

Layton City
ORDINANCE 23-06

MIXED-USE (MU) ZONE AND MIXED-USE DESIGN OVERLAY DISTRICT (DO-1)

PROPOSED AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 19 "ZONING", CHAPTER 19.04 "ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL MAP"; CHAPTER 19.12 "OFF STREET PARKING"; CHAPTER 19.25 "MIXED-USE (MU) ZONING DISTRICT"; TO ESTABLISH APPROPRIATE BUILDING HEIGHT, DESIGN, AND SETBACK STANDARDS, AND TO CLAIRFY CRITERIA FOR PARKING REDUCTIONS FOR DEVELOPMENT PROJECTS IN THE MIXED-USE (MU) ZONE AND MIXED-USE DESIGN OVERLAY DISTRICT (DO-1) IN LAYTON CITY

WHEREAS, Strategy 6.1 (G) in Layton's Moderate-Income Housing Plan supports an increase in height to the development within the Midtown Urban District; and

WHEREAS, Layton City's General Plan encourages infill residential development with a minimum height of four stories within Midtown Urban District; and

WHEREAS, it is in the City's interest to encourage multi-family residential development in areas designated as Urban Districts in the General Plan; and

WHEREAS, standards associated with the DO-1 overlay developmental elements are intended to be clear to applicants and City Staff for an improved development review process; and

WHEREAS, the Planning Commission reviewed the proposed changes in their April 11, 2023 meeting and after holding a public hearing recommended approval of the proposed changes; and

WHEREAS, the 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 Council finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Layton Municipal Code Title 19;

NOW THEREFORE, be it ordained by the City Council of Layton City, UT as follows:

SECTION I: Repealer. If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. "19.04.020 " is hereby amended as follows:

...

b. The "M-2" (heavy ... locating these zoning districts.

8. The "MU" (Mixed-Use) ... within a walkable district.

9. The "DO-1" (Mixed-Use Design Overlay) zoning district is intended to define specific areas within the MU zoning district where ~~a height greater than three (3) stories and up to five (5) stories is desired. The DO-1 zoning district includes provisions for appropriate height transitions and buffers to ensure compatibility with off-site single family residential uses.~~ increased density and height are appropriate in order to meet the policies and objectives of the General Plan. The DO-1 zoning district includes provisions for appropriate height transitions and buffers to ensure compatibility with off-site single family residential uses.

10. The "MU-TOD" (Mixed-Use ... to public transportation facilities.

...

SECTION 3: Amendment. "19.12.090 " is hereby amended as follows:

...

2. Application of permitted ... products or developments.

3. Application of permitted ... for underutilized parking areas.

4. For ~~parking modifications in the Mixed-Use (MU), and Mixed-Use Transient Oriented Development (MU-TOD) zoning districts refer to Chapters 19.25 and 19.26 of Layton Municipal Code.~~ additional parking criteria within the Mixed-Use (MU), and Mixed-Use Transient Oriented Development (MU-TOD) zoning districts refer to Chapters 19.25 and 19.26 of Layton Municipal Code.

5. Shared Parking: shared ... for the larger use.

a. Shared Parking Proposal. ... the Zoning Administrator.

...

SECTION 4: Amendment. "19.25.040 " is hereby amended as follows:

1. The appropriate density ... height and setback) limitations:

a. The maximum building height shall be three stories and 35', except where the zoning map identifies the Mixed-Use Design Overlay District (DO-1) where, the maximum building height shall be ~~five~~ six stories and 72' (see Table 25-1). ~~60'.~~

~~i. A maximum building height of two stories and 28' shall apply to buildings within 40' of any adjacent off-site single family residential use. A minimum building setback of 20' from the shared property boundary shall also apply.~~

~~ii. The following maximum building height limitations shall apply to buildings within the DO-1 when adjacent to off-site single family residential uses:~~

~~1. three stories 35' within 85' of the shared property boundary; and~~

~~2. four stories and 48' within 300' of the shared property boundary.~~

Table 25-1

Height and Separation Standards

Row <u>Height</u>	<u>Distance from Single-Family Residential</u>	<u>DO-1 Overlay Zone Required?</u>	<u>Minimum Front Setback from Street</u>	<u>Maximum Front Setback from Street</u>
Row <u>2 stories & 28'</u>	<u>20'</u>	<u>No</u>	<u>7'</u>	<u>12'</u>
Row <u>3 stories & 35'</u>	<u>40'</u>	<u>No</u>	<u>7'</u>	<u>12'</u>
Row <u>4 stories & 48'</u>	<u>85'</u>	<u>Yes</u>	<u>7'</u>	<u>12'</u>
Row <u>5 stories & 60'</u>	<u>300'</u>	<u>Yes</u>	<u>7'</u>	<u>12'</u>
Row <u>6 stories & 72'</u>	<u>300'</u>	<u>Yes</u>	<u>7'</u>	<u>12'</u>

2. To buffer potential ... buffer options shall apply:

a. a minimum eight-foot high solid masonry fence shall be installed and maintained along the property boundary shared with off-site single family residential uses. A ten foot landscape buffer shall be installed along the fence, and shall include trees spaced every 25', with shrubs that provide coverage of at least 60% of the landscape surface area at mature growth, or

b. a minimum six-foot ... for maintenance purposes only.

