MINUTES OF LAYTON CITY COUNCIL MEETING — **MARCH 19, 2026; 7:00 P.M.**

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

ABSENT: **ZACH BLOXHAM**

STAFF PRESENT: **ALEX JENSEN, CLINT DRAKE, STEPHEN JACKSON, WESTON APPLONIE, DAVID PRICE, AND KIM READ**

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

Mayor Petro opened the meeting and welcomed the public. Irene Hill, Faith Baptist Church, offered the invocation and Mayor Petro led the Pledge of Allegiance.

Mayor Petro recognized Addisen Hedgepeth, Youth City Council. Ms. Hedgepeth mentioned the Youth Council recently had the opportunity to participate with other Youth Councils in some training at Utah State University and announced her favorite session was on 'civility'.

Mayor Petro also acknowledged the Boy Scouts in the audience and had them introduce themselves. Scouts from Troops 007 and 407 were in attendance.

MINUTES:

MOTION: Councilmember Smith Edmondson moved and Councilmember Morris seconded to approve the minutes of:

Layton City Council Work Meeting – January 15, 2026;
Layton City Council Meeting – January 15, 2026;
Layton City Council Work Meeting – February 5, 2026; ***as corrected***
Layton City Council Meeting – February 5, 2026.

The vote was unanimous to approve the minutes as written and corrected.

Mayor Petro recognized Councilmember Bloxham's absence from the meeting and announced he was ill.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Thomas announced the following Parks and Recreation events:

- Night at the Library would take place Friday, March 20, 2026, from 6:30-8:00 PM at the Davis County Library North branch in Layton. It would be a free event with a focus on America's history.
- Layton Heritage Museum would be hatching baby chicks.
- Easter Egg Dive was scheduled for Saturday, March 21, 2026, from 10:00 AM to 12:00 noon at Surf 'n Swim. He mentioned admission would be $3 and participants would be allowed to swim following the egg dive.
- Various spring sport registrations were currently taking place and reviewed a few.

Councilmember Smith Edmondson announced the Bolder Way Forward Coalition would be hosting a Spring Meet-up on Monday, March 23, 2026 from 6:00-7:30 PM at the Davis County Memorial Courthouse. She mentioned light refreshments would be served and reported information provided would be specific to Davis County surveys completed by Davis County residents.

She announced Lovee's Cakes, a local Layton City bakery, would be sponsoring a promotion for K-12th grade students which received a report reflecting all A's in exchange for a free cupcake or cookie. Report cards reflecting A's and B's would receive a discount on a cupcake or cookie. Students either need to present the report card, a school ID or be accompanied by a parent, in order to either receive the treat or discount. It was their desire to promote and encourage education within the community.

PRESENTATIONS:

Mayor Petro announced the Council would be recognizing two Boy Scouts which had achieved the rank of Eagle Scout.

EAGLE SCOUT LETTERS OF CONGRATULATIONS

Walker Heiner, Eagle Scout, was recognized by the Council. Councilmember Smith Edmondson read a letter of congratulations to Mr. Heiner.

Easton Heiner, Eagle Scout, was also recognized by the Council. Mayor Petro read a letter of congratulations to Mr. Heiner.

Mayor Petro expressed appreciation to the Scouting Program and the scouts in attendance.

CITIZEN COMMENTS:

Wayne Potter, resident, suggested the Council consider the vacant property near Highway 89, currently being auctioned by UDOT (Utah Department of Transportation), for development of a City Sports Park facility in the eastern portion of the City.

CONSENT AGENDA:

BID AWARD – ORMOND CONSTRUCTION, INC. – 490 WEST HILL FIELD ROAD, PROJECT 25-43 – RESOLUTION 26-17 – ALONG A PRIVATE DRIVE LOCATED BETWEEN APPROXIMATELY 490 WEST AND NORTH HILL FIELD ROAD AND ALONG HILL FIELD ROAD BETWEEN APPROXIMATELY 2300 NORTH AND 2340 NORTH

Stephen Jackson, Public Works Director, introduced the agenda item and shared a visual illustration which identified the location of the proposed project and identified the challenges associated with the location. He reviewed the scope and specifics of the project. He reported the City had proceeded through a bid process with one bid being received by Ormond Construction with a bid amount of $306,159. The engineer's estimate was $275,000.

