

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

NOVEMBER 7, 2024; 5:31 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, STEPHEN JACKSON, DAVID PRICE, JOELLEN GRANDY, ALLEN SWANSON, 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 reminded the Council she had provided an email update regarding North Davis Sewer District (NDSD) projects and mentioned the Hill Field Road project was nearing completion. She mentioned the Fairfield Road project would soon begin.

She reported a Wasatch Integrated Board Meeting took place on Wednesday, November 6, 2024 and encouraged participation in its open house scheduled for Friday, November 15, 2024. She mentioned a food truck would be at the event.

COUNCILMEMBER'S REPORTS

Councilmember Thomas informed the Council about his recent accident he experienced in his shop.

Councilmember Smith Edmondson informed the Council of an upcoming CTC (Communities That Care) meeting scheduled for Wednesday, November 13, 2024. She mentioned a resident had inquired about an update regarding the Gordon Avenue Town Center east of Gentile Street near Highway 89. Chad Wilkinson, Community and Economic Development Director, responded the City had been negotiating the Development Agreement with UDOT (Utah Department of Transportation) for the Transportation Reinvestment Zone component. He mentioned a consultant would be presenting options to both the City Council and Planning Commission.

Mayor Petro announced she had requested pizza from Louie's for her birthday treat and suggested a short break allowing the Council to get a slice.

Councilmember Roberts reported Legislative Affairs Committee had met earlier today finalizing priority documents for the upcoming legislative session. He stated two legislators were in attendance and both suggested 'housing' would be a big issue this legislative session. He mentioned a contingent of residents attended the Parks and Recreation Commission Meeting requesting a dog park within the City. JoEllen Grandy, Parks Planner, had shared a presentation and a good discussion had taken place. He reported there were currently three vacancies on the Commission and applications were available on the City's website. He informed the Council visits to the Heritage Museum had surpassed visits from last year.

Councilmember Smith Edmondson added Davis County representatives had a brief discussion following the last LPC (Legislative Policy Committee) meeting on Monday, October 21, 2024, during which a discussion specific to the Davis County Homeless Taskforce had been given to ULCT (Utah League of Cities and Towns) to take back to the legislature. She spoke to identified concerns specific to the lack of transparency which contributed to confusion from the various entities. She emphasized the Taskforce and its assignment was mandated by the State Legislature.

Councilmember Morris expressed concern this could potentially result with another mandate without representation.

Mayor Petro believed she had kept the Council abreast of the various options considered by the Task Force and a discussion followed. Councilmember Smith Edmondson expressed her opinion a designated party needed to be identified in order to receive State funding. Mayor Petro informed the Council it's responses to any questions regarding Code Blue should be referred to the County.

Councilmember Morris reported he had attended a ULCT Board Meeting this past week and mentioned the majority of the conversations centered around two topics: water policy as is related to infrastructure funding, and housing, specific to by-right zoning and ownership. He indicated he would like to spend some time with Mr. Wilkinson to identify the City's housing stock and prepare a housing stock, including multi-family, single-family detached, and other entitled units, to report to the seven legislators representing Layton City prior to the beginning of the legislative session. A discussion followed.

GENERAL PLAN AMENDMENT – LAYTON CITY TRANSPORTATION AND PARKS AND RECREATION ELEMENT OF THE GENERAL PLAN BY THE ADOPTION OF THE LAYTON CITY ACTIVE TRANSPORTATION PLAN – ORDINANCE 24-29

Ms. Grandy reminded the Council it had received a copy of the Plan a few months ago and tonight would be an overview. She reviewed the purpose of the Plan, to provide a safe environment for walking and bicycling within Layton City. She reviewed the timeline and planning process and identified members of the Steering Committee. She reviewed the identified goals used by the Committee to provide guidance in establishing the Plan. She shared a visual illustration which identified the fragmented sections identified by the analysis. She briefly reviewed the needed infrastructure recommendations such as bike routes and lanes, mid-block crossings, as well as the non-infrastructure recommendations such as policies and programs. She identified the project prioritization improvements. She mentioned the consultants had provided not only cost estimates but also suggestions for funding resources and coordination. She asked if there were any questions and a discussion followed about possible future enforcement of speeds for various electric modes of transportation.

REVIEW OF CITY LANDSCAPE ORDINANCE

Mr. Wilkinson reminded the Council it recently adopted a Water-wise Landscape Ordinance in 2021, which happened to coincide with the drought year, although Staff had begun work prior to that year. Amendments and clarifications had been made to the ordinance in 2023. He reviewed the various times in which Staff would require compliance with the new landscaping ordinance and shared some successful examples. He also shared situations in which business owners had the option to either comply with the new landscaping ordinance or meet compliance to previous codes applicable to the property. He pointed out enforcement wasn't being done selectively and emphasized Staff desired to work towards compliance and shared some examples.

