

ORDINANCE 22-21
(Private Street Standards)

AN ORDINANCE ADOPTING PROPOSED AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 18 “LAND USE DEVELOPMENT”, CHAPTER 18.24 “STREETS”, SECTION 02 “WIDTHS”, SECTION 050 “EASEMENTS”; TITLE 19 “ZONING”, CHAPTER 19-24 “CONDOMINIUM/TOWNHOUSE (C-TH) ZONING DISTRICT”, SECTION 080 “CONDOMINIUM/TOWNHOUSE DESIGN STANDARDS”; REPEAL TITLE 18 “LAND USE DEVELOPMENT”, CHAPTER 18.24 “STREETS” SECTION 030 “ALLEYS”, AND TITLE 18 “LAND USE DEVELOPMENT”, CHAPTER 18.50 “PRIVATE RESIDENTIAL SUBDIVISIONS AND DEVELOPMENTS”, SECTION 060 “STREET AND DRIVEWAY IMPROVEMENTS”, TO ESTABLISH PUBLIC AND PRIVATE STREET STANDARDS IN LAYTON CITY.

WHEREAS, it is in the City’s interest to have standards for private roadways including the location of gates on private roadways for the development of private subdivisions;

WHEREAS, the Planning Commission reviewed the proposed changes at their August 9, 2022 meeting and after holding a public hearing recommended approval of the proposed changes;

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 of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Layton Municipal Code 18 and 19.

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

SECTION 1. Repealer. If any provision of Layton City’s ordinance that is deemed to be inconsistent with this amendment is hereby repealed.

SECTION 2. Amendment. “18.24.020 Widths” of the Layton Municipal Code is hereby amended as follows:

A M E N D M E N T

18.24.020 Widths Public & Private Streets

Where an arterial, minor arterial, or collector street is shown on the Master Transportation Plan of Layton City, all development that traverses or abuts those corridors shall accommodate the construction thereof. The width of those streets shall be incorporated into the plans of any development as shown on the Master Transportation Plan. The width of any street not shown on the Master Transportation Plan shall be constructed to public street standards as required by the Land Use Authority. The minimum width of proposed streets measured from lot line to lot line ~~shall be:~~ is outlined in Table 18-1.

Table 18-1

Street Type	Right-of-Way Width	Minimum Asphalt Width ⁴	Use/Location
Arterial	100'	76'	
Minor Arterial	84'	60'	

Collector	66'	42'	Locations as identified in the master transportation plan
Residential Collector	62'	32'	Residential through street
Minor Collector	60'	36'	Commercial & industrial applications
Residential	58'	33'	Residential interior street
Minor	50'	28'	Loops, cul-de-sacs, and/or streets with 10 or fewer lots/units
Hillside Residential	39'	28'	Hillside development areas, as approved by City Engineer
Private Minor ⁵	50'	28'	Cul-de-sacs and/or streets with 10 or fewer lots/units
Private Lane ^{2, 5}	33'	28'	Access up to five dwelling units
Private Drive ^{1, 5, 6}	26'	20'	Access for up to two dwelling units setback at least 100' from street
Private Alley ^{2, 3, 5}	26'	26'	Rear loaded access for planned residential developments (PRUD), condominium/townhome & multi-family developments

Table 18-1 Foot Notes

1. Length shall not exceed 350'.
 2. Shall not exceed 500'.
 3. The width of the asphalt shall be 26' when identified as a required fire lane by the Fire Chief and 24' if not identified as a fire lane. Parallel parking may be permitted along one side with an additional eight feet of pavement.
 4. Split Roadway; a minimum 18' in each direction. No on-street parking is allowed. The asphalt on all public streets shall be bordered on both sides by two and one-half foot wide high back curb.
 5. Additional width may be required as determined by the City Engineer, Fire Chief, and the Community and Economic Development Director.
 6. 20' of clear pavement width, plus an additional six feet of drivable surface.
1. Private Roadway General Requirements. For the purposes of this section, private roadways shall include the following: Private Minor Street, Private Drive, Private Lane, and Private Alley.
 - a. Installation & Construction
 - i. Private roadways shall be constructed to support the weight of a fire apparatus within 150' of any structure unless otherwise approved by the Fire Department.
 - ii. A private roadway exceeding 150' in length shall be required to install an alternative turnaround and shall be reviewed for approval by the Fire Department, City Engineer, and Development Staff.
 - iii. Residential buildings serviced by a private drive can use an alternative of residential structures to be equipped throughout with an NFPA 13D automatic fire sprinkler system for remoteness and grade. Such drives shall not be converted to public ownership.
 - iv. An easement shall be deeded to the City over any private roadway and/or driveway as deemed necessary by any agent of the City.
 - v. Roadways identified as a fire lane shall be posted as no parking.

