

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, April 11, 2019 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of the minutes from the meeting March 28, 2019.
2. Conditional use permit for a major home occupation "B":
 - a. Woodworking Shop at 469 N. Carriage Lane for Blake Walker.
 - b. Roofing Contractor at 1558 Barrington Dr. for Kelly Mann.
3. Public Hearing for the rezone of 4.7 acres of property at 1325 W. 200 N. from R-A to the GC zoning district for Kevin Porter/Ogden Clinic Professional Corporation.
4. Public Hearing for an ordinance amending Chapter 17-26, Home Occupations, of Title 17, Planning and Zoning, of the Revised Ordinances of Kaysville City.
5. Public Hearing for an ordinance amending Chapter 9-4, Water, and Chapter 9-6, Pressure Irrigation, of Title 9, Public Works, and Chapter 18-3, Pressure Irrigation Water, of Title 18, Building Regulations and Chapter 19-9 Subdivision Improvements Required, of Title 19 Subdivisions, of the Revised Ordinances of Kaysville City.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
8. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, April 5, 2019.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Woodworking. April 11, 2019

Applicant/Owner: Blake Walker
Location: 469 N. Carriage Lane
Zoning: R-1-20

Description:

The applicant is requesting a conditional use permit for a Major Home Occupation B at the above listed address. Mr. Blake Walker is currently anticipating doing woodworking. His clients mainly a local retail store off site of the residential location. His manufactured product deliveries will be made from use of a 14 foot trailer and personal vehicle. His incoming raw material deliveries will be made every 6 to 8 weeks as needed by a Home Depot delivery service. Mr. Walker has explained to staff all sawing, sanding, and dust will be contained in a detached 24x30 shop existing on property. He explained there will be no fumes from lacquer or paints exposed outdoors. Blake also indicated all storage of materials and product will be stored in previous detailed shop.

Recommendation:

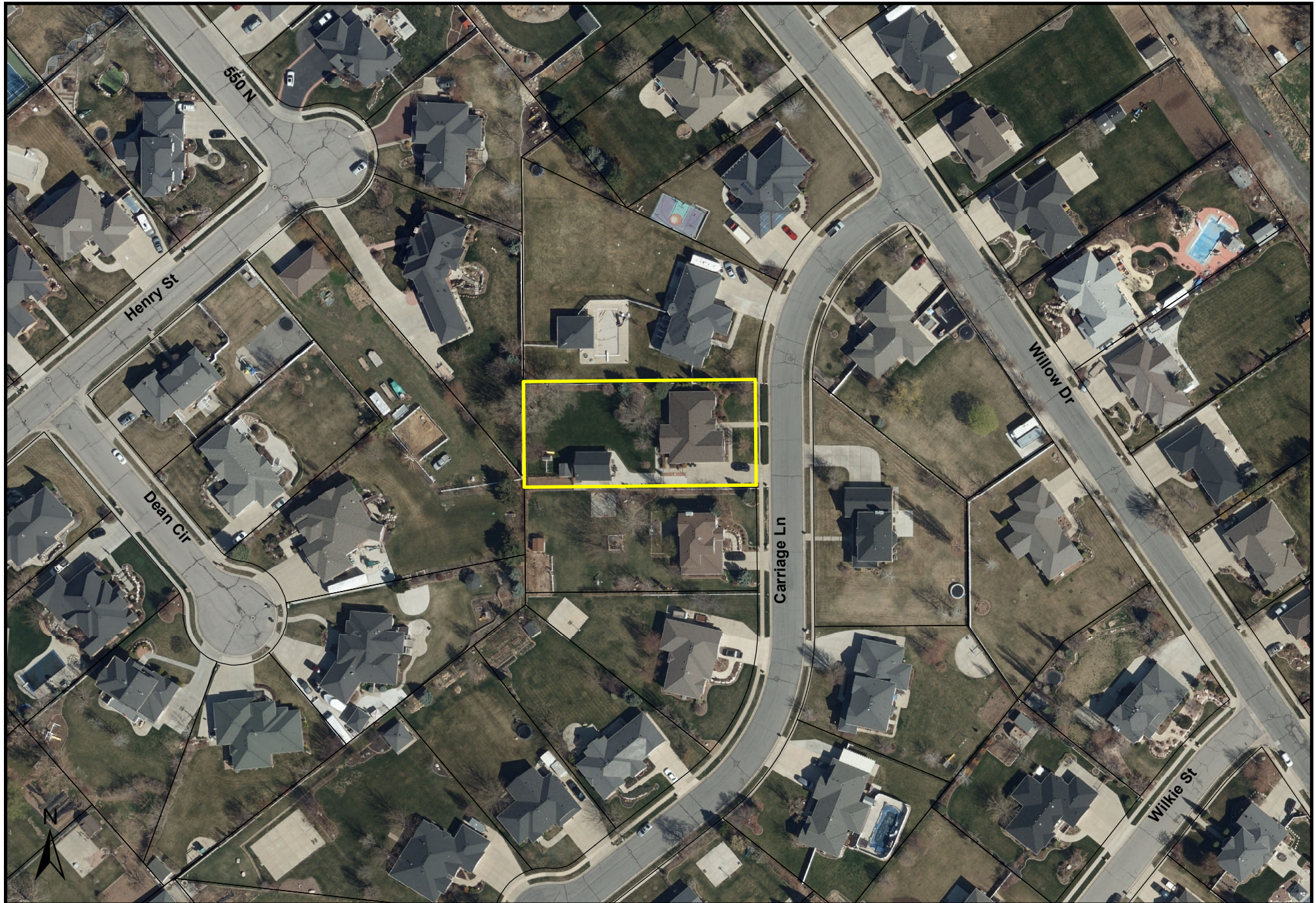
Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, woodworking without the need for additional conditions.

