Vendors 42
   Ordinance 13-05

6. **PLANNING COMMISSION RECOMMENDATIONS:**

7. **NEW BUSINESS:**

8. **UNFINISHED BUSINESS:**

9. **SPECIAL REPORTS:**

10. **CITIZEN COMMENTS:**

ADJOURN:

Notice is hereby given that:

- No Work Meeting will be held.
- 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 this 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.
- 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.

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.

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING	**FEBRUARY 21, 2013; 7:07 P.M.**
MAYOR AND COUNCILMEMBERS PRESENT:	**MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, JOYCE BROWN, BARRY FLITTON, JORY FRANCIS AND SCOTT FREITAG**
STAFF PRESENT:	**ALEX JENSEN, GARY CRANE, BILL WRIGHT, JAMES (WOODY) WOODRUFF, KENT ANDERSEN AND THIEDA WELLMAN**

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Curtis opened the meeting. Boy Scout Garrett McLaughlin with Troop 841 led the Pledge of Allegiance. Chaplain Lucas Dalgleish, Captain with the 75th Air Force Wing at Hill Air Force Base, gave the invocation. Scouts from Troops 531, 841, 344 and 456 were welcomed.

MINUTES:

MOTION: Councilmember Flitton moved and Councilmember Brown seconded to approve the minutes of:

Layton City Council Work Meeting – January 17, 2013;
Layton City Council Meeting – January 17, 2013; and
Joint Layton City Council and Planning Commission Meeting – January 24, 2013.

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown said a Family Recreation Program event would be held on March 15th at the Layton Library. She said the theme was "Through the Magic Door." Councilmember Brown said the event was free and there would be games and book readings. She indicated that Mayor Curtis would be reading books.

Councilmember Brown said the Parks and Recreation Department had discount tickets for the March 8th Grizzlies games.

Councilmember Brown said the Parks and Recreation Department was looking for fishing instructors to instruct children this summer at Andy Adams Pond.

PUBLIC HEARINGS:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN FOR FISCAL YEARS 2013-2018 AND ANNUAL ACTION PLAN FOR FISCAL YEAR 2013-2014

Kent Andersen, Economic Development Specialist, said the CDBG grant was administered by the Department of Housing and Urban Development (HUD). He said the primary goal of the program was to provide housing and community development for the low to moderate income population. Kent mentioned a few of the programs that CDBG funding helped support including public services, the down payment assistant program, the train station rehabilitation project and agreements with Davis School District for the construction of homes. He said low to moderate income in Layton was $57,200 or less, for a family of four.

Kent said Layton City was an entitlement community because it met population thresholds. He said the City's allocation depended on a variety of factors including need, poverty, population, housing and age of housing.

Kent said this public hearing was on two separate plans; the five-year consolidated plan and the annual action plan. He said in 2008 the Council approved a consolidated plan, which was a five-year plan to identify the needs of the community. The plan allowed for the City to develop strategies on how needs would be addressed. Kent said the annual action plan was the yearly plan allocating the funds that would be received to meet the strategies as identified in the consolidated plan. He said two public hearings were required. A second public hearing would be held in May to allow citizen comments on the plans.

Kent said since 2009, the City's CDBG award had decreased every year. He said for 2013, this would equate to a 26% decrease since 2009. Kent said with sequestration being discussed at the federal level, there was an expectation that there would be a 10% automatic cut for all federal programs. He said that assumption was being built into the CDBG grant with an anticipated award of $253,000.

Kent explained how CDBG funds were dispersed last year. He said with decreasing funding of approximately $38,000 for public services, the City would need to be very strategic in how those funds were used because they did have the potential to have a great impact.

Councilmember Flitton said the consolidated plan was a 5 year program; did everything have to be addressed for the next five years.

Kent said yes, but it could be very general. The plan could be amended if needed.

Mayor Curtis opened the meeting for public input.

Danene Adams, Assistant Director of the Family Connection Center, a family support agency in Davis County, explained their facility and their community action program. She said they received $23,000 from the City last year, which helped supply approximately 600 services to low income families. Ms. Adams said they had experienced a 48% cut in funding from the State since 2009. She indicated that they worked to get people out of poverty; 1,349 Layton citizens received services last year. Ms. Adams said 87% of the people said they were in poverty because of the lack of job skills. They focused on making people self sufficient. She thanked the City for their past support and requested that the City continue to provide support to the Family Connection Center.

Kate Cardon, Executive Director of Safe Harbor, expressed appreciation to the Council for their support. Ms. Cardon explained that Safe Harbor provided services in domestic violence situations. She said 110 women and children from Layton were in the shelter last year for a total cost of $90,576, or $68 per day. Ms. Cardon said 215 women and children attended their outreach programs, which cost $180 for a 10-week program. The service they provided was vital; half of the murders in Utah last year were domestic violence related.

Councilmember Flitton asked if the $68 cost per day was a 24 hour day.

Ms. Cardon said yes.

Councilmember Flitton asked what the average length of stay was.

Ms. Cardon said the average was between 13 and 15 days, but some were longer. She said there was a high return rate; women return to the perpetrators numerous times.

Councilmember Flitton said one of the facts addressed in the literature was that 70% of men that abuse partners abuse children. Did Safe Harbor get a lot of children?

Ms. Cardon said yes; the ratio was 2 children to every woman in the shelter.

Councilmember Flitton asked if the children were housed without mothers.

Ms. Cardon said no; that would be a DCFS function.

Councilmember Bouwhuis asked what their capacity was, and what percentages were they running in terms of capacity.

Ms. Cardon said they had 31 twin beds with 4 cribs and were still within licensing requirements. She said for transitional housing, they had 4 three bedroom apartments and 6 two bedroom apartments, which were all currently full. Ms. Cardon said they had approximately 44 people in transitional housing right now. She said these were reserved for the highest risk families.

Celeste Eggert, Development Director for the Road Home, indicated that the Road Home was a homeless shelter in Salt Lake City. She thanked the Council for their past support. Ms. Eggert said the Road Home was the largest homeless shelter in Utah. She said their Salt Lake facility housed about 900 people nightly. In the wintertime they had a second shelter in Midvale that could house 1,100 to 1,200 people per night. Ms. Eggert said they had seen a huge increase in need; a 260% increase over the past 5 years. She said they were housing more families. Ms. Eggert said they anticipated moving over 350 families from homelessness into housing this year.

Councilmember Bouwhuis asked what their Layton numbers were last year.

Ms. Eggert said they assisted 20 people from Layton last year.

Councilmember Brown suggested that Scouts could contact these agencies for Eagle projects.

CITIZEN COMMENTS:

Biffy Turner, 690 West 650 South, identified her neighborhood on a map, which was located east of 700 West. Ms. Turner expressed concerns with traffic on 700 West with additional development in the area, particularly if connection was made into the Greenbrier development to the northwest. She indicated that there were several children that lived along the road and there were two special needs children in the area. Ms. Turner said a study was done on the road, but if Greenbrier was connected the information from the study would be obsolete. Ms. Turner asked that the dead end on Weaver Lane be connected to Layton Parkway to allow for an alternate connection to the Parkway. She suggested a speed bump on 700 West to help slow traffic.

Councilmember Flitton said the Greenbrier subdivision to the west seemed to have a lot of access onto Angel Street. He said it appeared that the quickest route to the interstate for them would be via Angel Street to the Parkway.

Ms. Turner said the more direct route would be on 700 West. She said she didn't understand why Weaver Lane wasn't the main connection to the Parkway.

Councilmember Brown said if there was a way to open the Weaver Lane connection, she didn't think residents from Greenbrier would use that access instead of 700 West. She said opening Weaver Lane probably wouldn't take traffic off of 700 West.

Ms. Turner said her main questions would be; what was the feasibility of opening the dead end on Weaver Lane, why was it closed in the first place, and what was the possibly of a speed bump on 700 West.

Genique Hancock, 682 South 700 West, suggested that maybe the dead end road at the tracks, where the rail trail was located, could be opened.

Mayor Curtis said the City Engineer could address all of these concerns. He said this area was in the infant stages of development. Development would bring new roadways that would handle the traffic and growth. Eventually development would make traffic in the area better.

Ms. Hancock asked why the City would consider opening Greenbrier to access 700 West.

Mayor Curtis said to help handle traffic.

Mayor Curtis said relative to speed bumps, the City didn't have speed pumps because they were a problem for snow removal. He said signs could be put up indicating that there were special needs children in the area.

Ms. Hancock said their main focus was not on an additional traffic study because it would not reflect traffic that would be coming from Greenbrier.

Woody Woodruff, City Engineer, said he appreciated Ms. Hancock's comments. He said Ms. Hancock had submitted a letter to the City in October regarding their concerns, and Staff had met with her to try and address those issues and concerns.