Councilmember Bloxham requested clarification specific to the connection between interior remodeling and how it came to be included within the landscape ordinance. Mr. Wilkinson reminded the Council of discussions which took place which concluded with proportional investment with the property based on a percentage requirement of square footage or specific dollar value threshold. Councilmember Bloxham expressed concern the landscape ordinance created a disincentive toward business.

Mr. Wilkinson believed the new ordinance eliminated the disincentive since it was incremental and proportional and a discussion followed.

Mr. Wilkinson reviewed the landscape maintenance code with the Council and shared photos which illustrated non-compliance to the City's ordinance, and in some instances followed by compliance, and a discussion took place.

He emphasized the importance of the aesthetics of a City for commercial properties and assured the Council, City Staff had been willing to work with businesses toward compliance and the discussion continued. He also pointed out because the Council adopted the ordinance, Staff had the obligation to uphold the ordinance and didn't have the discretion to pick and choose which businesses didn't have to meet compliance. Councilmember Smith Edmondson suggested the City be pro-active with informing businesses of landscaping requirements before the business inadvertently modifies any landscaping resulting in non-compliance.

The Work Meeting adjourned at 7:01 PM.

The Work Meeting reconvened at 8:02 PM.

REVIEW OF PROFESSIONAL BUSINESS (PB) ZONE USES

Mr. Wilkinson stated the discussion would be centered on a land use issue, and in this case adjacent parcels to residential zones pointing out the intent was to limit uses due to that proximity. He shared an example to illustrate a possible unintended consequence with the allowances in a PB zone. He explained how Staff had become informed of the differences between body art tattoo and permanent makeup applications. He emphasized Staff hadn't been uncomfortable with allowing permanent makeup throughout the City. He shared illustrations identifying locations where body art tattoos establishments were currently located, generally within commercial strip malls.

Alex Jensen, City Manager, emphasized the recent request to allow body art tattoo uses within the PB zone would be applicable to the entire City as a whole. He clarified this particular applicant had available options to work with adjacent property owners which would allow the property to be properly zoned for a body art tattoo establishment at this specific location. He also pointed out the applicant didn't have a proposed tenant requesting this use at this time; rather, it was a matter of principle. He shared some examples which illustrated how judgments were applied in nearly every situation requiring zoning classifications and a discussion followed.

Mr. Wilkinson clarified Staff would proceed through the necessary exercises to amend the land use if so directed by the Council; however, based on the number of requests suggested it wouldn't be necessary. He also pointed out State Law didn't require the City to honor a variance due to self-induced circumstances.

Councilmember Smith Edmondson clarified her desire for further discussion would be to identify whether there were uses within the PB zone which were no longer applicable or other uses which needed to be added. She suggested permanent make-up use in a beauty salon should be included in the table to provide clarification. Mr. Wilkinson indicated Staff would make that change due to direction from the Council.

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

CLOSED MEETING:

MOTION: Councilmember Roberts moved to adjourn the meeting and convene in a closed meeting at 8:36 p.m. to discuss the Purchase, Sale, Exchange, or Lease of Real Property, Including Any Form of a

Water Right or Water Shares. Councilmember Smith Edmondson seconded the motion, which passed unanimously.

MOTION: Councilmember Smith Edmondson moved to open the meeting at 9:38 p.m. Councilmember Roberts seconded the motion, which passed unanimously.

SIDEWALK INFRASTRUCTURE DISCUSSION

Mr. Jensen explained the issues associated with sidewalks within the Kays Creek Estates due to the trees which were planted in the park strips. A discussion took place whether the type of trees planted were on an approved list and Mr. Wilkinson responded the City didn't have a standard at that time. He clarified Staff was seeking direction from the Council relative to the City's approach with the residents and announced the proposal would be sharing removal costs with the homeowners. Stephen Jackson, Public Works Director, briefly identified costs and what the City was willing to contribute toward these costs for each line item. He added the number of trees for each property owner weren't the same: some properties had four and others had two, so the dollar amount wouldn't be equal for each property owner. Mr. Jensen also mentioned Staff was proposing including the HOA (Homeowner's Association) in these discussions.

The meeting adjourned at 9:47 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 **7th day of November, 2024**, was to discuss the acquisition of real property.

Dated this 16th day of January, 2025.

ATTEST:

JOY PETRO, Mayor

KIMBERLY S READ, City Recorder