- vi. Devices placed within the roadway solely for controlling the speed of vehicle traffic i.e. speed bumps shall not be permitted.
- vii. Where a private subdivision/development has frontage on an existing or proposed public street, the sub-divider shall be responsible for the dedication of any right-of-way and construction of any public improvements as described in Chapter 18.24, Streets, and Chapter 18.36, Improvements.
- viii. A Private Alley may be required as access to and in the rear of business lots, planned residential unit developments (PRUD), condominium/townhome developments, and multi-family developments.
- ix. Cul-de-sacs on a private street shall comply with 18.24.040 Cul-De-Sacs.
- x. There shall be provisions made to collect the surface runoff at the edge of the asphalt width. This shall typically be curb and gutter. Roll type gutter or an approved sodded depression or similar solutions may be considered where unusual circumstances occur.
- xi. Sidewalks will be placed as directed by the City Engineer as approved by the Land Use Authority. More than one point of access to a private subdivision/development may be required if deemed necessary by the Development Staff.
- xii. The street structure shall be a minimum of three-inch thick asphalt and eight-inch thick road base. An additional subgrade material or geotextile fabric may be required as determined by the soil conditions.
- xiii. Where, because of the grade of the street, surface water drainage necessarily runs into the turn-around, adequate catch basins and drainage easements shall be installed and secured by the sub-divider/developer.
- xiv. Private Minor Streets, Private Drives, and Private Lanes are intended for limited use and shall not be used to make connections between two or more public roads.

b. Ownership & Maintenance

- i. Private roadways shall be held in private ownership.
 - 1. The ownership of a private drive shall be shared between the two lots/parcels of which are being serviced. Each lot/parcel shall include an equal portion in width of the private drive which shall extend from the street to the front lot/parcel line.
 - 2. A Private Minor Street, Private Lane, and/or a Private Alley shall be dedicated as a separate parcel and shall be owned and maintained by the homeowner's association.
- ii. The developer and/or subsequent homeowner's association shall be responsible for the maintenance of all facilities within the property lines of the development and those facilities of the property as designated by the City Engineer and which, either wholly or in part, service the private subdivision/development.

c. Gates may be permitted on private roadways under the following criteria:

- i. A gate shall only be permitted on a private lane and/or private drive.
- ii. A gate may be located only on roadways and/or in developments that have no more than one connection to a public right-of-way.
- iii. A vehicle turn-around shall be installed in front of the gate.
 - 1. The turn-around shall meet Engineering Development guidelines for a turnaround; and be approved by the City Engineer and Fire Chief. Turnarounds shall allow for vehicles to enter the public right-of-way by forward motion only.
- iv. All gates shall comply with the International Fire Code, Layton Municipal Code 16.04.010 Section 503.6, and all other applicable municipal code requirements.

- 2. Private Minor Streets shall comply with the following criteria:
 - a. Private Street(s) are permitted within a development that has a minimum of three acres.
 - b. A Private Street shall be built to public street standards.
 - c. Private streets shall be limited to dead-end streets and/or cul-de-sacs.