Woody said with respect to the design of Layton Parkway, the street was designed approximately 3 years ago and most of the property in the area was empty farmland. It didn't make sense to connect Weaver Lane at that time because there was no planned development, and some of the farmers expressed an interest in keeping the land as farmland. Woody said there was a distance issue between the south end of Weaver Lane and the potential location of the north connection of Weaver Lane; the City's minimum distance standard was 260 feet. He identified a potential future connection that would line up with the southern connection of Weaver Lane, but that was private property, with some platted lots being affected, and the City would probably not want to make that purchase or connection at this point. It would happen through future development.

Woody said relative to the D&RG trail; that crossing was treated as a rail crossing even though it was being used as a trail. The railroad would not allow any additional crossings; this crossing had to be closed before they would allow the Layton Parkway crossing.

Woody said the traffic study on 700 West was done in October after Staff's meeting with Ms. Hancock. He said 700 West was 450 feet in length between stop signs. Woody said the traffic study showed a reasonable amount of traffic and reasonable speeds. He said after the connection into Greenbrier was made, an additional study would be done.

Ms. Turner asked about removable speed bumps.

Woody said the City tried to design traffic calming into road designs. He said there were hundreds of streets in Layton where the speeds were much higher that this area. Woody said warning signs could be added to the street, and Staff would be happy to do that.

Councilmember Brown said she had also heard that additional concerns with speed bumps were that they could impact fire trucks and police response time.

Woody said teenagers loved speed bumps because they thought they were speed jumps. They would actually speed up before a speed bump to see how much air they could catch. He said there were many concerns with speed bumps.

Councilmember Francis said if the amount of traffic from Greenbrier was significant, what would the solution be.

Woody said if there were a lot of problems in the future, the City would look at a connection to the Parkway. Many areas of the City had a lot more traffic issues including volume and speed. Woody said the City tried to plan for growth.

Ms. Turner said she believed it would be easier to open Weaver Lane. She said she could see a traffic light being put at 700 West, which would disrupt the flow of traffic on Layton Parkway and she would assume that the cost would be higher than opening Weaver Lane. Ms. Turner asked what the magic number was for traffic.

Woody said with the survey, it was .7 trips per home, which equated to 47 vehicles per hour.

Alex Jensen, City Manager, said regardless of the location of the street, what was the general design capacity of the street for handling traffic safely.

Woody said the street could handle upwards of 1,400 trips per day. Typically in residential neighborhoods that didn't happen, but the road was designed for that capacity.

Ms. Turner said they just wanted to stay on the City's radar.

Mayor Curtis thanked Ms. Turner and Ms. Hancock for being involved.

Bill Wright, Community and Economic Development Director, said when this subdivision was going through the planning process, there was actually some comments raised about why this street wasn't going into the subdivision to the north, aligning with 700 West in a straighter line. He said Staff believed that this was a better traffic calming approach that would keep speeds lower. Bill said the developer preferred this layout as well because he was able to market the homes as being in a calmer neighborhood. He said when the connection was made into Greenbrier, the route would not be a direct route.

Councilmember Brown said eventually traffic lights would be needed on the Parkway and there would probably be a light on Angel Street.

Bill said there was already a light at Angel Street.

Councilmember Brown said it would probably be more attractive for traffic from Greenbrier heading east to go to the light at Angel Street because of a left hand turn at the light. Access onto the Parkway from 700 West would require a left hand turn without the benefit of a light.

Bill said that was correct.

Maximus Rebbo, Farmington, expressed concerns with pollution in the valley, particularly with cars idling. He asked if there were any restrictions in Layton about idling. Mr. Rebbo indicated that his Mom traveled to Salt Lake City every day taking him to school and the pollution was terrible.

Mayor Curtis said there was no State law or City ordinance in place that prevented people from idling their cars. He said there had been a lot of discussion at the State Legislature concerning ways to reduce pollution.

Councilmember Brown asked if they were carpooling into Salt Lake City or riding Frontrunner. She said everyone needed to look at themselves to make sure they were doing all that they could as an individual to help with pollution.

Gary Crane, City Attorney, said in 1920 the early folks complained about inversion in the valley as well.

Councilmember Bouwhuis said new diesel engines didn't emit any carbon.

Councilmember Flitton said input had made changes, and he thanked Mr. Rebbo for his involvement.

CLOSED DOOR:

MOTION: Councilmember Bouwhuis moved to close the meeting at 8:22 p.m. to discuss pending or reasonably imminent litigation. Councilmember Brown seconded the motion, which passed unanimously.

MOTION: Councilmember Flitton moved to open the meeting at 10:17 p.m. Councilmember Brown seconded the motion, which passed unanimously.

The meeting adjourned at 10:17 p.m.

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Thieda Wellman, City Recorder

D R A F T

MINUTES OF THE JOINT LAYTON CITY COUNCIL AND PLANNING COMMISSION STRATEGIC PLANNING WORK MEETING — **FEBRUARY 28, 2013; 6:04 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: **MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, JOYCE BROWN, BARRY FLITTON, JORY FRANCIS AND SCOTT FREITAG**

PLANNING COMMISSIONERS PRESENT: **GERALD GILBERT, TIMOTHY PALES, WYNN HANSEN, BRIAN BODILY, CHAD HARWARD, DAVE WEAVER AND DAWN FITZPATRICK**

STAFF PRESENT: **ALEX JENSEN, BILL WRIGHT, BRANDON RYPIEN AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Pro Tem Flitton opened the meeting and indicated that the Mayor would be a little late. He turned the time over to Alex Jensen, City Manager.

MISCELLANEOUS:

There was a brief discussion about bills at the current Legislative session and the impact they would have on the City.

Councilmember Brown said a citizen had complained about noise from semi-trailers being parked in the trailer lot on the south end of Main Street with the refrigeration units left running. She said the citizen indicated that the noise was annoying to the residents of the apartments in that area.

Alex said Staff would look at it.

D R A F T

ITEMS FOR DISCUSSION:

REVIEW AND DISCUSSION OF THE POLICY RECOMMENDATIONS AND MAPS FOR THE LAND USE/POPULATION ELEMENT, TRANSPORTATION PLAN, AND HOUSING ELEMENT OF THE GENERAL PLAN

Bill Wright, Community and Economic Development Director, said discussion this evening would be a follow up from last month's meeting. He said at the January 24th meeting, Staff went over the policy and how it talked about percentages in the General Plan with a cap of 15% for multi-family housing and a 5% cap on very high density multi-family housing. Bill said there was discussion of whether or not that was an appropriate percentage as the City moved forward. He reviewed different types of housing categories and indicated that lower density was not only single family detached; it could include some attached housing such as townhomes and condominiums. Bill indicated that the missing middle could include courtyard/bungalow type homes.

Bill said Staff wanted to get a little more detailed in terms of projecting where the City was today and projecting forward, particularly if the Council and Planning Commission agreed on the housing mix; and what it would really be at build out. What would the result be in population and housing types? Bill said Staff had done some more work on arterial streets and how the General Plan had a map that showed general land designations, but it didn't map arterial streets. There were additional policy statements about how the City dealt with land uses that fronted arterial streets but they were not identified on the map, which caused a lot of confusion and was part of the problem with the West Layton Village project. Bill said Staff had mapped arterial streets in what they thought would be a lot more predictable development. It didn't mean that it would always develop that way but that there was the opportunity for it to develop that way.

Bill said Staff would be reviewing current and future housing stock; future build out projections for population and housing; and how the City might want to refine the goals and policy recommendations, and mapping for the General Plan.

Bill displayed a graph of historical growth over the past 50 years, which showed rapid growth from 1980. He indicated that the growth rate would slow as the City got closer to build out. Bill said the estimated

population at build out was 93,100 in 2050, and was based on estimates of residential land still available. Bill said it was important to not include transit oriented development in the limits for multi-family housing and that was not included in the estimates. He said the estimates also included land that had not yet been annexed into the City.

Bill indicated that the desired housing breakdown, defined in the last meeting, was 73% single family detached and attached units at 0 to 12 units per acre; 15% single family attached and multi-family units at 10 to 24 units per acre, which had been identified as the missing middle; 5% multi-family units at 24 plus units per acre; and 7% mobile homes.

Councilmember Bouwhuis asked if the goal was to create percentages in the various categories so that the Planning Commission had an idea of where the City wanted to be in terms of mobile homes or multi-family units; as the single family detached units went up, the percentage could incrementally go up.

Bill said yes; this model was built off of the 73% single family detached and attached units at the lower density range. He said mobile homes were kept flat; there were no additional spaces in the City. Bill said it would be likely that the mobile home spaces in the downtown area would go away and those on Highway 193 would probably remain the same for a very long time.

Councilmember Bouwhuis said 27% would define multi-family units, mobile homes and larger higher density units.

Bill said yes. He said the estimated population at 2050 of 93,100 was a 2% per year growth rate estimate. He said industry discussion was that Layton City was the place in Davis County to be building single family residential.

