

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JANUARY 20, 2022; 6:05 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR JOY PETRO, ZACH BLOXHAM, CLINT
MORRIS, TYSON ROBERTS, AND BETTINA
SMITH EDMONDSON**

PARTICIPATING ELECTRONICALLY

DAVE THOMAS

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, CHAD
WILKINSON, LON CROWELL, DAVID PRICE,
JOELLEN GRANDY, ED FRAZIER, AND KIM
READ**

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

Mayor Petro opened the meeting.

AGENDA:

COUNCILMEMBER REPORT

Councilmember Bloxham mentioned the recent accident on Highway 89 and reported a resident had expressed concern with the configuration of the overpass to him. He inquired whether Staff was aware of any updates which could be shared with the Council and Gary Crane, City Attorney, reported a claim had been filed with UDOT (Utah Department of Transportation) and indicated Staff would be closely following its status.

Mayor Petro expressed appreciation to the Council for attending the Day at the Legislature with the Youth Council.

Councilmember Smith Edmondson informed the Council of the Communities That Care (CTC) workshop scheduled for Friday, January 21, from 9:00-11:00 AM and invited the Council's participation either in-person or via Zoom. The purpose of the meeting was to assess the Program and identify what could be done to increase participation and ways to reach the youth.

**PROPOSED AMENDMENTS TO TITLE 19 REGARDING BUFFERING AND LANDSCAPING
ALONG ARTERIAL AND COLLECTOR STREETS**

Chad Wilkinson, Community and Economic Development Department, indicated proposed amendments would come to the Council in the form of an ordinance at a later date. He referred to a visual illustration along Layton Parkway reflecting the landscaping buffer of properties in which the rear of the lot was along the arterial street. He shared a brief history of what the City required with the landscape buffer and explained the current ordinance allowed the buffer to be provided in one of two ways and shared visual examples:

- As an easement of private property
- Property owned by an HOA (Homeowner's Association)

He pointed out the City had experienced very few issues with the HOA maintaining the landscape buffer, which was unlike the buffer owned by the adjacent property owner or those in which the HOA hadn't been correctly established. He indicated the Planning Commission was in support of amending the

ordinance and reported it had discussed the issue during previous meetings.

He identified the following proposed amendments to the ordinance recommended by the Planning Commission with support of Staff:

- Only allow the buffers to be established within a common area owned and maintained by an HOA and recorded on the plat
 - Allow for lot averaging (existing in the current ordinance)
 - Provide minor density increase for lots within a proximity of an arterial/collector street
 - Setback reduction
- Strengthen language related to establishment of CC&R's (Codes, Covenants, and Restrictions) and HOA's
- Provide for the ability, of the City, to impose a fee for landscape buffer care/maintenance in certain situations

He emphasized any development created under a PRUD (Planned Residential Unit Development) was already subject to the creation of the HOA and believed the amendments would remedy issues with unmaintained buffers adjacent to those maintained by an HOA.

Mayor Petro inquired how the City intended to solve the problem when an entire development wasn't maintaining the buffer and Mr. Wilkinson responded the last tool could be implemented allowing the City to impose a fee for the maintenance.

Alex Jensen, City Manager, indicated there were instances in which an HOA might have been established in the initial phases of a subdivision and as newer phases were completed, the newer residents refused to participate in the HOA. He clarified it was the City's intent to encourage the newer residents to join the HOA as opposed to implement the maintenance fee. He believed adoption of the proposed amendments would eliminate this scenario from happening in the future and the discussion continued.

Mr. Wilkinson explained the City's role in assessing the fee and hiring a landscaping contractor to complete the maintenance and a discussion followed. Mr. Jensen emphasized City Staff would not be responsible for the maintenance; rather, it would be completed by a licensed contractor. Mr. Crane also explained how perpetual easements were helpful with these smaller lot subdivisions.

CLOSED MEETING TO DISCUSS PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES

CLOSED MEETING:

MOTION: Councilmember Bloxham moved to adjourn the work meeting and convene in a closed meeting at 6:27 p.m. to discuss the Purchase, Exchange, or Lease of Real Property, Including Any Form of a Water Right or Water shares. Councilmember Roberts seconded the motion, which passed unanimously.

MOTION: Councilmember Roberts moved to open the meeting at 7:00 p.m. Councilmember Bloxham seconded the motion, which passed unanimously.

CONSIDERATION TO PARTICIPATE IN THE UTAH COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE)

The agenda item wasn't addressed by the Council.

COUNCILMEMBER TRAINING

No Councilmember training was presented.

MAYOR'S REPORT

No Mayor's report was shared.

The meeting adjourned at 7:00 p.m.

The Closed Meeting reconvened at 7:35 p.m.

Kimberly S Read, City Recorder

SWORN STATEMENT

The undersigned hereby swears and affirms, pursuant to Section 52-4-205(1) of the Utah Code Annotated, that the sole purpose for the closed meetings of the Layton City Council on the **20th day of January, 2022**, was to Discuss the Purchase, Exchange, or Lease of Real Property, Including any Form of a Water Right or Water Shares.

Dated this 7th day of April, 2022.

ATTEST:

JOY PETRO, Mayor

KIMBERLY S READ, City Recorder