MINUTES OF LAYTON CITY COUNCIL WORK MEETING | **OCTOBER 17, 2024; 5:30 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: **MAYOR JOY PETRO, CLINT MORRIS, BETTINA SMITH EDMONDSON, AND DAVE THOMAS**

PARTICIPATING ELECTRONICALLY: **ZACH BLOXHAM AND TYSON ROBERTS**

STAFF PRESENT: **ALEX JENSEN, DARREN CURTIS, STEPHEN JACKSON, CHAD WILKINSON, ED FRAZIER, AND KIM READ**

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

Mayor Petro opened the meeting and announced Councilmembers Bloxham and Roberts were participating electronically.

AGENDA:

MAYOR'S REPORT

Mayor Petro informed the Council a scholarship program and automatic admissions to Weber State University, Davis Technical College, and Ogden Applied Technical College, was announced this past Friday, October 11, 2024, during a ceremony at Northridge High School. She pointed out many high school students were already receiving some type of college credit and would now automatically be accepted into these various higher education facilities.

She reported she and Councilmember Smith Edmondson had participated with the Utah League of Cities and Towns (ULCT) Dignity Index in Salt Lake on that same day, Friday, October 11, 2024. She mentioned Dr. Tim Shriver had shared a presentation.

She informed the Council of her participation with the City's Parks and Recreation Department's tours of some aquatic facilities and shared what she had learned.

Davis County COG (Council of Government) Meeting took place last night, Wednesday, October 16, 2024 and Wayne Niederhauser, State Homeless Coordinator, shared a presentation of the identified plan for Code Blue, which would be put forth before the State Task Force Board for approval. She reminded the Council of the three plans identified by the Davis County Task Force: a bus, portable tent, existing facilities which would be alternated, and announced the identified plan being proposed to the State Task Force Board would be the third option. She announced the Presbyterian Church in Fruit Heights, would be the first priority location, with the Clearfield Senior Citizen Center, the Kaysville Inspection Center, and the Valley View Golf Course, in order of prioritization. She mentioned the pick-up locations would be in Walmart parking lots and explained how the program would operate with volunteers. A discussion followed with Mayor Petro explaining how Code Blue would be implemented in Davis County. She emphasized this plan had been presented last night.

North Davis Sewer District (NDSD) would soon be concluding its construction project along Hill Field Road this week.

COUNCILMEMBER'S REPORT

Councilmember Smith Edmondson commented about the Dignity Index meeting she had attended last week with Mayor Petro and explained its purpose was to encourage dignity and humanity in politics. She reminded the Council Dr. Shriver had spoken during a previous ULCT Conference and reported he had a partnership with the University of Utah to identify a 'dignity' index to benefit the public. She explained this was intended to promote respect among elected officials and expressed confidence in the concept and subsequent program.

She updated the Council regarding Communities that Care (CTC) mentioning the Community Board had met earlier in the week and explained the youth focus sessions which would be used to identify whether programs currently offered were meeting the needs of the youth. She mentioned the participating youth were providing insightful feedback. She also explained the new implementation of orientations for new participants would assist with the recruitment focus.

She announced LPC (Legislative Policy Committee) would begin meeting on Monday, October 21, 2024, and an additional discussion regarding homelessness would follow. She planned to attend and indicated it had expressed interest in Layton City's opinion.

Councilmember Thomas announced the City's Halloween Bash scheduled for Friday, October 18, 2024, would either take place at the Kenley Amphitheater Plaza or at Central Davis Jr. High, if there was inclement weather.

He heard Clearfield City would be constructing 600-1,000 housing units near its FrontRunner Station, which he understood would be an 'affordable housing' product.

YOUNG AUTOMOTIVE GROUP PRESENTATION

Mayor Petro acknowledged the representatives from Young Automotive Group at the meeting.

Spencer Young Jr. distributed handouts reflecting its current facilities and renderings of desired future facilities to the City Council and shared a presentation. He informed the Council it recently purchased the Cutrubus Audi/Volkswagen/Chrysler dealership in Layton and explained why the Audi dealership would need to be separated from that dealership/store. Audi desired its new facility to be located in Farmington due to the proximity of Mercedes dealership. He also announced the opportunity Young Automotive had with establishing a new Genesis dealership in Layton, proposed to be located near the current Kia dealership. He added the Genesis representative, over development, had also expressed his desire for this dealership to be located in Farmington. Mr. Young reminded the Council of Young Automotive's presence in Layton City referencing the various facilities/buildings.