Councilmember Bouwhuis said build out would occur based on the economy. He said it could be 2045 or 2055.

Bill said that was correct; it would move forward or backward based on the market. At some point the City would run out of buildable land.

Commissioner Harward said single-family state trends were about 5,000 permits every 20 years.

Bill said the good news was that there was still a lot of land available in Layton for single family homes.

Commissioner Hansen asked if the single family attached and multi-family unit data for 2012 was available.

Bill said the single-family attached was not broken out, but 265 single family permits were issued last year; 470 multi-family permits were issued with most of those in the 24 and over category.

Mayor Curtis arrived at 6:28 p.m.

Bill explained some developments that were coming forward and there was discussed about the impacts to schools.

Bill reviewed current and future housing stock types including single family detached, and the missing middle, which could include townhomes, courtyard apartments, stacked townhomes, mansion homes and live/work units. He indicated that higher density multi-family with 24 or more units would be restricted to 5%.

Commissioner Hansen asked why twin homes, triplexes, four-plexes and five-plexes were included in the single family category and not the multi-family category.

Bill said there were examples of this in the Clear Water Cove development. They had a higher price point, they were very desirable, they created a nice neighborhood, and existing code recognized up to six units attached in a neighborhood as single family.

Alex said Staff felt that this was a reasonable mix of housing types, but Staff could rerun numbers if the Council and Planning Commission felt the percentages were too high.

Commissioner Pales said based on what was discussed at the last meeting and considering the single-family attached, he felt that it was a good percentage.

Councilmember Bouwhuis said he felt that Layton was in a good place compared to other cities in the area; some were in the 35% to 40% range for multi-family housing.

Commissioner Gilbert said the multi-family housing numbers were high right now because it included all of the apartments that were being built; single family would increase again once the economy improved, which would shrink the ratio of multi-family.

Councilmember Bouwhuis said 75% might sound better than 73%. He said he could live with 73%, but 75% stated that the City was committed to have 75% in the upper tier.

Bill said the City also knew that the 7% mobile home section would decline.

Councilmember Freitag said looking at the 73% that included single family detached and attached, could you end up with 50% of the 73% being single family attached. How did you keep that balance?

Bill said only if the City changed the General Plan; it would be very difficult to have the percentage get out of line. He said Staff could look at that more closely.

Commissioner Hansen said maybe Staff could do a little more homework and break out the 73% into sub categories of attached versus detached.

Commissioner Pales said single family attached might not be a good fit in regular single family subdivisions, but along higher traffic streets.

Councilmember Brown said some of that would be defined by what happened in the future; as people aged they might want to live in something different than a normal single family detached unit. It would depend on the market and what the population would want.

Bill displayed a map of vacant land that was zoned multi-family. He indicated that it was pretty minimal in what was available.

Commissioner Weaver asked about the Adams property on Antelope Drive.

Bill said that property was zoned R-1-10 PRUD; it wasn't zoned multi-family. He said the townhomes would have to meet the density requirements of the zone, which would be a maximum of 4.2 units per acre.

Bill displayed a graph of the growth of the City for the past 50 years, and the anticipated growth into 2050.

Commissioner Harward asked what percentage of the population involved Hill Air Force Base; what would happen if the Base went away.

Bill said he didn't have that information, but it would be devastating to the City.

Councilmember Bouwhuis said the average age of Hill Field employees was 54. He said they would probably live in the same houses and retire.

Bill displayed information of households by housing types. He indicated that there were currently 22,183 households in the City. Bill said at build out it was estimated to be 39,228 households. The graph showed the mix of single family and multi-family housing.

Bill displayed a map of estimated developable vacant land that included General Plan designations. He indicated that the General Plan had the bulk of the land at 4 units or less per acre.

There was discussion about the lifespan of property and buildings, and redevelopment issues.

Commissioner Pales asked if there was information available about the ratios and percentages of residential, industrial and commercial zoning. Would Layton always be a bedroom type community?

Bill said he had percentage information of residential and commercial. He said the City was trying to not be a bedroom community, particularly with the development of East Gate and redevelopment of the downtown area into a mixed use area. Bill said it was important to keep the core commercial area vibrant

and alive. He said Davis County as a whole was trying to shake that image.

Councilmember Bouwhuis said he thought Layton was more of a regional urban community.

Bill displayed graphs showing land use change over the next 10 years. He indicated that in 2010 47% of the land was in a residential use and 53% was non-residential use. In 2050, 75% of the land would be residential land and 25% would be non-residential. Bill said it was very important to protect commercial land.

There was discussion about other cities in the County that were built out. They discussed concerns with not having enough commercial property to support the City into the future, and the impact of surrounding cities' commercial development on the City. They discussed the impact the FrontRunner had on development.

Commissioner Harward said moving forward, Staff might factor in the economic studies with the growth studies so that the whole picture was available. He said it would be important to consider the economic aspects of future development.

There was discussion of whether or not the City's General Plan had too much residential development. Discussion suggested that that might be the case. There needed to be more focus on commercial development.

Commissioner Weaver asked if it would be possible to get Ogden City's ratios.

Bill said he could probably get that information. He said maybe Layton didn't want to follow their model but Staff could collect information about other communities that were closer to the City's format. Bill said he would also look into the cost of a consultant that could look at economic breakdowns.

Bill displayed a General Plan map that showed future build out projections of population and housing types. He displayed an arterial street map with density range mapping along arterial streets. There was discussion about the function of Gentile Street that suggested that Gentile Street didn't function like an arterial street, it functioned more like a collector street. They discussed Gordon Avenue and its eventual connection to Highway 89.

There was discussion about higher densities along Antelope Drive and Gordon Avenue, and what the densities should be if those two streets didn't ever connect to Highway 89. Discussion suggested that density ranges should maybe be limited until connection was made.

Alex indicated that there might need to be a refinement of arterial street densities taking into consideration current development along those arterial streets.

There was discussion about traffic problems on Hill Field Road near the mall and the I-15 connection, and the Antelope Drive I-15 connection.

Alex explained some of the complications with Hill Field Road and Antelope Drive and how the City had been working with the State to get some improvements made to those streets relative to the I-15 connections. He also explained progress being made on the West Davis Corridor. Alex said there were some exciting things happening, relative to transportation, that would come to fruition in the next few years.

There was discussion about various arterial streets, particularly in areas that had existing single family homes, where higher densities along the arterial streets might not be compatible with existing development.

Commercial development at some of the larger arterial street connections to Highway 89 was discussed.

Bill said based on discussion, if there was still support for the idea that arterial street frontages ought to have some flexibility, Staff would look at development patterns along arterial streets and look for opportunities where that flexibility would be appropriate.

There was discussion about the impact of sensitive lands on development, particularly in the Oak Hills Drive area.

Discussion suggested that the direction Staff was heading was good.

Bill said Staff would do more refinement and come back at the end of April with additional information.

Alex thanked the Council and Planning Commission for their feedback.

Councilmember Bouwhuis expressed appreciation to Staff for all their work on presenting very useful information at these meetings.

The meeting adjourned at 8:12 p.m.

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Thieda Wellman, City Recorder

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4A

Subject: Agreement with Davis County for Conducting the 2013 Municipal Election under the Oversight of the City Recorder – Resolution 13-16

Background: State law allows for the City to contract with the County to administer the municipal election for 2013. Davis County has the equipment and expertise to manage the election at a very reasonable cost.

This would be the third election cycle that the City has contracted with the County for conducting the election. The costs outlined in the agreement for 2013 are the same as the 2011 agreement.

Alternatives: Alternatives are to 1) Adopt Resolution 13-16 approving the agreement with Davis County to conduct the 2013 municipal election; 2) Adopt Resolution 13-16 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-16 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-16 approving the agreement with Davis County to conduct the 2013 municipal election.

RESOLUTION 13-16

A RESOLUTION APPROVING AN AGREEMENT WITH DAVIS COUNTY FOR CONDUCTING THE 2013 MUNICIPAL ELECTION UNDER THE OVERSIGHT OF CITY RECORDER

WHEREAS, the City is holding a municipal election for mayor and two (2) city council positions; and

WHEREAS, Davis County has the ability and equipment necessary to conduct and administer the election; and

WHEREAS, recent legislation adopted by the State of Utah allows for the City to contract with Davis County to administer the election; and

WHEREAS, the costs associated with Davis County administering the election are very reasonable; and

WHEREAS, it is in the best interests of the City and the residents of the City to have Davis County administer the election.

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

1. That Layton City enter into the agreement with Davis County to administer the election under the oversight of the City Recorder.

