

Planning Commission Minutes
July 2, 1996

Present: Chairman Elaine McKay, Vice Chairman Dick Dresher, Dean Jolley, Ken Cutler, Mike Holmes, Mark Green, Don Milligan, Lois Williams: Sam Fowler, City Council Representative; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary.

Elaine McKay welcomed all those present and introduced the Planning Commission Members and Staff. Mike Holmes made a motion to approve the minutes for May 21, 1996 as written. Dick Dresher seconded the motion and voting was unanimous. Mike Holmes made a motion to approve the minutes for May 28, 1996 as written. Dick Dresher seconded the motion and voting was unanimous. Lois Williams made a motion to approve the minutes for June 4, 1996 with the correction of adding the last name to Sam Fowler on the last page. Dean Jolley seconded the motion and voting passed by majority vote. Mike Holmes abstained from voting.

Site Plans

1. Consider preliminary and final site plan approval for the First National Bank of Layton at 225 South Main

Richard Stringham, architect, representing First National Bank of Layton, was present. Jack Balling explained that First National Bank of Layton is proposing to remove the small shopping center building and the 4-plex building at 225 South Main and construct a new bank building. The building is a one story rock faced building of 3,910 sq. ft. on a corner lot of 0.51 acres of property. Storm water detention has not been provided for this site; however, the storm drain in Main Street is capable of carrying the run-off water. The site plan provides for 15% landscaping and 24 parking stalls which exceed the requirements of the City ordinance.

In review of the site plan, we are very concerned with the north access on Main Street. Engineering standards recommend the access to properties be at least 50 feet from the corner and preferably 75 feet to prevent traffic congestion. As a City staff we would like to see this entrance eliminated; however, if this is not possible, the entrance should be changed to an entrance only marked with "no exit" signs, 12 feet wide entrance, and angled parking.

The Staff recommends final site plan approval subject to the following conditions:

1. Eliminate the north entrance on Main Street or change as described above.
2. Payment of a storm detention fee of \$1,071.00 for storm water run-off.
3. Payment of all required utility connections.

4. Provide a 7 ft. wide standard utility easement along the north, west and east property lines.
5. Completion of the plans and payment of the fees as required by the building code.
6. Meet all conditions as required by the Power Department for service.

Blaine Gehring received information from the Power Department that the utility easement on the east and south property lines need to be 10 ft. not 7 ft. Mr. Stringham would like to proceed as soon as possible.

Mr. Stringham would like to use part of the existing access and extend the entrance from 15 feet to 18 feet. The north entrance, with angled parking, will give access to the front door of the building. Since this is the most valued parking and access to the front door, he prefers to have the entrance 18 feet. Mr. Stringham presented a new drawing showing the 18-foot entrance, angled parking, and “no exit” signs.

There was a discussion concerning the width of the north access on Main Street. Mr. Balling noted that on a collector street the entrance should be 75 feet from the corner. On a minor street the entrance should be 50 feet from the corner. Engineering standards recommends 50 to 75 feet to prevent traffic congestion. This is new construction and it is the responsibility of the Staff and City to change what is needed to make it safe for the intersection. This entrance should be 75 feet to make it safe. The Staff feels that they can compromise to a one-way, right turn entrance with “no exit” signs posted. The entrance should be changed to 15 feet. If the entrance is wider than 15 feet, it will be used as an entrance and an exit and this will create traffic and safety problems.

Mike Holmes made a motion to recommend final site plan approval for First National Bank of Layton at 225 South Main subject to items 1-6 with the following conditions:

1. Modify item #1 to allow a one way entrance of 16 feet with angle parking and adequate signs posted subject to recommendation of Staff.
4. Provide a 7-foot utility easement on the north and west property lines. Provide a 10-foot utility easement on the east and south property lines.
7. An addition of item #7 to enclose the dumpster and have approval from the Fire Department.

Motion was seconded by Lois Williams and voting was unanimous.

Subdivisions

1. Consider preliminary and final approval for the Richard Stringham Subdivision.

Richard Stringham, applicant, was present. Jack Balling explained this subdivision contains 4 lots and is located at the southwest corner of 600 South and Canyon Crest Drive in the R-1-8 zone. Lots 3 and 4 are lots with existing homes and the boundaries are being modified in this subdivision. The common boundary of lots 2,3, and 4 follows along the centerline of Barton Creek. The frontage of lots 1,2, and 4 along Canyon Crest Drive needs to be adjusted to conform with the improvements of Canyon Crest Drive. The Staff recommends preliminary and final approval subject to the following conditions:

1. Completion of the final subdivision plat to the City and County standards.
2. The boundary of the subdivision to follow:
 - a. The centerline of Canyon Crest Drive improvements.
 - b. The centerline of 600 South Street.
 - c. The west and south property lines.
3. The boundary of the lots on Canyon Crest Drive should be 27 feet from the centerline of the road.
4. The boundary of the lots on Canyon Crest Drive should follow the existing street boundary lines.
5. Utility easements are to be provided as follows:
 - a. 7 ft. wide easement around the perimeter of the subdivision.
 - b. 20 ft. wide easement along the centerline of the sanitary sewer.
 - c. 20 ft. wide easement along the centerline of the creek.
 - e. Easements or approvals from Davis County Flood Control along the creek.
6. The City is to vacate the un-used portion of Canyon Crest Drive and deed to owner.
7. Pay a storm detention fee for lots 1 and 2 (0.9 ac.+0.73 ac.) X \$2,100.00/ac.= \$3,423.00.
8. Payment of all required fees for developments.
 - a. Utility connections
 - b. Power installation fees
 - c. Recording fees
 - d. Misc. subdivision fees
9. No building allowed within the flood plain of the creek. The lowest floor elevation of the house is to be 6ft. above the bottom of the creek. If the lots are

filled to accommodate the house, the fill cannot reduce the capacity of the creek to carry at least 600 cfs and the bank needs to be stabilized with rock-rap.

10. Final review of the plat by the City Engineer.
11. Title report for the subdivision.
12. Waive the subdivision bond since the improvements are existing.
13. Meet all conditions as required by the Power Department for services.

Rusty Mahan mentioned that this will have to be scheduled with the City Council at the same time that the vacation of the lots and the road is done. A public notice will need to be published.

Mark Green made a motion to recommend preliminary and final approval for the Richard Stringham Subdivision subject to the conditions 1-13 recommended by Staff with the modification of item #7 to pay a storm detention fee for lots 1 and 2 (8000s.f. per lot)=0.3673 acres. Fee=\$2,100.00/acre=\$771.35. Motion was seconded by Ken Cutler and voting was unanimous.

Zoning Ordinance Amendments

1. Consider an amendment to the Zoning Ordinance dealing with Special Temporary Accessory Apartments for the Elderly

Blaine Gehring explained that more people are desiring to have their elderly parents or other elderly relatives living with them so they can provide for their care and needs. As a result the creation of “mother-in-law apartments” is becoming increasingly popular. When these units are no longer needed, or the home is sold, many owners are using them for rental units. Requests are being made to allow these units to be rented so the home can be sold as a duplex or to create an extra income for the owners. The majority of these requests are coming from single family residential zones which do not allow for duplexes. Some of these units have been created without the City’s knowledge and they are throughout the city. This amendment is not intended to limit these special apartments but to monitor them for enforcement purposes.

There was a discussion on what is the purpose of changing the existing ordinance. Mr. Mahan pointed out that this amendment will serve a legitimate purpose. This will allow for construction of or modifying a home with a building permit and to have the remodeling done legally. Mr. Gehring explained that this will be used as an enforcement tool. The City will require some kind of recording with the deed that will show on the title report that such an apartment cannot be used as a rental. The City will know where the apartments are located and

can monitor them for enforcement purposes.

This ordinance is for “mother-in-law apartments” not for the children or other relatives to rent as an apartment. These units have become rentals for children rather than elderly parents. This has become outside the purpose of a mother-in-law apartment. If the children need to move in, it should be as part of the family not in a separate unit. The City does not want the single family areas to become apartments.

There was another discussion on what about the children? The children are also family members and sometimes need a place to live. It was decided that this issue is something that needs some time to review with the addition of not just the elderly but to include blood relatives.

Mr. Gehring suggested tabling this and he will review it with Mr. Mahan. Mr. Cutler feels that this amendment is not necessary the ordinance is already existing and he will not support the motion. Mike Holmes made a motion to table this issue for Mr. Gehring and Mr. Mahan to review. The motion was seconded by Sam Fowler and voting past by majority vote. Ken Cutler voted against the motion.

2. Discussion regarding making the Telecommunications Tower Sites Policy part of the Zoning Ordinance.

Rusty Mahan explained that the City Council adopted a “Telecommunications Tower Site Policy” which the Planning Commission used to grant a conditional use permit for Western PCS for a telecommunications tower near the temple. It is being recommended that this be made part of the Zoning Ordinance so it has more of a legal effect than just policy.

Mike Holmes made a motion to the City Council to adopt the “Telecommunications Tower Site Policy” as part of the Zoning Ordinance. Motion was seconded by Dean Jolley and voting was unanimous.

Meeting adjourned at 8:00 P.M.