

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

FEBRUARY 1, 2024; 5:33 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

ALEX JENSEN, CLINT DRAKE, CHAD WILKINSON, 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:

MAYOR'S REPORT

Mayor Petro announced the following:

- She had sent an email to each Councilmember earlier today providing an update regarding the North Davis Sewer District (NDSD) Board.
- Wasatch Front Regional Council (WFRC) was monitoring items being discussed during this legislative session. She specifically mentioned a 'housing inventory' could be located on its website.
- WFRC Active Transportation Committee had been meeting and reported the State of Utah had been recognized as the largest population based mountain bike riders for high school students and pointed out the importance of connecting the various trails throughout the State.
- Tim Watkins, Layton City's previous City Planner, had been hired with WFRC as a planner.
- Davis County's Homeless Task Force had presented to the Legislature requesting funding. Although the Committee complimented the Task Force's presentation and plan she wasn't optimistic and a discussion followed.
- The Chamber of Commerce's number one priority was the extension of the Davis Behavioral Health housing center, consolidating its housing, on the boarder of Layton and Kaysville City. She mentioned that entity would be requesting assistance from the Legislature and stated it seemed to have momentum. She expressed her opinion it would be a successful project.

COUNCILMEMBER REPORT

Councilmember Roberts reiterated the Chamber's Legislative Affairs Committee was meeting weekly and indicated it was helpful to recognize its assistance on some of the bills, which would impact cities, being considered by the Legislature.

Councilmember Thomas mentioned the Gordon Avenue Town Center public hearing, scheduled for a future City Council meeting. He reported on what had taken place during the Planning Commission's public hearing and a discussion followed.

Chad Wilkinson, Community and Economic Development Director, informed the Council of the history associated with the Gordon Avenue Town Center, which included communication and requests from the public, and revisions from City Staff. He believed Staff had been responsive to the public's requests for the Town Center and reported the Planning Commission unanimously forwarded a positive recommendation to the City Council. He expressed his opinion this would be a unique opportunity for a

cooperative property owner to ensure a quality development. He reported commercial developers which had expressed interest in developing the Town Center would provide the City with a valuable final product which he believed suggested the commercial component would initially take place followed by the multi-family housing.

Councilmember Thomas complimented the Planning Commission Chair, Trevor Steenblik, in managing the public hearing on Tuesday, January 30, 2024.

Councilmember Smith Edmondson suggested the City consider live streaming Planning Commission meetings and Mr. Wilkinson pointed out the importance of the public participating in person during these meetings.

She shared a report for Communities That Care regarding its kick-off meeting from Tuesday, January 30, 2024, at the Intermountain Layton Hospital which experienced a great turnout. She expressed appreciation to City's Parks and Recreation Department for its participation and believed the meeting had been very successful. She stated representation and participation was still needed from Northridge High School and mentioned that would be a focus moving forward. She also mentioned she was attending the Legislature with ULCT (Utah League of Cities and Towns) and shared an update on a few bills and committees she was familiar with.

Councilmember Bloxham inquired what the City knew about Representative Peterson's bill regarding local government fees modification which could potentially affect UTOPIA. Alex Jensen, City Manager, responded UTOPIA Staff believed it wouldn't affect UTOPIA and further explained its current structure.

Councilmember Morris reviewed specific bills related to Land Use and Housing and expressed his concern with a few of them and a discussion followed regarding bills being considered by the Legislature.

COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN FOR FISCAL YEAR 2024-2025

Mr. Wilkinson explained Layton City had been designated as an entitlement Grantee of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) and was required to develop an Annual Action Plan. The Plan identified needs within the City and proposed strategies to meet those needs using the allotment of CDBG funds during the upcoming Program Year, July 1, 2024 to June 30, 2025. HUD regulations required two public hearings during the preparation of the Plan. This was the first public hearing for the purpose of gathering information from the public concerning the needs within Layton City. Community organizations had the opportunity to present requests for assistance with their operational costs. No action was required at this time; the finalized Plan would be presented to the Council during a meeting in May 2024.

