

**WORK MEETING AGENDA OF THE CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Conference Room in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **5:30 PM on February 4, 2016**.

**Item:**

1. Utah Department of Transportation (UDOT) Update - I-15 Hill Field Road Single Point Urban Interchange (SPUI) Project
  
2. Supporting Legislation to Tax and Regulate Electronic Cigarettes - Resolution 16-06
  
3. Water Exchange Agreement between Layton City and Destination Homes, Inc. – Resolution 16-04
  
4. Amend Layton Municipal Code – Title 3 (Revenue & Finance), Section 3.15.10 (Consolidated Fee Schedule of Layton City Corporation); and Title 19 (Zoning), Sections 19.06.010 (Definitions), 19.21.020(8) (General Regulations) and 19.21.045 (Mobile Food Vendor) Establishing Regulations for Mobile Food Vendors – Ordinance 16-06
  
5. Discussion - Conference Center Signage
  
6. Mayor's Report

In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.

This meeting may involve the use of electronic communications for some of the members of the public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.

Notice is hereby given that by motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.

**Date:** \_\_\_\_\_ **By:** \_\_\_\_\_  
**Thieda Wellman, City Recorder**

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 1.

**Subject:**

Utah Department of Transportation (UDOT) Update - I-15 Hill Field Road Single Point Urban Interchange (SPUI) Project

**Background:**

Mr. Brett Slater, UDOT Project Manager and Ms. Aubry Bennion, Public Information Manager from AECOM, have been asked to give the Mayor and Council an update on the I-15 Hill Field Road SPUI project.

**Alternatives:**

N/A

**Recommendation:**

N/A

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 2.

**Subject:**

Supporting Legislation to Tax and Regulate Electronic Cigarettes - Resolution 16-06

**Background:**

The increasing popularity of Electronic Cigarettes and "vaping" has become apparent. It must be noted that Electronic Nicotine Delivery Systems (ENDS), also known as Electronic Cigarettes (E-Cigarettes), vapes, or vape pens, typically contain nicotine, which has been proven to be a highly addictive substance. Nicotine has immediate bio-chemical effects on the brain and body, is toxic in concentrated doses, and has been known to affect the youth brain disproportionately. The FDA has found that the inhaled and second-hand vapor created by ENDS contain a number of chemical compounds which are suspected of being harmful to humans.

From 2013 to 2015, the percentage of 8th to 12th graders in Utah using ENDS has nearly doubled. Youth are actively targeted to acquire and use ENDS through flavoring and colors in ENDS liquids and advertising that include celebrities and music that are appealing to youth. Currently, there are no federal or state regulations that prevent advertising of ENDS to minors. In Utah ENDS liquids containing nicotine are not taxed as a tobacco product, even though the nicotine contained in ENDS liquids is derived from tobacco. ENDS liquids are inexpensive and affordable, making them more accessible for youth. The sale via the Internet of ENDS liquids containing nicotine to non-licensed persons – which include youth – is not prohibited in Utah as is the sale of all other tobacco products. Studies indicate that absent statutes prohibiting the sales of ENDS liquids containing nicotine on the Internet enables online vendors to regularly sell those liquids to teens age 14 to 17. Research indicates that in Utah the Internet is a highly popular means through which youth acquire ENDS liquid.

A State statutory provision could help protect youth from the use of and exposure to Electronic Nicotine Delivery Systems (Electronic Cigarettes) if it provided for advertising restrictions that limit the means by which ENDS mechanisms and liquids can be advertised; taxation of ENDS liquids containing nicotine at the same level as the tax on other tobacco products, which would increase their price and deter youth from purchasing those liquids; and prohibit the Internet sale of ENDS liquid containing nicotine to unlicensed persons, which will deter the sale of those liquids to youth by Internet vendors.

**Alternatives:**

Alternatives are to 1) Adopt Resolution 16-06 supporting legislation to tax and regulate electronic cigarettes; 2) Adopt Resolution 16-06 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 16-06 and remand to Staff with directions.

**Recommendation:**

Staff recommends the Council adopt Resolution 16-06 supporting legislation to tax and regulate electronic cigarettes.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 3.

**Subject:**

Water Exchange Agreement between Layton City and Destination Homes, Inc. – Resolution 16-04

**Background:**

Layton City has certain water shares issued by the Davis and Weber Counties Canal Company (Davis Weber). Destination Homes, Inc. (Owner) has certain water shares issued by the Kays Creek Irrigation Company (Kays Creek). Owner and City desire to exchange, acre-foot for acre-foot, approximately 9 acre-feet of water, represented by the corresponding number of shares (Shares) in the respective water companies. Exchanging Shares will be mutually beneficial for City and Owner. Owner and City have come to an agreement regarding the exchange of an equal number of acre-feet of Davis Weber water shares for Kays Creek water shares.