2. That the Mayor be authorized to execute the agreement.

PASSED AND ADOPTED by the City Council of Layton, Utah, this **4th day of April, 2013.**

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

GARY CRANE, City Attorney

DOCUMENT WAS
RECEIVED FROM
OUTSIDE SOURCE

AGREEMENT

This Agreement is made and entered into this ____ day of _____, 2013 by and between DAVIS COUNTY, a body politic of the State of Utah, hereinafter referred to as "County," and LAYTON CITY, a municipal corporation of the State of Utah, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, pursuant to Section 20A-1-201.5 and 20A-1-202, *Utah Code Ann.* (1953) as amended, City is authorized and required to hold municipal elections in each odd-numbered year; and

WHEREAS, County has equipment and resources needed to carry out an election and is willing to make available the resources and equipment to assist City in holding its municipal primary and general elections in 2013 upon the following terms and conditions; and

WHEREAS, the parties are authorized by the *Utah Interlocal Cooperation Act* as set forth in Chapter 13, Title 11, and Section 20A-5-400.1 of the *Utah Code Ann.* (1953) as amended, to enter into this Agreement:

NOW THEREFORE, in consideration of the mutual terms and conditions set forth hereafter, the parties hereto agree as follows:

1. County agrees to provide to City if needed for the primary election in August 2013, and if needed for the general election in November 2013 the following:

   a. Test, program, assemble and make available to City voting machines and poll supplies.

   b. Provide for delivery and retrieval of voting equipment.

c. Polling location management, which includes, but is not necessarily limited to making arrangements for use, ADA compliance survey and contact information.

d. Absentee ballot processing, which includes mailing, receiving, signature verification and tabulation.

e. Provide electronic ballot files for Optical Scan Ballots printing.

f. Provide Information System assistance which includes, but is not necessarily limited to election programming, tabulation, programmers and technicians.

g. Canvass reports.

h. Electronic tabulation results transmitted to the Office of the Lieutenant Governor.

i. Provide personnel and technical assistance throughout the election process and equipment and/or supplies required specifically for electronic voting.

j. Recruit poll workers; provide training, scheduling, supplies and compensation.

k. Provide preparation and personnel for the public demonstration of the tabulation equipment.

l. If required, in cooperation with the City, conduct an election audit.

m. Store all election returns for the required twenty-two (22) months.

2. Layton City agrees to do the following:

a. Provide and act as the chief election officer and assume all duties and responsibilities as outlined by law.

b. Identify polling locations and assign voting precinct.

c. Enter into a polling location Hold Harmless Agreement, if needed.

d. Provide projected voter turnout.

e. Declaration of Candidacy filing.

f. Provide County with ballot information which includes, but is not necessarily limited to races, candidates and ballot issues.

g. Approve the election plan, which includes, but is not necessarily limited to accuracy of polling location and precinct assignments, voter turnout percentages, paper ballot quantities, voting machine quantities and poll worker assignments.

h. City's legislative body poll worker approval.

i. Proof and approve the accuracy of the printed and audio of ballot formats.

j. Publish all legal notices which include, but are not necessarily limited to election notice, polling locations, ballots and public demonstration.

k. Early voting administration.

l. Provisional ballot verification.

m. Arrange and conduct election canvass.

n. Prepare candidate certificates.

o. Perform all other election related duties and responsibilities not outlined in this agreement.

p. City agrees to pay County repair or replacement costs for damaged voting equipment, which occurs at the polling locations beyond the normal wear and tear.

3. Both parties agree to conduct the election according to the statutes, rules, Executive Orders, and Policies of the Lieutenant Governor as the Chief Elections Officer of the state.

4. City agrees to pay County the costs for providing the election equipment, services and supplies in accordance with the election costs schedule, attached hereto, incorporated herein, and made a part hereof as Exhibit "A". The payment shall be made within thirty (30) days of receiving the invoice prepared by the County.

5. This Agreement shall be effective as of the date of execution by all parties.

6. This Agreement shall continue in effect until December 31, 2013.

7. The individuals executing this Agreement on behalf of the parties confirm that they are duly authorized representatives of the parties and are lawfully enabled to execute this Agreement on behalf of the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate, each of which shall be deemed an original.

DAVIS COUNTY

By_____
John P. Petroff, Chair
Davis County Commission

ATTEST:

_____
Steve S. Rawlings
Davis County Clerk/Auditor

Attorney Approval

The undersigned, the authorized attorney of Davis County, approves the foregoing Agreement as to form and compatibility with State law:

_____
William K. McGuire
Deputy Davis County Attorney

LAYTON CITY

By_____

ATTEST:

_____
Layton City Recorder

Attorney Approval

The undersigned, the authorized attorney of Layton City, approves the foregoing Agreement as to form and compatibility with State law:

Layton City Attorney

Exhibit "A" (page 1of 2)
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES

2013 Poll Workers Compensation Rates 20A-5-602(4)(b) Municipalities may not compensate higher than the county.	COST	
Poll Manager (PM)	$160.00	Poll Workers who are trained for early voting and work on election day only attend early vote training. They do not attend or receive compensation for regular training. Poll workers who are trainers and work the position they trained do not attend or receive compensation for training. Poll workers who are trainers and do not work the position they train will attend and receive compensation for additional training.
Training Course(s)	$50.00	
Touch Screen Technician (TST)	$160.00	
Training Course(s)	$35.00	
Receiving Clerk	$135.00	
Training Course(s)	$35.00	
Poll Book Clerk	$125.00	
Training Course(s)	$25.00	
Provisional Clerk	$125.00	
Training Course(s)	$30.00	
Host	$125.00	
Training Course(s)	$25.00	
Mileage	$0.25	
Early Voting Poll Worker Pay (per hour)	$10.00	(optional -- city staff may be used)
Training Course(s)	$50.00	
Alternate Poll Workers	$382.50	Shared with all cities

Poll Worker Recruitment and Training		
Poll Worker Recruitment and Administration	$8.00	Per Poll Worker
Training Creation and Preparation (Includes equipment and preparation)	$500.00	Shared with all cities
Poll Worker Handbook and Supplies	$1.00	
Poll Worker Training (per person)	$20.00	

Equipment		
Touch Screen (TSX) Includes:	$75.00	(150 voters per machine, minimum of 3 machines per location)
Testing Pre and Post election		
Security Seals		
Canister, Label, and (1) Roll of Paper		(1 per machine)
Printer Housing		(1 per machine)
VIBS--Visually Impaired Ballot Station (Keypad & Headphones)		(1 per polling location)
Voter Access Cards		(4 per machine)
Vote Here Signs (4 per location)	$5.00	
WIFI Connection	$40.00	
Laptop Computers, Programming, Pre/Post Test	$75.00	(If using electronic voter check in, 1 laptop per 500 voters)

Consumable Supplies		
Paper Roll (for each additional)	$1.00	(No charge for unused and returned paper rolls)
Canister Label	$1.00	
Canisters	$10.00	
Polling Location Supplies	$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.
Regular Green Poll Books (per check in station)		Included with Laptop
Provisional Orange Poll Books		Included with Laptop
Paper Ballot Yellow Poll Books		Included with Polling Location Supplies

Ballot Layout and Programming		
Gems Programming/ Ballot Logic and Accuracy Testing - TSX & Optical Scan	$800.00	Shared with all cities by precinct proportion
City/District set-up (cities/districts with new recorders/clerks)	$75.00	
Memory Card Programming (per card)	$15.00	
Audio Programming	$50.00	

Exhibit "A" (page 2of 2)
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES

Election Services		
Public L&A Demonstration (testing, programming & demonstration)	$300.00	Shared with all cities
Independent Rovers (training & election day - per person)	$500.00	Shared with all cities
Election Night Clerk Staff Support	$1,400.00	Shared with all cities
Election Night Security	$150.00	Shared with all cities
Election Night Ballot / Supply Return Teams	$210.00	Shared with all cities by polling location proportion
Rover Kits (each)	$25.00	Shared with all cities
Rovers Training	$400.00	Shared with all cities
Help Desk Set-Up	$75.00	Shared with all cities
Help Desk Staff	$450.00	Shared with all cities
Pre-Canvass Ballot Issues Audit, if needed	$300.00	Shared with all cities
Canvass Preparation	$150.00	Shared with all cities
Delivery and Pickup (machines & supplies at polls)		
Delivery (per location)	$34.50	Actual cost per contract with moving company
Pickup (per location)	$34.50	Actual cost per contract with moving company
Election Night Counting - IT Services		
TSX Counters	$750.00	Shared with all cities
Early Voting		
Fees and services not listed below apply to early vote sites same as an election day polling locat		
Administration Support	$30.00	if needed
Poll Delivery and Setup for Electronic Check-in	$50.00	
Early Vote On-call Technical Support (per hour + mileage)	$50.00	
Early Vote TSX	$75.00	
Memory Card Programming (per card)	$15.00	
Early Vote Laptop Computers, Programming, Pre/Post Test	$75.00	
Early Voting Polling Location Supplies	$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.
By-Mail and Paper Ballots		
Materials		
By-Mail Outer Envelopes	$0.13	
By-Mail Inner Return Envelopes	$0.24	
By-Mail Ballots	$0.32	
Paper Ballots - Election Day, Early Vote, Extra for Remakes, Late Absentee	$0.32	
Test Deck Paper Ballots	$0.50	
Administration		
Ballot set-up (per style)	$25.00	By K&H
Ballot Preparation Assembly into Envelopes (each sent out)	$0.32	By K&H
Signature Verification and Tabulation Prep. (each returned)	$0.82	
Tabulation (each returned)	$0.32	
Postage		
Freight to Salt Lake City for Non-Profit Rate Out-Bound (each)	$1,300.00	Total freight / total Ballots=freight cost per ballot city pays per ballc
Postage Out-Bound	$0.09	Actual Postage
Postage In-Bound (only if all by-mail option)	$0.46	Actual Postage
Post Election		
Provisional Verification (per hour)	$25.00	
General Administration		
Election Administration Support	$45.00	
Clerk Staff (per-hour for any additional services)	$25.00	
Complete Paper Voting System		
Printed Official Registers (1-3 precincts)	$30.00	
Printed Official Registers (4 or more precincts)	$60.00	
Addendums (per location)	$5.00	Only applies if Vista Local is not used for early voting
Posting List (each)	$7.00	Optional
Update Voter Histories Manually (Hours)	$25.00	
Additional Special Services as needed		