He specifically pointed out the \$410,000 appropriation of CDBG funding. He pointed out the illustration shared with the Council was last year's CDBG activities and funding budget. He reported the City had been given an opportunity from Davis School District to purchase a portion of East Layton Elementary property as a way to provide additional building lots for Habitat for Humanity and Have a Heart. He continued to explain these entities provided affordable housing, via donated labor and materials, to qualified low to moderate income buyers. He believed this was a great opportunity to the City to acquire approximately two acres by re-directing the remainder of previously allocated funds from past program years, which had not yet been expended. He mentioned there were time limits associated with appropriations and the City was required to re-allocate and disburse these funds by May 1, 2024. He clarified the remaining \$110,000 would be designated from the 2024-2025 Program Year and indicated the school district had agreed to the arrangement.

Councilmember Morris clarified the School District didn't build the homes and inquired why the City was paying full market price for the property. Mr. Wilkinson responded that was a HUD requirement. Mr. Jensen explained the difference between this transaction and the property purchase for the teen center.

Councilmember Smith Edmondson inquired how many homes could be accommodated on the parcels and Mr. Wilkinson responded at least four and possibly five homes.

Mr. Wilkinson reminded the Council sub-recipients could be in attendance to participate during the public hearing.

Councilmember Bloxham inquired about the possibility of re-allocating the funding to programs which would benefit a greater number people. Mr. Wilkinson reminded the Council about the parameters associated with the funding options. He mentioned the Have a Heart committee was made up of Realtors and reviewed the activities which could be supported by HUD and explained the challenges associated with the Homebuyer Assistance Program and a discussion followed regarding other funding appropriations which could benefit current homeowners.

ANNEXATION AND REZONE REQUEST – BARNEY ANNEXATION AND REZONE – A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL) – ORDINANCE 24-04 AND ORDINANCE 24-05 – APPROXIMATELY 3041 WEST GENTILE STREET

This item was not addressed by the Council.

PROPOSED AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 19 “ZONING”, CHAPTER 19.02 “DEFINITIONS”, 19.05 “GENERAL AND SPECIFIC DEVELOPMENT REGULATIONS”, 19.06 “LAND USE REGULATIONS”, AND 19.12 “OFF STREET PARKING” TO AMEND REQUIREMENTS AND ADD CLARIFICATION FOR IMPERVIOUS SURFACE COVERAGE WITHIN RESIDENTIAL ZONES – ORDINANCE 24-02

Mr. Wilkinson informed the Council, the City had received a Zoning Ordinance text amendment petition from Jeremy Roberts of RPM Construction, on behalf of a Layton City resident. The applicant had submitted a proposal to modify and increase the impervious surface coverage percentage applied to the rear yards in single-family residential zones. He mentioned the City had received an increasing number of requests for pool installations; however, many struggle and become frustrated with restrictions on the location of the pool because of Code constraints specifically related to maximum impervious area coverage requirements. Impervious surface coverage was an important consideration when developing lots within subdivisions as it determined sizing for storm water systems and provided for open areas to allow for water to naturally drain into the ground. Impervious surfaces include any surface which prevents, delays, hinders, or alters the natural absorption of water into the soil, or that causes water to run off the surface in greater quantities or faster than natural conditions. Examples of impervious surfaces include, but were not limited to: structures, concrete or asphalt, walkways, decks, patios, driveways, parking lots, sports courts, pools, and/or other similar surfaces. He mentioned the inconsistencies in the past when identifying the best location for the swimming pool given the constraints of the lot and shared an example.

Staff had reviewed the codes and determined the City’s Code might be too restrictive related to the maximum amount of impervious surface allowed. The City Engineer determined the maximum impervious surface which could be permitted in a rear yard. The maximum lot coverage allowed and maximum coverage of structures in the rear yard setback in single-family zones would not change; however, what counted as a structure, would be clarified. He shared an illustration to further explain the proposed text amendment. Swimming pools, patios, sports courts, etc., would no longer count as a structure when calculating coverage and would amend Chapter 19.06, “Land Use Regulations.” Pools, patios, sports courts, etc., would continue to be considered impervious surfaces and would count towards the overall maximum lot coverage. The Engineering Department had determined the proposed increase in impervious surface area in the rear yard setback would not negatively impact existing storm drain systems as the overall lot coverage would not change.

