

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

AUGUST 6, 2020; 5:33 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR JOY PETRO, ZACH BLOXHAM, TOM
DAY, DAWN FITZPATRICK, CLINT MORRIS,
AND DAVE THOMAS**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, KAREN ARROYO,
TERRY COBURN, TIM WATKINS, STEPHEN
JACKSON, DAVID PRICE, JOELLEN GRANDY,
AND KIM READ**

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

Mayor Petro opened the meeting.

AGENDA:

COUNCIL MEMBER REPORT

Councilmember Fitzpatrick provided an update on Communities That Care organization. She informed the Council that Davis Behavioral Health had written two grants to obtain funding for a Coalition Coordinator for the two separate Communities That Care organizations, Layton and Northridge High School. She announced key community members had been interviewed for the Community Readiness Assessment Survey and indicated a meeting was scheduled for Wednesday, August 12, 2020. She reported the organization was moving along and anticipated the Team Leader Orientation could take place as early as November.

She also mentioned Census workers had begun going door to door. She indicated those workers would have proper identification and would be “masked up”. She added the workers were also encouraged to “social distance” when they approach doors. She announced the completion date had been set for Wednesday, September 30, 2020; however, requests had been for an extension until Saturday, October 31 but Congress hasn’t acted on that. She encouraged residents to participate in the Census if they have not yet done so.

PRESENTATION – VICTIM SERVICES

Karen Arroyo, Victim Services Coordinator, distributed a handout and informed the Council the Victim Services program at the City was funding by a VOCA (Victim’s Of Crime Act) grant. She explained she was required to provide an update to the Council as required by the grant and reviewed the handout:

- \$68,413.48 victim services grant for the 2020-2021 grant year
- \$123,721.41 housing grant for the 2020-2021 grant year

She explained the housing grant allowed the coordinators to assist crime victims with housing or direct emergency aid and shared an example.

Ms. Arroyo reviewed her offices statistics for 2019 which resulted in 1165 new victims:

- 728 domestic violence victims
- 62 stalking victims
- 52 assault victims
- 68% of people served by the program were victims of domestic violence or stalking and suggested they comprised 95% of her office’s work.

She believed the new housing program had enabled victims to remain in their homes when they would have otherwise had to relocate until approved for financial assistance through the state. She reported a significant increase within the past few months due to challenges associated with the COVID-19 Pandemic. She shared statistics specific to the housing program which illustrated its significant need and mentioned if the City couldn't secure additional grant funding a monthly limit would need to be implemented.

She introduced Finley, victim support services dog, and stated she had been donated by Underworld Kennel and explained how the dog would be used by the advocates. She stated Finley would be introduced to the Police Department and indicated officers would be trained to use her during some interviews.

Councilmember Fitzpatrick inquired about the recidivism rate and Ms. Arroyo explained the advocates continued to work with victims for months at a time as they proceed through the criminal justice system

Councilmember Bloxham asked Ms. Arroyo if she had witnessed an increase in 2020 compared to 2019 and Ms. Arroyo indicated her office had recognized an increase and reported the level of violence was significantly escalating.

Gary Crane, City Attorney, informed the Council she was highly respected as one of the best advocates within the state and provided a list of the Boards which she was affiliated with and explained her involvement in assisting other municipalities with creating their respective Victim Advocate Programs. He added when the City's program expanded with offering housing assistance, the City hired Kelly Rushton, retired police officer, who had significant experience with domestic violence victims. He explained Alex Smith, Victim's Advocate, was in the process of obtaining her Social Worker's license.

Councilmember Morris asked how the Mayor and/or Council could support her office. Ms. Arroyo responded Layton City was very supportive of the Victim's Advocate Program. She reminded the Council the office and program was funded by federal grants and expressed her desire the City would be able to continue offering these services should there be any changes with the grants or if it was eliminated. She explained the calculation used to estimate the grant request for the housing program and indicated there was an opportunity to amend that request for the purpose of additional funding.

Councilmember Fitzpatrick inquired if COVID funds were available for this purpose since the pandemic had contributed to an increase in domestic violence and Ms. Arroyo wasn't aware of that opportunity and indicated she was aware of some studies currently being completed directly related to this issue. Councilmember Morris believed if there was a correlation between the increase and the COVID Pandemic then those expenses would be eligible for the CARES funding. Mayor Petro explained how the City had appropriated the CARES funding thus far and expressed her hope that additional recognized funding could be appropriated for these services. Mr. Crane believed grant parameters were becoming more liberal the longer the pandemic continued.