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4B

Subject: Final Plat Approval – Roberts Farms Subdivision Phase 8 – Approximately Layton Parkway and Angel Street

Background: The applicant, Ed Green, is requesting final plat approval for the proposed Phase 8 of the Roberts Farms Subdivision to be developed on 11.863 acres of vacant land. Similar residentially zoned subdivisions and proposed subdivisions surround this phase.

This final phase of the Roberts Farms Subdivision will connect an important extension of Layton Parkway from Angel Street to 1700 West. This connection will provide better access for the Roberts Farms and proposed Kennington Parkway Subdivisions. Phase 8 will be located on both sides of Layton Parkway. The developer will be required to provide a landscape buffer on Layton Parkway for both sides of the street. The developer's responsibility for the landscape buffer terminates as Layton Parkway becomes adjacent to the Kennington Parkway Subdivision on the north side of Layton Parkway.

The proposed final plat consists of 21 lots with each lot ranging between 12,222 to 26,000 square feet in area. The frontage of each lot meets the frontage requirements of the R-S zone.

Alternatives: Alternatives are to 1) Grant final plat approval to Roberts Farms Subdivision Phase 8 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On March 12, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to Roberts Farms Subdivision Phase 8 subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Staff Report

To: City Council

From: Kem Weaver, Planner II

Date: April 4, 2013

Re: Roberts Farms Phase 8 Final Plat

Location: Approximately Layton Parkway and Angel Street

Zoning: R-S (Residential Suburban)

Background: The proposed phase is located as part of the northeast portion of the overall subdivision. To the south is Phase 7 of Roberts Farms, to the west is Phase 6 of Roberts Farms, and to the north is Layton Parkway and the proposed Kennington Parkway Subdivision. The proposed phase is surrounded by similar single-family lots.

The applicant is proposing to subdivide the property into 21 lots on 11.863 acres, which creates a lot-average density of 1.77 units per acre. Lot sizes range from 12,222 to 26,000 square feet, which meets the area and frontage requirements for the lot-averaged R-S zone.

This final phase of the Roberts Farms Subdivision will connect Layton Parkway from Angel Street to 1700 West in coordination with the development of the proposed Kennington Parkway Subdivision. With the connection this will create other access points for the existing residents in both Roberts Farms and proposed Kennington Parkway Subdivisions.

There are minor corrections required on the plat that will need to be changed before a final mylar is submitted for recording.

Staff Recommendation:
Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering D.R. **Planning** **Fire**

Planning Commission Action: On February 26, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.

MEMORANDUM

TO: Ed green, edontherun@comcast.net
Chris Cave, ccave@reeve-assoc.com

FROM: Stephen Jackson, Staff Engineer

DATE: March 8, 2013

SUBJECT: Roberts Farms Phase 8 – Final Review (3rd Submittal)
Angel Street and Layton Parkway

I have reviewed the dedication plat and construction plans for the proposed Roberts Farms Subdivision Phase 8 received on February 26, 2013. The proposed subdivision is located at Angel Street and Layton Parkway (1200 West and 750 South). The plans have been stamped "APPROVED AS CORRECTED." The following comments and corrections must be addressed and 5 sets of corrected plans signed and stamped by a professional engineer submitted prior to scheduling a pre-construction meeting.

Bonding – The cost estimate is being reviewed and a bonding amount will be provided by the Community Development Department.

Dedication Plat – The drawing and written description must match. The bearings for the second and fourth calls after the point of beginning are shown correctly in the drawing but are reversed in the written description. This must be corrected on the final plat.

The two calls with the bearing S49°51'53"E at the intersection of Layton Parkway and Arbor Way do not have the correct length labeled. The lines should have lengths of 99-18' and 138.74' in order for the Arbor Way lines to be placed correctly. This must be corrected on the final plat.

The length of the west line of lot 821 is labeled incorrectly. The lot must close to within 0.015 feet.

The length of the west line of lot 807 is labeled incorrectly. The lot must close to within 0.015 feet.

The finished floor elevations shown on the plat appear to be for the finished grade elevation and not the lowest finished floor elevation. This must be corrected to show the lowest finished floor elevation using the datum shown on the construction plans.

A 10 ft. private utility easement separate from the 10 ft. public utility easement must be established for the land drain lateral for lot 816. The public and private utility easement must be shown on the west line of lot 815. The easements must be clearly identified on the plat.

Lighting – The developer will be responsible for lights and costs associated with the installation of three (3) SL-02 lights. If an existing transformer is not available in the public right of way for the SL-02 lights, the developer must pay for a transformer and the installation. The SL-02 lights and installation must be paid for prior to scheduling a pre-construction meeting. The City is currently in the process of hiring a contractor to install all of the street lights throughout Layton City.

Layton City will be responsible for the lights and installation costs of the SL-01 lights along Layton Parkway. The City's contractor will be responsible for installing the underground power and the lights and poles for the SL-01 lights.

Masonry Walls – Layton City will be responsible for the difference in cost between a vinyl fence and the masonry wall installed along Layton Parkway.

Secondary Water – Written documentation approving the plans and indicating the fees for secondary water service have been paid must be submitted from the Davis and Weber Canal Company for final approval.

Written documentation approving the 18" secondary line plans must be submitted from Kays Creek Irrigation for final approval. Kays Creek Irrigation will be responsible for the installation of the 18" secondary line in Layton Parkway.

Sheet 3 – The sewer shown as existing from the subdivision boundary to station 16+94.19 has not been installed. The line was terminated with a manhole at the phase line. The manhole installed at the phase line must be relocated to station 16+94.19 and the plan must indicate that the sewer pipe is to be installed from the phase line to station 16+94.19.

The land drain shown as existing from the subdivision boundary to station 17+13.19 has not been installed. The line was terminated with a manhole at the phase line. The manhole installed at the phase line must be relocated to station 17+13.19 and the plan must indicate that the land drain pipe is to be installed from the phase line to station 17+13.19.

Sheet 6 – 780 South – The land drain can be terminated at the manhole at station 15+60.66. The pipe and manhole from station 15+60.66 to 16+11.23 can be removed from the plans.

The sidewalk and curb and gutter with 4.5' parkstrip through the bubble should be constructed as a through street south of the bubble and extend to the subdivision boundary. The asphalt for the turnaround should be crowned on the centerline as a standard street cross section and extend to the south boundary. Ensure the fire hydrant is placed in the park strip at the end of the subdivision. See attached plan for an example.

Sheet 7 – The plans for the east boundary of Roberts Farms Phase 5 show that approximately the last 75 feet of Layton Parkway slopes at 0.5% to the east. This has been verified in the field. The slope for Layton Parkway from station 36+78.03 to 37+79.89 must be sloped to the east to avoid a low point in the roadway.

General – CCRs for the maintenance of the landscape buffer are required. The CCRs must clearly address the ownership and maintenance of the landscape buffer and the utility services to the landscape buffer i.e. secondary water and power.

An 11" x 17" utility plan with a sanitary sewer/waterline crossing table must be added to the plans with clearances between the sewer and water crossings and locations listed. This will be forwarded to the State Division of Drinking Water for approval. See Section 4 – Culinary Water – VII (E) of the Development Guidelines at: http://www.laytoncity.org/public/Depts/PubWorks/downloads.aspx

North Davis Sewer District will need to inspect the sewer lateral connection to their line in Angel Street for lots 802, 815-816. North Davis Sewer District requires 48 hours notice for inspections.

An electronic file of the overall utility plan in an AutoCAD format must be submitted.