He referenced an illustration reflecting the current Volkswagen/Audi campus on Google Earth and explained how its development team proposed to demolish the current building and construct a new facility to accommodate the two dealerships as a phased project. He pointed out the current detention pond at the rear of the facility and near the flyover. He requested the City convey the detention parcel, needed to accommodate the new facilities, to Young Automotive and reported it had already purchased the needed materials to bury the detention pond in order for the property to be used as part of the dealership. He presented new ideas for Young Automotive, identified the value of the current dealerships and estimated value of the proposed dealerships. He emphasized Farmington City was prepared to incentivize both Audi and Genesis to establish their respective dealerships there. He believed the public/private partnership between Layton City and Young had been successful over the many years it had had a presence within the City. He also identified new ideas for adjacent properties near the Young Powersports dealership along Main Street.

Chanel Flores, Davis County Economic Development, expressed the County's desire to help facilitate an agreement between Layton City and the Young Automotive. She distributed a handout prepared by the Utah League of Cities and Towns (ULCT) in 2022 illustrating retail incentives allowed by legislation. She indicated the County would be willing to assist in creating a CRA (Community Reinvestment Area) to facilitate and participate in the project. She emphasized funding could be used to complete public infrastructure and identified some of those allowances.

A discussion followed and Stephen Jackson, Public Works Director, pointed out UDOT (Utah Department of Transportation) would need to participate in the agreement since a significant portion of water from Interstate 15 was directed to the detention basin. Mayor Petro clarified the City would need to initiate the creation of the RDA (Redevelopment Agency) to the participating taxing entities.

Mr. Young identified other options available to them, establishing dealerships in Farmington, and indicated those were also being considered. The discussion continued.

Representatives from Young Automotive and Ms. Flores left the meeting at 6:18 PM.

INTERLOCAL COOPERATION AGREEMENT BETWEEN LAYTON CITY AND WEBER BASIN WATER CONSERVANCY DISTRICT FOR WATER RESOURCES CONSERVATION PROJECT REIMBURSEMENT – RESOLUTION 24-29

Stephen Jackson, Public Works Director, explained Weber Basin Water Conservancy District (WBWCD) recently applied for an infrastructure grant offered by the Governor's Office of Economic Opportunity (GOEO) intended to conserve water resources through the elimination of water loss and optimized water conveyance. He mentioned flood irrigation was still being used in the Holmes Creek service area in the southeastern portion of the City. As part of the grant, WBWCD needed to identify options for optimizing the system and improve water use in this area and approached the City in an effort to work together with identifying a project as a solution. Two ideas were proposed: the first project would be to connect Holmes Creek Reservoir to Andy Adams Reservoir and commented this was on the City's Water Master Plan. He shared an illustration identifying how the water would be piped from Holmes Creek Reservoir allowing the City to use that water within its pressurized system moving forward. The costs associated with this project would be approximately $1.2 million.

The second component: there were some small parcels within the City still using flood irrigation. The proposal would be to incentivize these urban flood irrigators in these service areas to switch over to the culinary water system. The proposal would have the City purchasing those water shares, costs associated with installing a sprinkler system, and the cost differential between the two separate rates for 10 years. Mr. Jackson identified the benefits to the City associated with this scenario and emphasized both projects were part of the City's Water Master Plan. A discussion followed.

Mr. Jackson shared an illustration that identified the eligible parcels, those under two acres in size, which would be offered the incentive to purchase the water shares in exchange for participation in the City's culinary water system. He reported letters had been sent to these users and clarified WBWCD had requested assistance from the City in administering the grant program and explained WBWCD would be responsible for reimbursement to the City and added if all property owners accepted the offer, the total cost for the project would be approximately $765,000. Mr. Jackson added conversations had taken place with Holmes Creek Irrigation shareholders and emphasized the City didn't pressure the shareholders regarding the grant opportunity and a discussion took place. He expressed his opinion this was a fair offer which wouldn't be offered in the future and the discussion continued.

Councilmember Roberts clarified there would be no additional costs to the property owners once they convert to the culinary system and Mr. Jackson responded in the affirmative.