Staff recommended approval and he asked if there were any questions.

Councilmember Thomas inquired whether the project would impact Hill Field Road and Mr. Jackson responded the project would be in the right-of-way.

ADOPT AN ORDINANCE PROHIBITING VIRTUAL CURRENCY KIOSKS, ALSO KNOWN AS CRYPTO AUTOMATED TELLER MACHINES (CRYPTO ATMS), FROM BUSINESSES WITHIN LAYTON CITY LIMITS – ORDINANCE 26-07

Clint Drake, City Attorney, introduced the agenda item and explained that several virtual currency kiosks were located within Layton City, which resembled ATM's; however, they don't operate the same way. He further explained the Police Department had completed numerous investigation cases and determined these were used to defraud citizens of considerable amounts of money. He reported between the years of 2021 through 2025, Layton City residents had lost more then $2 million through these kiosks. He shared examples of the dollar amount of some transactions and stated that once funds were deposited into the kiosk machines, they could not be recovered. He reminded the Council of the presentation shared by the Police Department during a previous work meeting. He reported the State of Iowa had also completed some research and it determined that 98% of transactions through virtual currency kiosks were fraudulent; based on that information, as well as the experience of City residents and reports taken by the Police Department, Staff recommended adoption of the ordinance prohibiting virtual kiosks within the City. He briefly reviewed the regulations of the ordinance. He clarified the ordinance wouldn't restrict or prohibit the use of virtual currency; rather, only the use of the kiosk terminals.

He asked if there were any questions.

Councilmember Smith Edmondson requested clarification regarding the amount of money which had been lost to victims in Layton City and Mr. Drake responded Layton City residents had been scammed out of over $2 million between 2021-2025.

Councilmember Smith Edmondson recalled the presentation shared during a previous work meeting which had reflected signage at some of the kiosks attempting to discourage use of the machines, as well as staff from the facility, which illustrated how aggressive the scammers interact with the victims. She concluded this was a big deal within Layton City and expressed her opinion this ordinance would benefit all residents.

Mr. Drake added notifications haven't been effective with discouraging use of these cryptocurrency kiosks and expressed his opinion these scams preyed on the vulnerable populations of society.

Mayor Petro believed Layton City would be the first City within the State to prohibit these machines and expressed appreciation to the City Staff

MOTION: Councilmember Thomas moved to approve the Consent Agenda as presented. Councilmember Kolendrianos seconded the motion, which passed unanimously. **Councilmember Bloxham was not present for the vote.**

Mayor Petro acknowledged and expressed appreciation to Police Chief Swanson.

PUBLIC HEARINGS:

<u>REZONE REQUEST – THE OVERLOOK AT KAYS CREEK – R-S (RESIDENTIAL SUBURBAN) TO R-1-10 (SINGLE FAMILY RESIDENTIAL) – ORDINANCE 26-02 – APPROXIMATELY 2550 NORTH VALLEY VIEW DRIVE</u>

Weston Applonie, Community and Economic Development Director, shared an illustration which identified the location of the 3.57 acre parcel and stated it had been designated within Sensitive Lands of the City. He also acknowledged the adjacent uses. He reviewed the proposed rezone and explained Staff had worked with the applicant's geotechnical engineer and the City's third-party geotechnical engineer to identify and mitigate geotechnical and geological issues identified on the subject property: a fault scarp was located through the center of the property and identified it on the illustration. Mr. Applonie stated this 61-foot width portion would be designated as 'non-buildable area' noted on the recorded plat. He also mentioned that based on the reviews of the geotechnical study, no other geological concerns were identified for mitigation.