**Alternatives:**

Alternatives are to 1) Adopt Resolution 16-04 authorizing the Water Exchange Agreement between Layton City and Destination Homes, Inc.; 2) Adopt Resolution 16-04 with any amendments the Council deems appropriate; or 3) Not Adopt Resolution 16-04 and remand to Staff with directions.

**Recommendation:**

Staff recommends the Council adopt Resolution 16-04 authorizing the Water Exchange Agreement between Layton City and Destination Homes, Inc. and authorize the Mayor to execute the agreement.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 4.

**Subject:**

Amend Layton Municipal Code – Title 3 (Revenue & Finance), Section 3.15.10 (Consolidated Fee Schedule of Layton City Corporation); and Title 19 (Zoning), Sections 19.06.010 (Definitions), 19.21.020(8) (General Regulations) and 19.21.045 (Mobile Food Vendor) Establishing Regulations for Mobile Food Vendors – Ordinance 16-06

**Background:**

Within the last few years mobile food vendors (food trucks and trailers) have become a fast growing segment within the dining industry. This past spring and summer, Staff has seen an increased desire for food trucks to locate within Layton City, as well as businesses requesting food trucks to operate temporarily or long term at their location. The existing City code does not adequately address issues specific to food trucks and trailers, such as, requested flexibility of locations, vendor size, and safety concerns that come with mobile food vending.

This proposed amendment to the zoning ordinance provides regulations and guidelines for mobile food vendors. Staff first presented research to the Planning Commission for mobile food vendors on September 22, 2015, during a work meeting. Staff continued to compile research and on October 13, 2015, during a work meeting the Planning Commission continued their review of the mobile food vendor ordinance and requested Staff make adjustments to the ordinance. On November 10, 2015, the Planning Commission held a public hearing and forwarded a positive recommendation to the Council to approve regulations and guidelines for mobile food vendors.

On December 17, 2015, the Council held a public hearing to review the proposed mobile food vendor ordinance. It was mentioned that mobile food vendors wanting to operate within the City for any period of time would have to obtain a commercial license at the cost of \$120 dollars, plus \$50 dollars for an annual inspection conducted by the Fire Department. In addition, a mobile food court would be permitted under a single event permit which can only last for seven consecutive days. Some Council Members were concerned the fee structure was too high, especially for vendors that want to operate a food court on a weekly schedule. Since that time, Staff has collected feedback from mobile food vendors and The Food Truck League (a local food truck event organizer) to determine appropriate language for regulating mobile food vendors and fees.

The ordinance amendment includes permitting mobile food courts under a mobile food court permit and allowing mobile food vendors to operate under one of two types of licenses; (1) Mobile Food Vendor License or (2) Mobile Food Event License. Event and individual vendor fees are outlined in the attached amendment to the Consolidated Fee Schedule. An Event License allows vendors to only operate at pre-approved mobile food court locations. Individually licensed vendors are permitted to operate at food court locations, in the public right-of-way on roads with speed limits 35 miles per hour or less and to operate on private property within the B-RP, C-H, CP-1, CP-2, CP-3, M-1, M-2, MU and MU-TOD zoning districts. Additional requirements for mobile food vendors include a 200 foot buffer from restaurants, schools and parks, Fire Department standards, and criminal background check requirements. Included are map examples illustrating

permitted areas and buffers.

**Alternatives:**

Alternatives are to 1) Adopt Ordinance 16-06 approving the amendments to the Layton Municipal Code Title 3 (Revenue & Finance), Section 3.15.10 (Consolidated Fee Schedule of Layton City Corporation); and Title 19 (Zoning), Sections 19.06.010 (Definitions), 19.21.020(8) (General Regulations) and 19.21.045 (Mobile Food Vendor) establishing regulations for mobile food vendors; 2) Adopt Ordinance 16-06 with modifications or additions; or 3) Not adopt Ordinance 16-06.

**Recommendation:**

On November 10, 2015, the Planning Commission unanimously recommended the Council adopt Ordinance 16-06 approving the amendments to Title 19 (Zoning), Sections 19.06.010 (Definitions), 19.21.020(8) (General Regulations) and 19.21.045 (Mobile Food Vendor) of the Layton Municipal Code establishing regulations for mobile food vendors.

Staff supports the recommendation of the Planning Commission in regards to amending Sections 19.06.010, 19.21.010, 19.21.020 and 19.21.045 of the Layton Municipal Code. Staff also supports amending Title 3 (Revenue & Finance), Section 3.15.10 (Consolidated Fee Schedule of Layton City Corporation) as outlined in the attached amendment.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 5.

**Subject:**

Discussion - Conference Center Signage

**Background:**

N/A

**Alternatives:**

N/A

**Recommendation:**

N/A

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 6.

**Subject:**

Mayor's Report

**Background:**

N/A

**Alternatives:**

N/A

**Recommendation:**

N/A