Alex Jensen, City Manager, clarified the grant was written in such a way that it would cover both the water shares and costs associated with connecting to the culinary system and pointed out any remaining funds could be appropriated toward other water optimization projects before the end of 2024 because of the ARPA (American Rescue Plan Act) funding source and the discussion continued.

PROPOSED AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 19 ZONING, CHAPTER 19.06 LAND USE REGULATIONS, SECTION 19.06.000 TABLES 6-1, 6-2, AND 6-3 TO ALLOW TATTOO PARLORS IN THE PB (PROFESSIONAL BUSINESS) ZONE

Chad Wilkinson, Community and Economic Development Director, informed the Council the proposed agenda item was submitted by a property owner requesting the use of a tattoo establishment to be allowed within the PB (Professional Business) zone. He shared a brief history associated with the parcel, which was illegally created approximately 30 years ago. When the property owner, at that time, attempted to develop the parcel the City instructed the owner development couldn't occur unless the illegal parcel split was undone. In an effort by the City to work with the property owner in creating a property compliant with zoning standards, offered the rezone option for the smaller lot size without undoing the illegal split. The owner chose to rezone the parcel to the PB zone, which had restrictions associated with its uses. He informed the Council a new property owner was now requesting a change to zoning standards for the PB zone in order to allow for a tattoo establishment at this specific parcel. He pointed out the core issue was whether the City should change a code because the property was purchased without knowing a particular use wasn't allowed. He emphasized there were 350 acres of property within the City which currently allowed for tattoo establishment use.

He referenced a map illustration and identified the location of this particular parcel pointing out the surrounding properties and their respective zoning uses of Commercial and C-H (Planned Commercial Highway). He added this wasn't a typical type of location where a PB zone would exist explaining these parcels were typically located on the edges of single-family residential neighborhoods and referenced a map which illustrated these locations and oriented the Council to the specific locations. He emphasized one of the defining characteristics of the zone was that it was intended to be 'transitional' in providing some limited commercial use which was neighborhood supporting. Staff believed the proposed use would be incompatible for this particular zoning district.

He reported there had been considerable discussion by the Planning Commission, and suggested the Council had probably read those minutes, and whether judgment on the use itself was being imposed. He clarified Staff's position was based on operational characteristics, as well as the characteristic of the zone itself; meant to limit commercial use, concluded it wouldn't be appropriate to expand another commercial use in the PB zone. He emphasized the discussion should be about further limiting uses within the PB zone as opposed to expansion to another commercial use. He declared Staff recommended denial to the Planning Commission and it subsequently recommended denial based on operational characteristics of the zone.

A discussion followed regarding the illegal parcel split and creation of the illegal subdivision. Councilmember Smith Edmondson inquired whether the current property owners were aware of all their options and Mr. Wilkinson responded in the affirmative. Mr. Jensen reported discussions had taken place between Staff and the property owner even before the request came before the Planning Commission and mentioned there was no possible agreement with a tenant requesting this use.

Councilmember Morris expressed concern regarding similar methods associated with permanent make-up in beauty salons were allowed in PB zones and expressed his opinion there was stigma attached to tattoo establishments. Councilmember Bloxham stated he wasn't concerned so much with how the illegal property split affected the parcel; rather, whether the request to add this use to the PB zone, generally, would be good public policy decision. He requested Mr. Wilkinson explain why tattoos, specifically, wouldn't be a good use within the PB zone, whereas, permanent make-up would be.

Mr. Wilkinson emphasized the PB zone was meant to be limited in the number of allowed uses. He also stated there were differences between the permanent make-up process compared to the tattoo process. He pointed out the PB zone should be a limited neighborhood zone with a focus on what would be appropriate for a neighborhood; impacts based on operational hours, operational characteristics, parking, etc. He added tattoo establishments required Health Department permitting emphasizing if this request was granted, the use would change for every PB zoned parcel throughout the entire City.

Councilmember Morris suggested implementing specific conditions/limitations for tattoo establishments and Mr. Wilkinson responded the City could do that; however, that wasn't the request. He clarified the request before the Council at this time would be to allow tattoo establishments to operate within the PB zone, and the discussion continued.

Mayor Petro suggested further discussion could take place during the Council Meeting since the request was on the agenda.

The meeting adjourned at 7:02 p.m.

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Kimberly S Read, City Recorder