Additionally, there was potential ambiguity when determining which yard area impervious surfaces were attributed, especially when structures overlap setback lines. To address the ambiguity, the proposed ordinance provided clarification when determining yard areas. The purpose of the amendments was to clarify yard definitions found in Chapter 19.02 “Definitions,” with a graphic in Diagram A-2 to illustrate these definitions. Clarifying language would also be added to Chapter 19.12, “Off Street Parking,” in reference to impervious surface coverage in the front yard in single-family zones.

Impervious surface would be added as a definition, along with clarifications to the definition of hard surface, front yard area, corner side yard, and corner side yard area. Additionally, graphics would be added to help illustrate definitions.

The Council expressed appreciation to Staff for considering whether adjustments to City Code could be made to better accommodate citizens’ requests for residential swimming pools.

PARKS PLANNING UPDATES

David Price, Parks and Recreation Director, was pleased to share a presentation with the Council of its current projects.

Layton Parks Shop Facilities Update

- Guaranteed maximum price completed
- Pre-Construction: February 6, 2024
- Construction Period was estimated to be completed in December 2024

He expressed appreciation to JoEllen Grandy, Parks Planner, for her efforts associated with this project.

Proposed Public Parks Master Plan Review

Ms. Grandy shared an illustration from the 2016 Parks and Recreation Master Plan which the Department followed in determining the service areas for existing and future proposed parks. She reviewed the current parks established within the City. She identified locations identified for future park development and asked if there were any questions.

Mr. Price expressed appreciation to the Council, and previous Councils, for the foresight in acquiring property for future parks.

Councilmember Smith Edmondson inquired if Mr. Price would speak to how the City identified when parks were developed. Mr. Price responded parks were constructed with the use of Park Impact Fees and mentioned that funding source had time constraints and deadlines for when those funds had to be used. He pointed out the last park developed by the City was the result of a partnership with an interested developer who was willing to share in development costs. He also mentioned Staff used an opportunistic approach when acquiring future park space or determining which park would be next recommended for development.

MAYOR’S REPORT

EDA Update

Mr. Wilkinson provided a brief update regarding the East Gate Economic Development Area (EDA). He explained the City was in receipt of the Interlocal Agreement with the Davis School District extending its participation in the EDA. This action required the City to follow State Code specific to noticing within the EDA and explained the residents within the area could easily be confused regarding the specific language required in the mailed notice. He emphasized this action would not result in any tax increase because of the action and this would be a 30-day notice.

CLOSED SESSION TO DISCUSS THE CHARACTER AND/OR COMPETENCY OF AN INDIVIDUAL(S), PENDING OR REASONABLY IMMINENT LITIGATION, PURCHASE, SALE, EXCHANGE OR LEASE OF REAL PROPERTY, WATER RIGHTS OR SHARES, AND/OR DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS AS PERMITTED UNDER UTAH CODE 52-4-205

MOTION: Councilmember Smith Edmondson moved to adjourn the meeting and convene in a closed meeting at 6:35 p.m. to discuss the Character and/or Competency of an Individual(s), and Discuss Pending or Reasonably Imminent Litigation. Councilmember Thomas seconded the motion, which passed unanimously.

MOTION: Councilmember Smith Edmondson moved to open the meeting at 7:10 p.m. Councilmember Thomas seconded the motion, which passed unanimously.

The meeting adjourned at 7:10 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 meeting of the Layton City Council on the **1st day of February, 2024**, was to Discuss the Character and/or Competency of an Individual, and; Discuss Pending or Reasonably Imminent Litigation.

Dated this 4th day of April, 2024.

ATTEST:

JOY PETRO, Mayor

KIMBERLY S READ, City Recorder