Mr. Applonie reported the Planning Commission reviewed this item during its meeting on Tuesday, February 24, 2026, and unanimously recommended approval to the City Council. Staff agreed with the recommendation.

Mayor Petro asked if there were any questions.

Councilmember Thomas clarified nothing could be built on the designated fault scarp and Mr. Applonie responded in the affirmative. Councilmember Thomas then requested clarification portions of it could be owned by homeowners and Mr. Applonie responded in the affirmative.

Councilmember Smith Edmondson inquired about the difference between the number of homes allowed with the current zoning compared to what would be allowed under the proposed rezone. Mr. Applonie explained the current R-S zoning consisted of a 15,000 square-foot building lot; the R-1-10 would be 10,500 square feet to 18,800 square feet building lot and explained the decrease in lot size allowed smaller frontage providing more flexibility.

Councilmember Morris requested Mr. Applonie address the noticing requirements regarding the notification specific to the unbuildable area due to the fault scarp. Mr. Applonie responded each of those building lots would contain a restriction and a document would be recorded at Davis County stating that restriction as well as a note being placed on the plat. He added various approvals would be required by the Council during the subdivision process.

Clint Drake, City Attorney, clarified that once something was recorded against the property at the County, it would be reflected in a title report.

Mayor Petro opened the public hearing at 7:37 p.m.

Mayor Petro called for public comment.

There were no public comments.

ANNEXATION AND REZONE REQUEST – LOVE'S VALLEY VIEW – UNINCORPORATED AREA TO R-S (RESIDENTIAL SUBURBAN) – ORDINANCES 26-04 AND 26-05 – APPROXIMATELY 940 NORTH EAST SIDE DRIVE

Mr. Applonie introduced the agenda item and explained the proposed rezone request would be for 2.096 acres located within a sensitive lands area. He added the request also included an annexation request. He referenced an illustration which identified the location of the parcel and reviewed adjacent uses. He informed the Council of the identified General Plan designation which allowed a density of 1-3.5 units per acre and reported the request fell within the parameters. He shared an illustration of the proposed subdivision which reflected a 10-15% slope of the property. He reviewed the conceptual plan which consisted of four single-family lots and stated they complied with the minimum lot size ranging from 15,004 square feet to 58,000 square feet. The four lots would have direct frontage onto a new street with a cul-de-sac extending east from East Side Drive. Access to the gravel pit would continue to be provided from a new street by way of the property on the south side of the proposed development.

Mr. Applonie stated Staff and the Applicant had been working with the Applicant's geotechnical engineer and the City's third-party geotechnical engineer to identify and mitigate geotechnical and geological issues. The items explored with this report included the following: scarp faults, scarp locations, slope stability, stability of soils, groundwater and liquefaction. The geotechnical study identified the Davis Aqueduct along the eastern boundary line of the subject property, and the Weber Basin Water storage facility were areas which needed to be addressed. Similar to other subdivision developments within Sensitive Lands areas, a Planned Residential Unit Development (PRUD) could be a good design; however, a PRUD would not necessarily be needed for every subdivision in the Sensitive Lands designation.

He referenced the Engineering Staff's memorandum which reflected certain lots could be restricted for sub-surface geotechnical issues in a way which would be sufficient to address underlying sensitive land issues. The area of the conceptual subdivision did not include areas which sloped greater than 15.56%, as such the conceptual plan could be developed in accordance with development standards of the R-S and Sensitive Lands Ordinance.

The Planning Commission reviewed this request during its meeting on Tuesday, February 24, 2026, and forwarded a recommendation of approval to the City Council and Staff supported the recommendation.

Councilmember Thomas inquired whether Lot 4 would had enough land to face the road with the designated detention area and Mr. Applonie responded in the affirmative.

Councilmember Smith Edmondson requested clarification about the current existing buildings on the property and whether they would remain. Mr. Applonie responded they would be removed.