SWPPP - A copy of the Notice of Intent issued by the Division of Water Quality must be submitted prior to scheduling the pre-construction meeting. Since this phase is contiguous to the previous phases the Developer can call the Division of Water Quality and update the acreage of the previous NOI.

LAYTON City

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
FAX: (801) 546-0901

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal

RE: Roberts Farms 8 @ 740 South Angel Street

CC:
1) Engineering
2) Ed Green, edgontherun@comcast.net
3) Chris Cave, ccave@reeve-assoc.com

DATE: January 31, 2013

I have reviewed the site plan submitted on January 29, 2013 for final approval of this project. The Fire Prevention Division of this department has no comments or concerns and **recommends granting final approval of this project.**

These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBH\Roberts Farms 8:kn
Plan #S13-016, District #42
Project Tracker #LAY 1212131333

CITY COUNCIL

April 4, 2013

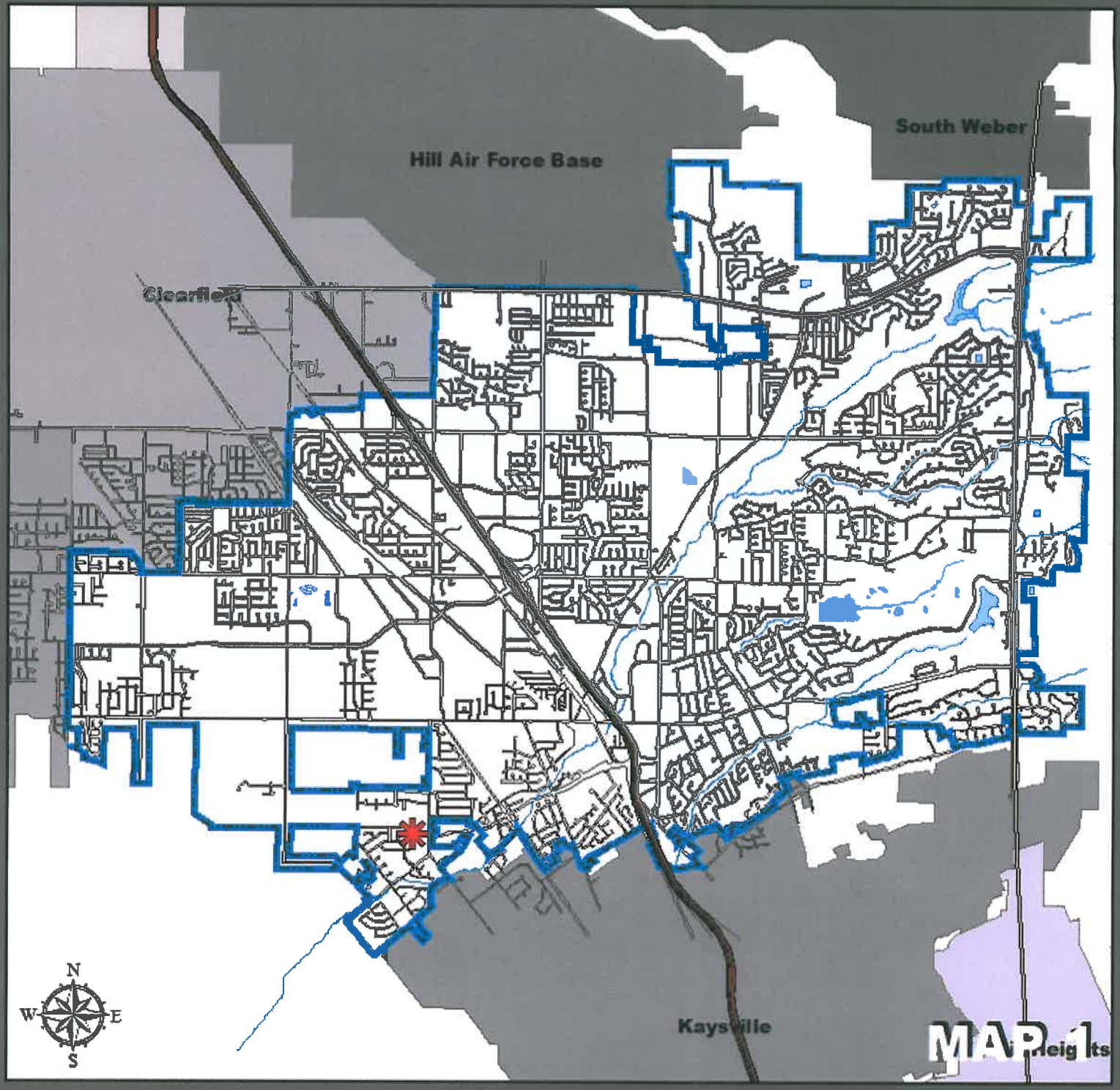
Roberts Farms Phase 8 Final Plat

Legend

- City Boundary
- Interstate 15
- Highways
- Lakes
- Streams

* - Project Site

1 inch = 5,000 feet



MAP 1

CITY COUNCIL

April 4, 2013

Roberts Farms Phase 8 Final Plat

Legend

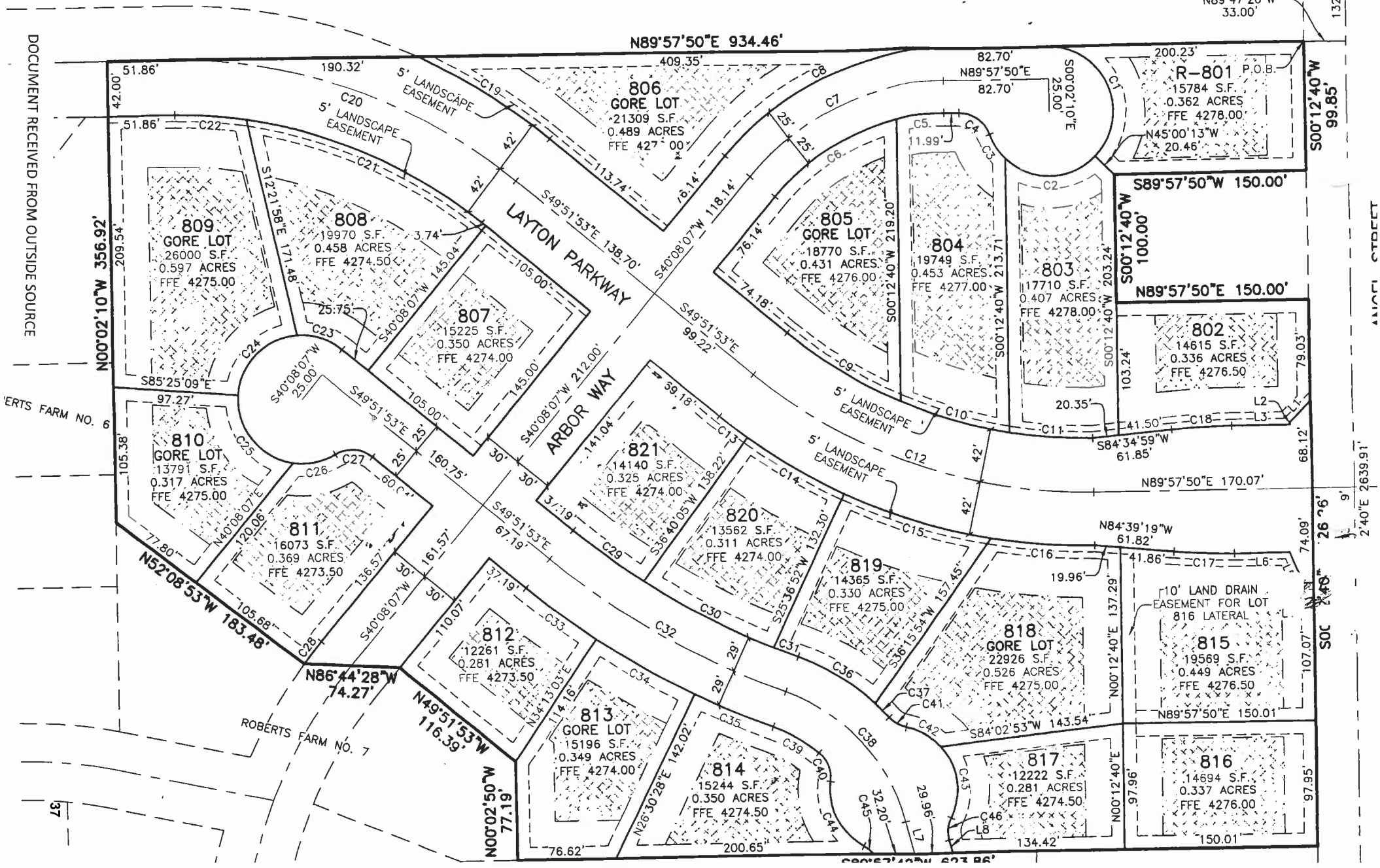
- City Boundary
- Interstate 15
- Highways
- Lakes
- Streams

1 inch = 646 feet

Roberts Farms No. 8

PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
LAYTON CITY, DAVIS COUNTY, UTAH
FEBRUARY, 2013

CENTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, FOUND DAVIS COUNTY MONUMENT



LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4C

Subject: Utility and Street Easement Vacation – The Cottages at Chapel Park Subdivision Phase 5 Resolution 13-15 – Approximately 80 South Chapel Street

Background: The request is to vacate an existing utility and street easement that was recorded when the Kent Estates Subdivision was approved by Layton City in 1968. The easement was created to provide for a 50-foot wide right-of-way and the utilities located within the 50-foot right-of-way easement. Two utilities located in the 50-foot wide easement, a waterline and sanitary sewer line, have been abandoned within Phase 5 of The Cottages at Chapel Park Subdivision. With the recent utility improvements being completed for Phase 5, the existing sanitary sewer line can be abandoned and the easement vacated.