Mr. Crane informed the Council that Councilmember Thomas had chaired Sub-for-Santa for individuals identified by Ms. Arroyo. Ms. Arroyo added his efforts were significant in providing Christmas for those receiving services. She also mentioned her Staff also contacted him when victims/clients were in need of food.

UPDATE – EXTENSION OF LAYTON PARKWAY TO 2700 WEST

Stephen Jackson, City Engineer, reminded the Council of road construction projects currently taking place within the City. He pointed out the Layton Parkway extension from 2200 West to 2700 West was a commitment by the City to UDOT (Utah Department of Transportation) for the interchange connection for the West Davis Corridor. He shared a visual illustration and announced the City had begun obtaining acquisitions of property for the project. He explained the respective colors on the illustration and reported the majority of the property was owned by the Church of Jesus Christ of Latter-Day Saints. He identified

the location of the connection and mentioned an easement for drainage would need to be negotiated with the Church and subsequent property owners. He added discussions would also need to take place with the Nature Conservancy District regarding acceptance of the storm water. He also continued to identify additional parcels needed to be acquired for completion of the roadway and identified the location for the proposed relocation of a water detention area for the subdivision. He pointed out the location for the connection to the Corridor.

Councilmember Day inquired as to why the detention basin needed to be relocated. Mr. Jackson explained the proposed alignment and required distancing, specific to the intersection based on traffic modeling, and that it was also designated as open space for the subdivision, it was determined the subdivision should remain whole. He further explained the roadway was originally intended to be located at the bottom of the detention basin and it was relocated to ensure a viable interchange and to provide a good design which would allow for future growth without creating traffic congestion.

Councilmember Thomas asked if the road would significantly impact the detention basin to the point it couldn't be used for that purpose. Mr. Jackson responded it could possibly function as a detention basin; however, the road would act as dam. He further explained how the proposed changes to the detention basin would allow for a future business center identified in the City's General Plan.

Mayor Petro pointed out the original detention basin was part of The Villas at Harmony Place PRUD subdivision and inquired if the HOA (Homeowner's Association) would be responsible for maintenance of the larger open space. Mr. Jackson clarified the detention basin would be replaced at similar size and it wasn't the intention to increase the obligation or maintenance by the HOA and a discussion took place.

Mr. Jackson referred to the City's General Plan and pointed out the parcels intended for the future business center in response to a previous comment by Councilmember Morris. He announced in addition to funds appropriated for this project by the City, application had been made to Davis County Council of Government (COG) for the third quarter transportation funding for grant funds in the amount of \$11.8 million dollars to help construct 2700 West up to Hill Field Road.

Mr. Jackson continued to identify 2700 West and the other property owners which would be impacted by the proposed project.

Gary Crane, City Attorney, explained the process used by Staff in acquiring property for projects like this. He informed the Council all affected property owners had been notified and indicated Staff had not yet begun the negotiation process. He stated all final settlements would require approval by the City Council and emphasized the City would adhere to State Law and reported the City had been successful in fairly negotiating the costs of needed property in the past. A discussion took place and Mr. Crane announced the City was currently in the process of obtaining appraisals.

DEVELOPMENT AGREEMENT AND REZONE REQUEST – LAMANO REZONE – R-M1 (PRUD) (LOW/MEDIUM DENSITY RESIDENTIAL, PLANNED RESIDENTIAL UNIT DEVELOPMENT) TO MU (MIXED-USE) – RESOLUTION 20-50 AND ORDINANCE 20-25 – APPROXIMATELY 1225 EAST GENTILE STREET

Tim Watkins, City Planner, reminded the Council it had tabled this item during the City Council Meeting on Thursday, July 16, 2020, in order to allow the applicant time to work through the concept plan. He explained the request was to rezone property from R-M1 (PRUD), Planned Residential Unit Development, to MU, Mixed-Use. He shared the current concept plan which identified recreational amenities on site. He pointed out the applicants had detailed the front courtyard area, pavilion and child play area, pedestrian and bike circulation throughout the development, and some type of recreational amenity in the detention area. He identified the recommended modifications to the Development Agreement, which would allow flexibility while at the same time ensuring the overall intent and vision of the detailed concept plan and shared an example.

Councilmember Fitzpatrick mentioned the modifications were great; however, she had hoped for some language in the Development Agreement which would hold the developers accountable for a clearly “commercial” space and purpose. She clarified the rezone and Development Agreement would remain with the property if Mr. Lamano sold the parcel and Mr. Watkins responded in the affirmative.