- ~~1. Arterial Street; 100';~~
- ~~2. Minor Arterial Street; 84'~~
- ~~3. Collector Street; 66';~~
- ~~4. Minor Collector Street; 60';~~
- ~~5. Residential Collector Street; 62'. This street classification shall be considered to be the typical through street for any type of residential development.~~
- ~~6. Residential Street; 58'. This street classification shall be considered to be interior streets within a subdivision.~~
- ~~7. Minor Street; 50'. This street classification shall be used only on loop streets serving 10 or fewer interior lots or for cul-de-sacs; and sensitive land development areas.~~
- ~~8. Hillside Residential Street; 39' with 6' abutting sidewalk only allowed in hillside development areas as approved by the City Engineer.~~
- ~~9. Private Drive; 28' asphalt, 33' from top back of curb to top back of curb. The overall right of way shall be approved by the City's Engineering Department.~~
- ~~10. Split Roadway (Sensitive Land Development Area); 23' in each direction. The minimum asphalt width of proposed streets shall be:

 - ~~a. Arterial Street; 76';~~
 - ~~b. Minor Arterial Street; 60';~~
 - ~~c. Collector Street; 42';~~
 - ~~d. Minor Collector Street; 36';~~
 - ~~e. Residential Collector Street; 32';~~
 - ~~f. Residential Street; 28';~~
 - ~~g. Minor Street; 28';~~
 - ~~h. Hillside Street; 28';~~
 - ~~i. Private Street; 28';~~
 - ~~j. Split Roadway; 18' in each direction. No on-street parking is allowed. The asphalt on the public street except frontage roads shall be bordered on both sides by two and one-half foot wide high back curb.~~~~

SECTION 3. Repeal. "18.24.030 Alley" of the Layton Municipal Code is hereby repealed as follows:

A M E N D M E N T

18.24.030-Alleys

~~Alleys may be required as access to and in the rear of business lots, planned residential unit developments (PRUD), condominium/townhome developments, and multi-family developments.~~

~~Alleys shall be held in private ownership; however, the City may require an easement to be recorded over the alley. Alleys shall have an unobstructed width of 26'.~~

SECTION 4. Amendment. "18.24.050 Easements" of the Layton Municipal Code is hereby amended as follows:

A M E N D M E N T

18.24.050 Easements

Public utility and drainage easements shall be required in all subdivisions. A minimum of a seven-foot public utility and drainage easement shall be established along all public rights of way. The City Engineer may require larger easements depending on circumstances. The minimum width of easements shall be:

1. On rear lot lines; ~~five feet~~ 10' on each side;
2. On front lot lines; seven feet; and
3. On side lot lines; a total of 10' with not less than three feet on one side of the lot line and seven feet on the other.

A ~~f~~Front, side, and rear Public Utility and Drainage Easements (PU&DE) ~~are~~ is required on all lots/parcels. ~~Side easements shall be placed as directed by the City Engineer.~~ In circumstances where a City utility traverses a lot or parcel to be developed, the easement width shall be provided as required by the City Engineer. The front PU&DE may be waived for a parcel/lot within the MU-TOD zoning district under the following criteria:

1. The necessary utility and drainage improvements can be accommodated on the subject property or within the adjacent public right-of-way and meet City engineering standards without the need for the front PU&DE.
2. The area between the building & public right-of-way is developed to match the hard surface of the adjacent sidewalk located within the public right-of-way or match the design/materials of the building. Asphalt shall not be permitted to be used as hard surface between the curb and the front of the building.

SECTION 5. Repeal. "18.50.060 Street And Driveway Improvements" of the Layton Municipal Code is hereby repealed as follows:

A M E N D M E N T

18.50.060-Street And Driveway Improvements

~~1. The typical street pavement width for private subdivisions where separate lots are sold shall be 28', lip of curb to lip of curb. Additional width may be required as determined by the City Engineer, Fire Chief, and the Community and Economic Development Director. All cul-de-sacs and turnarounds shall conform in size and design to the City technical standards and/or the zoning ordinance. The street grades, lengths, and radii shall conform to the City technical standards and/or the zoning ordinance. There shall be provisions made to collect the surface runoff at the edge of the asphalt width. This shall typically be curb and gutter. Roll type gutter or an approved sodded depression or similar solutions may be considered where unusual circumstances occur.~~