The request to vacate the utility and street easement is not required to have a recommendation from Planning Commission because all planning issues have been resolved with The Cottages at Chapel Park Subdivision approval.

Alternatives: Alternatives are to 1) Adopt Resolution 13-15 granting approval for the utility and street easement vacation of The Cottages at Chapel Park Subdivision Phase 5 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Not adopt Resolution 13-15 and deny granting the utility and street easement vacation.

Recommendation: Staff recommends the Council adopt Resolution 13-15 granting approval for the utility and street easement vacation of The Cottages at Chapel Park Subdivision Phase 5 subject to meeting all Staff requirements as outlined in Staff memorandums.

RESOLUTION 13-15

A RESOLUTION VACATING THE 50-FOOT UTILITY AND STREET EASEMENT WITHIN THE COTTAGES AT CHAPEL PARK SUBDIVISION PHASE 5.

WHEREAS, Layton City has received a petition to vacate a 50-foot utility and street easement within The Cottages at Chapel Park Subdivision Phase 5, as set forth in Exhibit A, and illustrated in Exhibit B; and

WHEREAS, the petitioners have requested to abandon the existing sanitary sewer line, waterline and street located within the easement as part of the development of The Cottages at Chapel Park Subdivision Phase 5; and

WHEREAS, the petitioners are the property owners of the respective lots; and

WHEREAS, the development of The Cottages at Chapel Park Subdivision will re-direct these utilities within the new public street system within the subdivision; and

WHEREAS, the petitioners have determined and represented that there are underground utilities that have been installed within the said existing easement to be vacated and these underground utilities are to be abandoned; and

WHEREAS, the City Council of Layton City, Utah has determined that vacating said easement is for a good cause and is in the public interest.

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

1. That the 50-foot utility and street easement, as more fully described in Exhibit A, and illustrated in Exhibit B, both of which are attached hereto and incorporated herein, is hereby vacated.

2. That the Mayor be authorized to execute the appropriate documents to complete this transaction.

PASSED AND ADOPTED by the City Council of Layton, Utah, this _____day of _____, _____.

_____
J. STEPHEN CURTIS, Mayor

ATTEST:

_____
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

_____
FOK- GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

_____
William T. Wright, Director
Community & Economic Development

EXHIBIT A

Reeve & Associates, Inc.

11-20-2012

UTILITY AND STREET EASEMENT TO BE VACATED

(THROUGH THE COTTAGES AT CHAPEL PARK PHASE 5)

PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 20°50' WEST 34.6 FEET TO THE SOUTH LINE OF GENTILE STREET AND SOUTH 69°10' WEST 326.4 FEET ALONG THE SOUTH LINE OF GENTILE STREET AND NORTH 89°42' WEST 244.82 FEET ALONG THE SOUTH LINE OF GENTILE STREET TO THE WEST LINE OF "B" STREET, (STREET BETWEEN GENTILE STREET AND ROSE WOOD LANE STREET) AND SOUTH 25°42' EAST 290 FEET MORE OR LESS ALONG THE WEST LINE OF "B" STREET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE ALONG THE WEST LINE OF "B" STREET SOUTH 25°42' EAST 50.86 FEET; THENCE SOUTH 73°57" WEST 282.48 FEET, TO THE EAST LINE OF 800 EAST STREET (COTTAGE WAY); THENCE ALONG SAID EAST LINE, NORTH 06°30' WEST 50.84 FEET; THENCE NORTH 73°57' EAST 265.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,739 SQUARE FEET OR 0.32 ACRES.

Solutions You Can Build On™
Civil Engineering • Land Planning • Structural Engineering • Landscape Architecture • Land Surveying • Construction Surveying
920 Chambers St., Suite 14 • Ogden, Utah 84403 • Tel: 801-621-3100 • Fax: 801-621-2666
ogden@reeve-assoc.com • reeve-assoc.com

Exhibit B

UTILITY & STREET EASEMENT

UTILITY & STREET EASEMENT:
(THROUGH THE COTTAGES AT CHAPEL PARK PHASE 5)

PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 20°50' WEST 34.6 FEET TO THE SOUTH LINE OF GENTILE STREET AND SOUTH 69°10' WEST 326.4 FEET ALONG THE SOUTH LINE OF GENTILE STREET AND NORTH 89°42' WEST 244.82 FEET ALONG THE SOUTH LINE OF GENTILE STREET TO THE WEST LINE OF "B" STREET, (STREET BETWEEN GENTILE STREET AND ROSE WOOD LANE STREET) AND SOUTH 25°42' EAST 290 FEET MORE OR LESS ALONG THE WEST LINE OF "B" STREET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE ALONG THE WEST LINE OF "B" STREET SOUTH 25°42' EAST 50.86 FEET; THENCE SOUTH 73°57" WEST 282.48 FEET, TO THE EAST LINE OF 800 EAST STREET (COTTAGE WAY); THENCE ALONG SAID EAST LINE, NORTH 06°30' WEST 50.84 FEET; THENCE NORTH 73°57' EAST 265.52 FEET TO THE POINT OF BEGINNING.

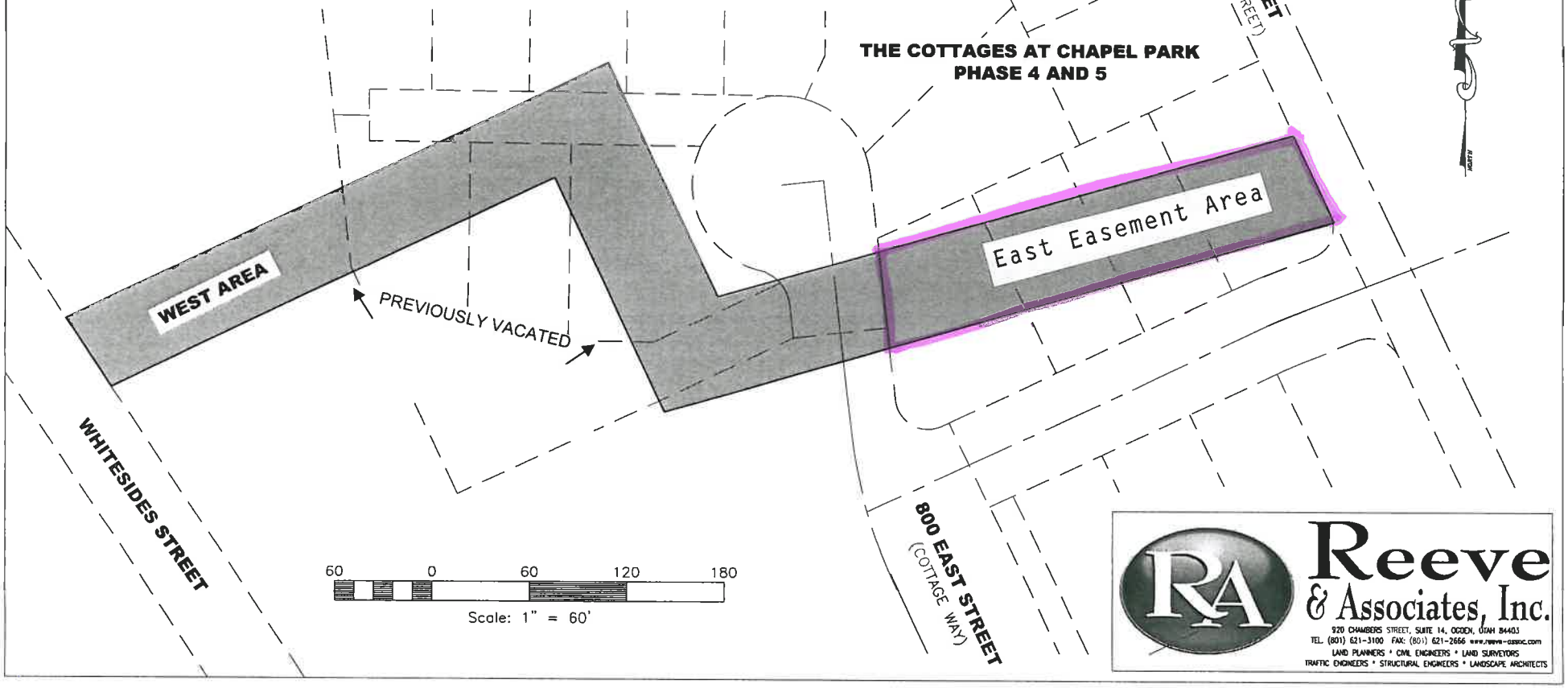
CONTAINING 13,739 SQUARE FEET OR 0.32 ACRES