She read from the Development Agreement specific to possible future attempts to rezone the property and asked if at that time it would proceed through the normal rezone process, first the Planning Commission then City Council. Mr. Watkins responded in the affirmative.

Councilmember Fitzpatrick referred to the language in the Development Agreement which indicated the amenities didn’t have to be completed until 32 units or two buildings were completed and asked if the City would be holding any bond in the event the two buildings weren’t completed which would ensure completion of the landscaping and additional amenities. Mr. Watkins responded similar to a PRUD development, these items would be completed prior to releasing of the bond at completion.

Councilmember Fitzpatrick asked if the DRC (Development Review Committee) would be aware of the new building guidelines to ensure the requirements would be followed during the review process since this type of development would be new to those members.

Councilmember Fitzpatrick announced she was pleased to see the distance from the sidewalk to the courtyard fronting Gentile Street and expressed her desire that it remain as designed and expressed her concern with it being constructed close to the busy street.

Councilmember Day expressed agreement the courtyard should remain as it had been called out. He expressed his opinion the volleyball court and bowery could be accommodated on the small parcel. He stated he liked the proposed recommended modifications.

Councilmember Fitzpatrick asked if the Council could propose language be included in the Development Agreement to ensure the proposed commercial space on the lower level was never converted to residential units. Gary Crane, City Attorney, responded the Council could add that language to the Development Agreement.

Mr. Watkins reviewed what was proposed for the ground level: two live/work units, shared conference room, Manager’s office, mailbox/parcel room. Councilmember Fitzpatrick desired the language specify “non-residential”, ensuring the unit counts do not increase beyond 52 units.

Alex Jensen, City Manager, pointed out residential uses were permitted within this zone explaining that every individual parcel of property was required to have a mix of commercial/residential and shared an example to illustrate his point. He cautioned the Council on imposing restrictions in the moment based on opinions which didn’t take into consideration market factors or flexibility and how those could negatively impact the development. He emphasized this was legally allowed on that parcel.

Councilmember Fitzpatrick pointed out the current zoning allowed for 100% residential development PRUD for approximately 40 units. She expressed concern approving the MU rezone under the premise of including a commercial component which now allowed 53 residential units, and during the construction process determined the commercial component wasn’t viable and completing the two work/live spaces as residential, resulting in a total of 55-unit residential development. She concluded if the developer desired a total residential development, it could remain the current zone with a PRUD with less density.

Mr. Jensen pointed out different zones within the City should be used to emphasize certain factors, it should contribute to the area and not take away. He suggested the market would drive the density and different zones accommodate and emphasized different uses.

Mr. Watkins reviewed the intent and purpose of the M-U zone. He pointed out Staff had encouraged the applicants to consider and recognize the benefits and growing demand for a shared conference room and

believed it was a great amenity. He believed the developer was committed to the concept plan.

PROPOSED AMENDMENTS TO LAYTON MUNICIPAL CODE – TITLE 19, ZONING; CHAPTER 19.11, MOBILE HOME PARKS AND TRAVEL VEHICLE PARKS; AND CHAPTER 19.12, OFF STREET PARKING

Mr. Watkins explained this brief summary was to inform and update the Council of a proposed code amendment which would come before the Council for discussion. He announced the Planning Commission recommended approval of the proposed changes regarding parking amendments during its meeting on Tuesday, July 14, 2020, with the inclusion of recommended refinements. He announced Staff was in the process of including the refinements to the ordinance and the full document would be provided to the Council for full review during its August 20 Work Meeting.

He announced the general objectives of the comprehensive Code Amendment was to:

- Apply best practices and standards
- Right-size parking ratios and parking space dimensions
- Improve consistency and format of the ordinance
- Create new parking tool options

He explained the reason for updating old parking trends to reflect current parking trends would assist business owners and developers as the City continued to grow and evolve and pointed out the City's Business License review process ensured sufficient parking supply. He pointed out the efficient use of land not only benefitted developers, but the entire community and shared an example of the mid-town area which currently experienced significant parking vacancy. He stated the General Plan supported infield development for increased economic development and neighborhood vibrancy.