3. DO-1 overlay shall only be permitted in areas east of Interstate 15, south of Antelope Drive, west of North Hill Field Road, north of 1000 North coordinate, and identified as an Urban District in the General Plan Future Land Use Map (see Map 25-1).

Map 25-1

The following image has been added:



HISTORY

Ord. No. 08-40, Enacted, 8/7/2008

...

SECTION 5: Amendment. "19.25.060 " is hereby amended as follows:

1. General requirements. The ... pooling, and car pooling.

a. Wherever practical, buildings ... the rain and sun.

b. Trash storage areas, mechanical equipment, transformers, **air conditioning units**, meters, and similar devices are not permitted to be visible from the street, **or to be located on patios/balconies**

associated with a residential unit. Where site constraints would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping, or architectural treatments capable of screening views from streets and sidewalks. If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices, or other architectural features.

- c. All uses located ... a conditional use application.
 - d. Primary building orientation ... during all business hours.
 - e. Buildings shall incorporate ... give emphasis to entrances.
 - f. Buildings shall provide ... or other architectural termination.
 - g. The façade of every residential floor greater than 30' linear feet with street frontage shall incorporate features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves, or wall segments that create at least a two foot variation in plane for at least ten ~~(10)~~ linear feet within each 30' segment of façade.
 - h. In paseos, plazas, ... designed for pedestrian areas.
 - i. All new utility ... shall be placed underground.
2. At least 75% ... doors, or display windows.
 3. First floor requirements. ... commercial or residential units.
 4. For development sites greater than 20,000 ~~s.f.~~**square feet**, primary uses shall be incorporated into a project where at least 80% of the floor plate area of new buildings is constructed at a minimum of two stories in height.
 5. No drive-through shall ... the public street right-of-way.
 6. All truck loading ... establishment, and grocery retail.
 7. Light Commercial Flex ... to the general public.
 8. Pole signs and/or ... signs are not permitted.

9. DO-1 Overlay Design Criteria.

a. Residential units shall incorporate an outdoor living space with a minimum depth of five feet and a minimum square footage of 50 square feet. When considered to be the primary entrance to a residential unit, the area directly in front of the door measuring three feet wide and running the depth of the entry feature shall not be counted towards the minimum depth or square footage. Utilities shall not be placed in the patio/balcony areas.

b. Ground floor residential units adjacent to a sidewalk shall incorporate a primary entrance to each residential unit including a walkway connecting the residential unit to the sidewalk.

c. To preclude large expanses of uninterrupted building surfaces, exterior elevations shall incorporate design features such as offsets, balconies, projections, or similar elements along each face of the building facing and visibly parallel to a public right-of-way or public plaza. Along the vertical face of the structure, offsets shall occur at a minimum of every 30 linear feet by providing any two of the following:

- i. recesses (elevated decks, patios, entrances, etc.) with a minimum depth of four feet, or**
- ii. extensions (elevated decks, patios, entrances, floor area, etc.) with a minimum depth of four feet, or**
- iii. offsets or breaks in roof elevations of three or more feet in height.**

HISTORY

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SECTION 6: Amendment. "19.25.090 " is hereby amended as follows:

...

1. Parking areas shall ... building and the street.

2. Where feasible, pedestrian ... ten feet in width.

~~3. Parking requirements may be reduced if it can be shown that shared parking is a viable alternative or a professional study is submitted that evaluates market need at the specific location. The City reserves the right to dictate the amount of parking and/or the location of parking spaces within a project to achieve the objectives of this ordinance.~~

HISTORY

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SECTION 7: Severability. If any section, subsection, sentence, clause, or phrase of this amendment 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 amendment.

SECTION 8: Effective Date. This ordinance being necessary for the peace, health, and safety of the City, 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 more remote from the date of passage thereof.

****Signatures On Next Page****

PASSED AND ADOPTED by Layton City Council this **4th day of May, 2023.**



JOY PETRO, Mayor
Layton City

Attest:



KIMBERLY S READ, City Recorder
Layton City



DARREN CURTIS, Assistant City Attorney
Layton City



CHAD WILKINSON, Community Development Director
Layton City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Zach Bloxham	<u>X</u>	—	—	—
Clint Morris	<u>X</u>	—	—	—
Tyson Roberts	<u>X</u>	—	—	—
Bettina Smith Edmondson	<u>X</u>	—	—	—
Dave Thomas	<u>X</u>	—	—	—



RECORDED this 4th day of May, 2023.

PUBLISHED OR POSTED this 19th day of May, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Layton City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

1. Layton City Center
2. Surf 'n Swim Bulletin Board
3. Davis County Library - Layton Branch

on the above referenced dates.



KIMBERLY S READ, City Recorder
Layton City