Councilmember Morris inquired whether there had been any discussion on behalf of the Planning Commission and Mr. Applonie stated there were no general concerns or comments expressed during that meeting.

Mayor Petro called for public comment.

There were no public comments.

DEVELOPMENT AGREEMENT AMENDMENT – TRAILSIDE WEST PRUD – RESOLUTION 26-04 – APPROXIMATELY 1855 WEST 1225 NORTH

Mr. Applonie explained the applicant, LHM (Larry H Miller) Development, now Destination Homes, was seeking approval to amend the Development Agreement for the Trailside West PRUD (Planned Residential Unit Development), a Master-planned residential community with a small area of commercial/flex industrial space and referenced the Master Plan illustration. He explained the Development Agreement which was executed in the fall of 2021 included specific development standards for the residential and commercial buildings, as well as a high-quality unique open space amenities.

The applicant was requesting an amendment to the Development Agreement in order to provide some flexibility for the design of the townhome units while also maintaining the same level of quality and design which was originally approved. The proposed Development Agreement included strict adherence to specific development standards for each residential unit, as well as the provision of high-quality unique open space amenities. The applicant has discovered that tandem garage townhomes hadn't performed well and desired to provide alternative townhome units including a traditional two-car garage. This shift in the unit mix/design would result in a reduction of townhomes by 12 units. This reduction in the number of townhome units would not be offset with any other residential units; therefore, would result in an overall reduction, changing the total from 568 to 556 units.

Mr. Applonie pointed out due to the specifics identified in the original Development Agreement, any minor design modifications to residential units required a formal amendment to the Development Agreement. He mentioned Staff had enforced the specificity of the Development Agreement by the new developer. In order to provide greater flexibility in design, while maintaining compliance with the development standards of the Development Agreement, the applicant was proposing the addition of a Pattern Book as a tool which had been previously used in other areas, as it served as an architectural design manual specific to the development. He reported Staff had reviewed the proposed Pattern Book and development standards to ensure consistency with zoning, the project, and terms of the Development Agreement. He clarified no new terms were being proposed which would violate any previously agreed upon terms of the Development Agreement.

He continued to discuss the Pattern Book and stated it provided detailed design standards for single-family and townhome buildings. Sections of the Development Agreement related to design standards that were applicable to all residential buildings would remain in the Development Agreement, which included reference to Layton Municipal Code requiring compliance of apartment and condominium buildings. The Pattern Book also included a page to address the condominiums and explained the only design change to the condominiums was a call out of a seven-foot by seven-foot porch as opposed to a 49 square foot porch. This was a specific request by the Developer to ensure a 'livable' space.

He reported during the Planning Commission's Public Hearing it was discussed that the Development Agreement didn't prevent similar units from being repeated when next to one another. However, Municipal Code required that townhome units express a unique identity between side-by-side units. Following the Public Hearing, Staff met with the applicant to review comments expressed in the hearing from residents at Trailside

West PRUD and based upon that meeting, the 'repeated assembly' language in the Pattern Book would be removed and was reflected as stricken as part of the supporting documents for this agenda item. He clarified tonight's recommendation would be to remove that section and the Developer had expressed agreement with that change.

Mr. Applonie shared new and updated Exhibits, B-1 and B-2, to the Master Plan. He also shared an illustration which identified the general conditions specific to the Single-Family Attached Lot (Townhome) Requirements as well as the condominiums. He also addressed the applicable architectural styles, which included windows and trims, for both the single-family and townhomes within the development.

The Planning Commission reviewed this item during its meeting on Tuesday, February 24, 2026 and forwarded a recommendation of approval to the City Council for the Development Agreement Amendment and Staff supported the recommendation of Resolution 26-14, approving the Development Agreement Amendment subject to the removal of the 'repeated townhome assembly' in the Pattern Book, as outlined in the Staff Report.