Reasoning:

Having discussed the use with the applicant, staff feels that the restrictions already in place within the ordinance are sufficient for mitigating reasonably potentially detrimental impacts.

Attachment 1: Area Map

469 North Carriage Lane





Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation Contractor (Roofing) April 11, 2019

Applicant/Owner	Kelly Mann
Location:	1558 Barrington Drive
Zone:	R-A (Residential Agriculture)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation "B" at the above listed address. Kelly Mann is currently anticipating doing a Roofing Business from home. Mr. Mann has explained that no employees will come to the listed address. He has a 20 foot trailer that will be stored on the property and will be parked behind a privacy fence. Mr. Mann also explained that no roofing materials will be delivered to the home address; they will only be delivered to the job site. The home occupation will not display any signs on the premises.

Recommendation:

Staff recommends approval of the proposed Conditional Use Permit for Mr. Kelly Mann with no additional conditions.

Reasoning:

Having discussed the use with the applicant, staff feels that the restrictions already in place within the ordinance are sufficient for mitigating reasonably potentially detrimental impacts.

Attachment 1: Area Map

1558 West Barrington Dr.





Planning Commission Staff Report

Public Hearing and request to 4.7 acres of property at approximately 1325 West 200 North from the R-A (Residential Agriculture) zoning district to the GC (General Commercial) zoning district.

April 11, 2019

Applicant/Owner: Ogden Clinic – Green Family Trust

Description:

A zone change is being requested at the subject address in order to accommodate a proposed medical clinic. The property, which borders the Rail Trail to the west, a church to the east, and residents to the east and south, is currently zoned to accommodate 2 units per acre type development.

The requested GC zoning district is primarily for office and retail sales and services which are permitted uses in the zone. The full provisions of the GC zoning district are included with this report

The applicant has provided a site plan indicating how they currently anticipate the site would be used, as well as some images of other Ogden Clinic buildings.

In terms of uses, following is a list of specialties that are expected in this location. This is preliminary and somewhat fluid based on need:

- Family Medicine
- Sports Medicine
- Dermatology
- Medical Weight Loss
- GI
- Lab
- Radiology
- Urgent Care (Monday – Friday from 8 AM to 8 PM, Saturday 8 AM to 3PM, Potentially Sunday)

As a rezone action the Planning Commission has broad discretion as to whether or not to pass along a favorable recommendation to the City Council.

Chapter 19 GC General Commercial District

17-19-1 Purpose

To provide for appropriate uses in locations in which business, commercial, industrial, entertainment, and related activities may be established. The regulations of this district are designed to provide for a suitable environment for those uses which are vital to the economic life of the city.

17-19-2 Site Plan Review

A site plan review is required and a site plan shall be submitted for all permitted and conditional uses. (Consult KCC Chapter 18-4.)

17-19-3 Permitted Uses

1. Offices.
2. Retail sales and services, not including storage services, sale of beer for consumption on the premises, sale of liquor for consumption on the premises and conditional uses in KCC 17-19-4.
3. Government offices and services.

17-19-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Single family dwellings which are an integral part of a commercial use and serves as housing for the proprietor or an employee.
2. Light industry/research uses subject to the provisions of KCC Chapter 17-23.
3. Buildings of height greater than thirty-five feet (35').
4. Recreational vehicle parks subject to the provisions of KCC 17-31-24.
5. Public utility substations.
6. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
7. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.

17-19-5 Special Provisions

The design of off-street parking facilities shall assure compatibility of vehicular and pedestrian circulation. Site plan drawings prepared for site plan review shall illustrate clearly all existing and proposed vehicular and pedestrian paths. (See KCC Chapter 18-9.)

17-19-6 Height Regulations

1. No building shall exceed thirty-five feet (35') in height, except pursuant to KCC 17-19-4.
2. No building shall be less than ten feet (10') in height.