He mentioned the benefits to right-sizing parking standards:

- More land for business, homes, and open space/plazas and shared an illustration specific to the Target parking lot
- Less heat reflection
- Improved community aesthetic
- Less waste
- More site development cost savings

He pointed out the emerging land-use trends from the past decade which were influencing driving patterns and parking demand which included the following:

- Public transportation options
- Tele-commuting options
- Increased housing and car ownership costs
- E-commerce and retail trends

He identified the resources reviewed and considered by Staff used in drafting the proposed changes:

- Review of similar sized cities in Utah and other states
- 2019 Institute of Transportation Engineers parking manual
- Shared parking manual produced by the Urban Land Institute and National Parking Association and International Council of Shopping Centers
- Field trip visits to apartment communities in Layton and Clearfield Cities to better understand “peak” parking demand for multi-family projects

He referred to the following key updates highlighting the following with the Council:

1. List of land use/parking ratios standards which captured the variation between commercial, residential, and mixed land uses which provided details and clarifications of how those standards had been applied
2. Addition of bike parking which would apply to commercial, non-residential, and residential

projects

3. Dimensions, definitions, and diagrams for parking designs which would be used to establish clarity of City standards for safe and convenient access to parking areas
4. Addition of ADA (Americans with Disabilities Act) parking requirements to ensure compliance.
5. Shared parking options
6. Options for reduced parking
7. Structured parking standards

Mr. Watkins shared results from the Multi-family Peak Parking Demand Study which identified parking ratios of multi-family development. He mentioned the City would use the average for the basis of actual parking demand and reviewed those numbers. He reported the findings from the Study reflected over 20% of parking wasn't utilized, and Staff recommended applying the high end of the average, or the higher use count.

- Mobile Home/RV Standards on single family properties

He stated proposed ordinance would be provided to the Council which would be reviewed during its meeting on Thursday, August 20, 2020, with a public hearing scheduled for Thursday, September 3, 2020.

DISCUSSION ITEMS:

PICKLEBALL

JoEllen Grandy, Parks Planner, shared a visual presentation regarding long-range planning for pickleball within the City. She reviewed the three approaches for providing these types of services:

- Neighborhood park amenity and shared an illustration of four courts located at Chapel Park
- Community park amenity and shared an illustration of the Farmington pickleball complex consisting of eight courts. She indicated a facility similar to this was not located within the City.
- Community/Davis School District gym amenity, an indoor facility, and shared an illustration from Legacy Jr. High Gym consisting of eight courts. She mentioned Shoreline Jr. High offered six courts.

She reviewed a map reflecting existing and proposed pickleball facilities within the City and highlighted the respective locations. She announced a 12-16 court complex had been proposed for the Ellison Park Community Sports Complex and shared a concept plan with the Council. She informed the Council the reported costs associated with that project was estimated at approximately \$1 million. She also shared a comparison of surrounding pickleball facilities and reviewed it with the Council and a discussion followed.

Councilmember Fitzpatrick asked if the City's proposed 12 courts met the required minimum to host tournaments and the discussion continued. Councilmember Thomas believed the minimum was 8 courts.

Mayor Petro suggested eliminating the tennis courts at Andy Adams Park and converting them to pickleball courts. Ms. Grandy pointed out the City's desire to provide amenities as the neighborhood park level. Mayor Petro believed the four courts could accommodate what residents were asking for in order to accomplish the social aspect of pickleball.

David Price, Parks and Recreation Director, suggested the Council consider the lifetime of the City's parks which illustrated the different recreation amenities "ebb and flow". He expressed concern in removing the tennis amenity from a park in order to accommodate pickleball and suggested an eight court complex could be accommodated at Harmony Place which would result in offering both tennis and pickleball. He emphasized the City tried to accommodate a "balance" of activities and amenities within walking distance of residential developments.

Mayor Petro responded the \$1 million cost for the amenity was very concerning to her.

Councilmember Thomas pointed out there would be significant costs associated with constructing any amenity and believed Ellison Park would be the appropriate park to develop this type of amenity in phases, as that was how the park had been originally designed. Ms. Grandy expressed agreement and pointed out there was a level of noise associated with a pickleball complex and believed Ellison Park would be the best fit for such a facility. Mr. Price clarified “proposed” meant the City “could” provide this amenity. Mayor Petro pointed out at this juncture, Staff was looking for direction from the Council.

Mr. Price expressed his opinion the approach on behalf of Staff was the right one and believed pickleball was being provided as a basic amenity in all neighborhoods within the City. He added when, and if, the time was right, the City could consider a large complex for this purpose.

Councilmember Thomas suggested Staff visit with pickleball players regarding their concerns with the indoor courts which they believed wasn’t ideal for this use.

DOG PARK

This item wasn’t addressed during the Work Meeting. Mayor Petro announced this remaining item would be addressed at the end of the regularly scheduled City Council Meeting following this work meeting.

MAYOR’S REPORT

No Mayor’s Report was shared.

The meeting adjourned at 7:04 p.m.

Kimberly S Read, City Recorder