~~Sidewalks will be placed as directed by the City Engineer as approved by the Land Use Authority. More than one point of access to a private subdivision/development may be required if deemed necessary by the construction staff.~~

~~a. The street structure shall be a minimum of three inch thick asphalt and eight inch thick roadbase. An additional subgrade material or geotextile fabric may be required as determined by the soil conditions. The developer's engineer shall submit street design(s) for review. All private streets shall be kept free of any device placed solely for controlling the speed of vehicle traffic i.e., "speed bumps." Any gates or planters within a private street right-of-way shall be approved by the City.~~

~~2. Private drives of not less than 20' of clear pavement width must be constructed to serve one, but not more than two dwellings which have a setback of more than 100' from a public or approved~~

~~private street.~~

~~a.—Private drives shall not be longer than 350' except as granted by the construction staff. Any private drive longer than 150' shall be provided with an alternative turnaround approved by the Fire Department, City Engineer, and development staff. Alternative turnarounds are only allowed as approved by the Fire Department, the City Engineer, and development staff. Residential buildings serviced by the private drive shall be equipped throughout with an NFPA 13D automatic fire sprinkler system. Such drives may not be converted to public ownership. Any gates or planters within a private drive right-of-way shall be approved by the City and shall not impede the required clear width. No parking will be allowed in the twenty feet (20') of pavement area. Private drives shall be constructed so as to support the weight of a fire apparatus to within 150' of any structure.~~

~~3.—Private lanes of not less than 20' of clear pavement width and having additional driveable surface of at least six feet may be constructed to serve not more than five dwellings.~~

~~a.—Private lanes shall be looped or shall provide a turnaround meeting the standards of a public street. Dead-end private lanes shall not be longer than 500' except as may be allowed by Chapter 19.07 of the zoning ordinance. Additional requirements may be imposed to address enhanced needs created by additional length cul-de-sacs. Private lanes shall be posted as no parking and shall be kept free of any device placed solely for controlling the speed of vehicle traffic i.e., "speed bumps." Private lanes may not be converted to public ownership.~~

~~b.—Private lanes shall be constructed such, for a full 26' of unobstructed width, as to be able to support the weight of any fire apparatus. Any gates or planters within a private lane right-of-way shall be approved by the City and shall not obstruct the minimum required clear width.~~

~~4.—Private driveways through planned residential unit developments (PRUD), planned dwelling groups, and condominiums, shall be constructed with 26' of clear width between all parking, architectural, and landscape features where the driveway is designated as a fire lane. Where parallel parking is allowed, the minimum driveway width shall be 32'. Where 90° parking is found along a private driveway, the driving width may be reduced to 24' of clear width between all parking, architectural, and landscape features. For parking at a lesser angle than 90° and not designated as a fire lane, the driveway width may be 20'. Private driveways shall be kept free of any device placed solely for controlling the speed of vehicle traffic i.e., "speed bumps."~~

~~a.—Private driveways shall be constructed such as to be able to support the weight of any fire apparatus.~~

~~The developer or subsequent homeowner's association will be responsible for the maintenance of all facilities within the property lines of the development and those facilities off the property as designated by the City Engineer and which, either in part or wholly, service the private subdivision/development. An easement shall be deeded to the City over any street or driveway as deemed necessary by any agent of the City.~~

~~Where a private subdivision/development has frontage on an existing or proposed public street, the subdivider shall be responsible for the dedication of any right-of-way and construction of any public improvements as described in Chapter 18.24, Streets, and Chapter 18.36, Improvements.~~

~~b.—~~

SECTION 6. Amendment. “19.24.080 Condominium/Townhouse Design Standards” of the Layton Municipal Code is hereby amended as follows:

A M E N D M E N T

19.24.080 Condominium/Townhouse Design Standards

The condominium/townhouse zoning district serves to buffer low-density residential neighborhoods from adjacent high-density residential, high traffic arterial streets (major corridors), and commercial developments. Height, setback, and massing standards promote development that fits well architecturally near existing single-family houses, while allowing densities that promote transit use, shared open space amenities, and a pedestrian orientation in a vibrant urban environment.