UTILITY & STREET EASEMENT:
(WEST AREA)

PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF 800 EAST STREET (COTTAGE WAY) BEING NORTH 20°50' WEST 34.6 FEET TO THE SOUTH LINE OF GENTILE STREET AND SOUTH 69°10' WEST 326.4 FEET ALONG THE SOUTH LINE OF GENTILE STREET AND NORTH 89°42' WEST 244.82 FEET ALONG THE SOUTH LINE OF GENTILE STREET TO THE WEST LINE OF "B" STREET, (STREET BETWEEN GENTILE STREET AND ROSE WOOD LANE STREET) AND SOUTH 25°42' EAST 290 FEET MORE OR LESS ALONG THE WEST LINE OF "B" STREET AND SOUTH 73°57' WEST 265.52 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE ALONG THE EAST LINE OF 800 EAST STREET (COTTAGE WAY) SOUTH 06°30' EAST 50.84 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 73°57" WEST 142.52 FEET; THENCE NORTH 25°10' WEST 160.00 FEET; THENCE SOUTH 64°30' WEST 310 FEET, TO THE EAST LINE OF WHITESIDES STREET; THENCE ALONG SAID EAST LINE NORTH 33°33'38" WEST 42.25 FEET (50 FEET DEED); THENCE LEAVING SAID EAST LINE, NORTH 64°30' EAST 370 FEET; THENCE SOUTH 25°10' EAST 160.00 FEET; THENCE NORTH 73°57' EAST 104.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 29,027 SQUARE FEET OR 0.67 ACRES.



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LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 5A

Subject: Amending Title 19, Section 19.21.070 of the Layton City Municipal Code – Seasonal Outdoor Vendors – Ordinance 13-05

Background: Several months ago a Layton City business owner requested some additional information regarding the ordinance adopted on January 5, 2012, rewriting regulations for temporary uses in Layton City. Council Member Joyce Brown and Fire Marshal Dean Hunt spoke with the business owner and later requested that regulations for seasonal outdoor vendors be revisited.

As a result of this inquiry regarding seasonal outdoor vendors, Planning and Fire Staff became aware of some inconsistencies and some redundancies between each department's regulations of these uses. Ordinance 13-05 corrects this and also creates new standards, which will help ensure positive aesthetics of the structures associated with these temporary uses.

Alternatives: Alternatives are to 1) Adopt Ordinance 13-05 amending Title 19, Section 19.21.070 of the Layton City Municipal Code, Seasonal Outdoor Vendors; 2) Adopt Ordinance 13-05 with any amendments the Council deems appropriate; or 3) Not adopt Ordinance 13-05 leaving the regulations for seasonal outdoor vendors as previously constituted in place.

Recommendation: Staff recommends the Council adopt Ordinance 13-05 amending Title 19, Section 19.21.070 of the Layton City Municipal Code, Seasonal Outdoor Vendors.

ORDINANCE 13-05

AN ORDINANCE AMENDING TITLE 19, SECTION 19.21.070 OF THE LAYTON MUNICIPAL CODE ENTITLED "SEASONAL OUTDOOR VENDORS" BY AMENDING REGULATIONS FOR FIREWORK RETAILERS, CHRISTMAS TREE LOTS AND PUMPKIN PATCH AREAS IN COMMERCIAL ZONING DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, current zoning regulations in Section 19.21.070 of the Layton Municipal Code are inconsistent with or a repetition of regulations in Chapter 9.64 (Fireworks); and

WHEREAS, Seasonal Outdoor Vendors can be aesthetically detrimental to the appearance of a clean and healthy city if not effectively regulated; and

WHEREAS, it is the desire of the City Council to maintain a healthy and clean appearance within Layton City; and

WHEREAS, the additional appearance standards in this ordinance will improve the aesthetics and operation of Seasonal Outdoor Vendors; and

WHEREAS, the Planning Commission has reviewed this ordinance and has recommended that the amendment to Title 19, Section 19.21.070 Seasonal Outdoor Vendors be approved.

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

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

SECTION II: **Enactment.** Title 19, Section 19.21.070 "Seasonal Outdoor Vendors" is amended to read as follows:

...

19.21.070. Seasonal Outdoor Vendors.

In addition to the regulations listed in Section 19.21.020, seasonal outdoor vendors shall also meet the following requirements:

~~1. Property used by seasonal outdoor vendors shall be cleaned and cleared within three (3) days of the business permit expiration.~~

1. Vendors shall not utilize more than fifty percent (50%) of the required off-street parking for the onsite merchant.
2. All seasonal outdoor structures and display areas shall have a professional appearance. All equipment associated with the use shall be maintained in a new or near-new condition. All retail items shall be displayed orderly, and all debris associated with the use shall be contained within the confines of the use and be cleaned at the end of each business day. A business license will not be issued or may be revoked if structures or equipment are tattered, torn, frayed, significantly faded, have chipped or peeling paint or otherwise do not have a professional appearance.
3. In addition to requirements 1-2 above, firework retailers shall adhere to the following standards:

a. Firework retailers are permitted in any CP-1 (Planned Neighborhood Commercial), CP-2 (Planned Community Commercial), CP-3 (Planned Regional Commercial), or C-H (Highway Regional Commercial) ~~C~~ zone;

~~b. All firework sales shall be conducted within tents. The use of trailers or self propelled firework stands is prohibited;~~

~~c.~~b. No firework ~~tent~~ outdoor retailer shall be within ~~fifty~~ one-hundred feet (~~50'~~100') of any building, ~~or~~ structure or ~~and not within one hundred feet (100') of any~~ gasoline or similar fueling station;

~~d. Firework tents are limited to six hundred (600) square feet;~~

~~e.~~c. Each firework ~~tent~~ retailer shall be allowed up to two (2) banners for signage each with a maximum size of thirty (30) square feet. The use of banners shall be allowed in conjunction with a valid business license. No separate banner application is required and no additional banners are allowed;

~~f. Firework stands shall also be required to place at least three (3) signs around firework stands that read: "NO SMOKING WITHIN 25 FEET OF THIS STAND" in letters at least three (3) inches tall;~~

~~g. Firework stands shall be supervised by at least one (1) person eighteen (18) years of age or older during all business hours; and~~

~~h. Firework stands shall have at least one (1) fire extinguisher inside the tent during all business hours.~~

d. A firework retailer shall submit with each business license a picture or detailed drawing of any structure or equipment to illustrate conformance with all Building Code, Fire Code and appearance standards.

4. In addition to requirements 1-2 above, Christmas tree and pumpkin patch areas shall adhere to the following requirements:

a. Christmas tree and pumpkin patch areas ~~shall be~~are permitted in any CP-1 (Planned Neighborhood Commercial), CP-2 (Planned Community Commercial), CP-3 (Planned Regional Commercial), or C-H (Highway Regional Commercial) ~~C~~ zone;

b. Christmas tree and pumpkin patch areas shall be allowed fifty (50) square feet of signage ~~permitted~~ with an approved business license. Signage shall be attached to fencing, an on-site structure, or on poles within the boundaries of the fenced area being used;

c. Christmas tree and pumpkin patch areas shall be enclosed with a six foot (6') temporary fence around the perimeter of the use;

~~d. All Christmas tree and pumpkin patch areas shall include a sign which reads "NO SMOKING" in bold letters near the entrance of the lot; and~~

~~e.~~d. Applications shall include a detailed site plan with the following items in addition to those required in Section 19.21.020:

i. Location and dimensions of the display area; ~~and~~

~~i.~~ii. Location and number of parking stalls for customers;

~~ii.~~iii. Sales booth and any other temporary structure;

~~iii. Two (2) fire extinguishers. Extinguisher locations shall be identified with a sign which reads, "EMERGENCY FIRE EXTINGUISHER" in three (3) inch letters; and~~

~~iv. Location of at least two (2) exits (primary and emergency).~~

...

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 go into effect at the expiration of the 20th day after publication or posting, or the 30th day after final passage as noted below, or whichever of said days is the most remote from the date of passage thereof.

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

By:_____
J. STEPHEN CURTIS, Mayor

ATTEST:

By: _____
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

_____
FOR: GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

_____
William T. Wright, Director
Community & Economic Development