Mayor Petro asked if there were any questions.

Councilmember Smith Edmondson inquired how much of the development had presently been completed. Mr. Applonie responded he couldn't speak to that and suggested the developer, Mr. Shaun Athey, might have that information. Councilmember Smith Edmondson suggested there had been some difficulty in completing the development due the inability to sell some of the units. Mr. Applonie indicated the developer had been moving forward with a number of buildings and he believed the City had done its best to work with the developer. Councilmember Smith Edmondson requested clarification regarding the original timeline for completion of the development.

Shaun Athay, LHM/Destination Homes – Sandy Utah, estimated the development was approximately 30%-40% built-out and referenced the illustration to identify what had been completed: the portion to the south, the park, townhome infrastructure, and the single-family homes. He mentioned they were waiting for this amendment in order to modify the remaining townhomes. He informed the Council several of the townhomes with the single car garage that didn't sell and ultimately the selling price had been significantly decreased. He also identified the other sections which had been completed and built out. He indicated bulk of the project left to be completed would be the center section consisting of single-family and townhomes. He reported most open space and trails had been completed, including the playground areas.

Councilmember Smith Edmondson recalled the Council recently approved another development with the use of a Pattern Book, which was a new concept to the City; however, she understood the need for some flexibility. Mr. Athay responded the Stevenson Fields development had recently been approved with the Pattern Book and believed this approach provided flexibility to adjust to be market driven. Councilmember Smith Edmondson asked if there was an anticipated completion date for the development and Mr. Athay responded that would also be determined by the market; however, the expectation would be in approximately two years. He stated the apartments weren't owned by LHM/Destination Homes and wouldn't be developed by them and also mentioned he didn't know about the timing associated with the condominiums.

Mayor Petro opened the public hearing at 7:57 p.m.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Thomas moved to close the public hearings at 7:57 PM and approve the Rezone Request – The Overlook at Kays Creek – R-S (Residential Suburban) to R-1-10 (Single Family Residential) – Approximately 2550 North Valley View Drive as presented, Ordinance 26-02. Councilmember Kolendrianos seconded the motion. The motion passed with the following vote:
Voting AYE – Councilmembers Thomas;
Voting NO - Councilmember Smith Edmondson; expressed concern regarding the fault scarp and

understanding information would be listed on the title and whether future property owners would understand that fact;
Voting AYE – Councilmember Kolendrianos;
Voting NO – Councilmember Morris; also expressed concern regarding the size of the fault scarp and would like to see more information pertaining to that;
Councilmember Bloxham was not present for the vote.

Voting AYE - Mayor Petro stated she understood the need for single-family homes and also understood the importance of safety and the concern regarding the fault scarp, as well as sensitive lands; however, future approvals would come before the Council and would have an opportunity to understand the placement of the homes in relation to the scarp.

MOTION: Councilmember Morris moved to approve the Annexation and Rezone Request – Love's Valley View – Unincorporated Area to R-S (Residential Suburban) – Approximately 940 North East Side Drive, Ordinances 26-04 and 26-05. Councilmember Thomas seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Morris, Kolendrianos, Smith Edmondson, and Thomas. Voting NO – None.** Councilmember Bloxham was not present for the vote.

MOTION: Councilmember Kolendrianos moved to approve the Amendment to the Development Agreement – Trailside West PRUD – Approximately 1855 West 1225 North – Resolution 26-14. Councilmember Smith Edmondson seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Kolendrianos;**
Councilmember Morris expressed appreciation for Staff and the Developer for working together on an amendment that met the developer's needs, while at the same time keeping the original Agreement mostly intact – Voting AYE.
Voting AYE - Councilmembers Thomas and Smith Edmondson.
Voting NO – None. Councilmember Bloxham was not present for the vote.

UNFINISHED BUSINESS:

There was no unfinished business.

The meeting adjourned at 8:03 p.m.

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Kimberly S Read, City Recorder