The following design standards shall be applied to condominium and townhouse development in conjunction with all other applicable Development Guidelines and Design Standards as adopted by the Land Use Authority.

1. **Bulk and Dimensional Standards:** Density. Condominium/townhouse density shall not exceed 16 dwelling units per acre.
 - a. **Height.**
 - i. Residential buildings shall have a maximum height of three stories and 35', except in the following areas where the maximum height of structure shall be two stories and 28':
 1. Areas within 40' of adjacent off-site single family residential uses,
 2. Areas where proposed residential buildings front onto local streets and collector streets with existing single family residential uses across the street zoned R-S or R-1. Street-fronting buildings in these areas shall apply the requirements outlined in Section 19.24.080 (4) - Mansion Home and Twin Home Standards.
 3. A residential end unit of a multi-unit building that is located at the corner of a street intersection, and
 4. Buildings that are closer than 40' to the perimeter property boundary where there is more than a three foot grade increase from the property boundary.
 - ii. Any combination of the following height exceptions shall not exceed a total of 40' maximum building height.
 1. An additional five feet of height may be allowed for a building if sub-grade or underground parking is provided under the building footprint area.
 2. An additional two feet of height may be allowed for a building with a 7:12 roof pitch (seven feet of height for each 12' linear feet of roof).
 3. An additional three feet of height may be allowed for a building if a basement level is included.
 - iii. The maximum height of a residential building is not inclusive of a basement level below the first story.
 - b. **Roof Form.** A roof pitch of at least six feet of height for each 12' linear feet of roof (6:12) shall be required for new residential buildings proposed to be located adjacent to existing off-site single family residential structures, and areas where proposed residential buildings front onto local streets and collector streets with existing single family residential uses across the street zoned R-S or R-1
 - c. **Setbacks.** The minimum building setbacks on a site shall be as follows:
 - i. Front Yard: 12' along local or 2-lane collector streets;

- ii. Front Yard: 18' along three-lane collector or arterial streets;
- iii. Corner lot side yard: Eight feet along a local street, and 12' along a collector or arterial street;
- iv. Side yard/lot: Ten feet applicable to the side of a two story building from the property line of an adjacent single family use.
- v. Rear or side yard/lot: A 20' setback shall apply to buildings that front or back to adjacent off-site single family residential uses.
- vi. The minimum front to front and rear to rear separation of buildings shall be 30'.
- vii. The minimum side to side separation of buildings shall be ten feet.
- viii. The minimum side to front and side to rear between residential structures shall be 20', with a seven foot maximum porch encroachment allowed into the separation area.
- ix. The clear view requirements contained in Section 19.16.080 shall apply at street intersections and drive approaches, which may dictate a deeper setback or separation.
- x. Stairs, stoops and porches shall not encroach within the seven foot public utility and drainage easement adjacent to a public street.

SECTION 7. Repealer. If any provision of Layton City's ordinance that is deemed to be inconsistent with this amendment is hereby repealed.

SECTION 8. Severability. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining language shall remain in full force and effect.

SECTION 9. Effective Date. This ordinance amendment shall become effective immediately upon posting.

****Signatures on next page****

PASSED AND ADOPTED BY THE LAYTON CITY COUNCIL ON THIS 15th DAY OF SEPTEMBER, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Joy Petro	_____	_____	_____	_____
Zach Bloxham	<u>✓</u>	_____	_____	_____
Clint Morris	<u>✓</u>	_____	_____	_____
Tyson Roberts	<u>✓</u>	_____	_____	_____
Bettina Smith Edmondson	<u>✓</u>	_____	_____	_____
Dave Thomas	<u>✓</u>	_____	_____	_____



Joy Petro
JOY PETRO, Mayor

ATTEST

Kimberly S Read
KIMBERLY S READ, City Recorder

Gary R Crane
GARY R. CRANE, City Attorney

Chad Wilkinson
CHAD WILKINSON, Community &
Economic Development Director