17-19-7 Area, Lot Coverage And Yard Requirements

There are no lot size or yard requirements except that where a lot in the General Commercial District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20').

The City's **General Plan states**, among other things:

Identity and Character:

Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

Growth and Development

A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.

1. Refurbish or replace deteriorating structures so that land is used to its long-term potential.
2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
3. Encourage businesses and industries to locate and invest within the City.
4. Regulate the more intensive uses that create traffic and public service problems and costs

Business and Industry

A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

200 North and Flint Street are classified as a Major Streets per Kaysville City's Major Street Plan in Section 8-3-2.

Recommendation:

Rezone:

After holding a Public Hearing, the Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location. The Planning Commission may make recommendations to approve, approve with modifications or specific conditions that could be imposed by a development agreement, or deny the request. The Planning Commission may also table a decision pending additional information.

Attachment 1: Area Map

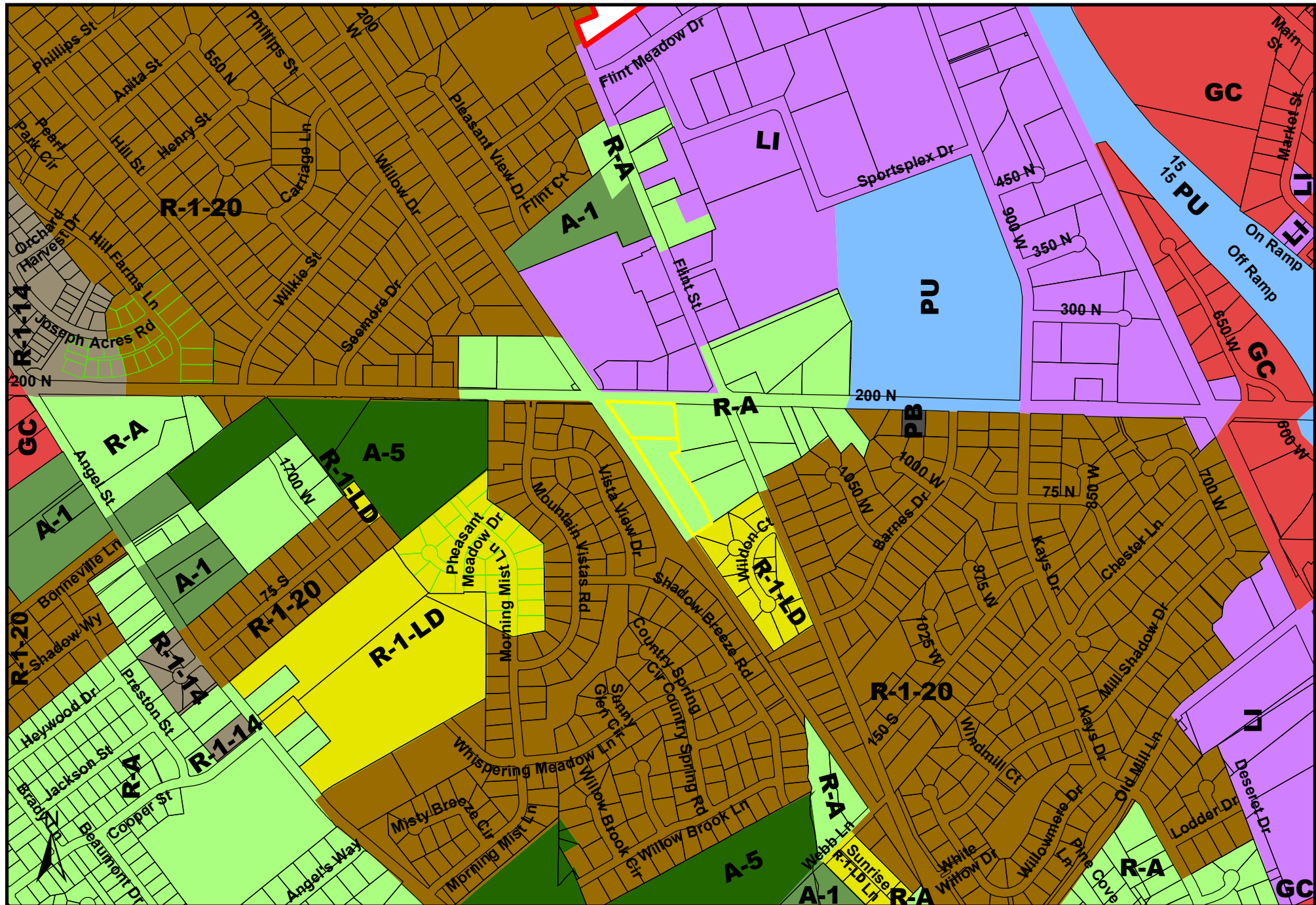
Attachment 2: Zoning Map

Attachment 3: Concept Site Plan and Architectural Images

Approximately 1325 West 200 North - Rezone from R-A to GC



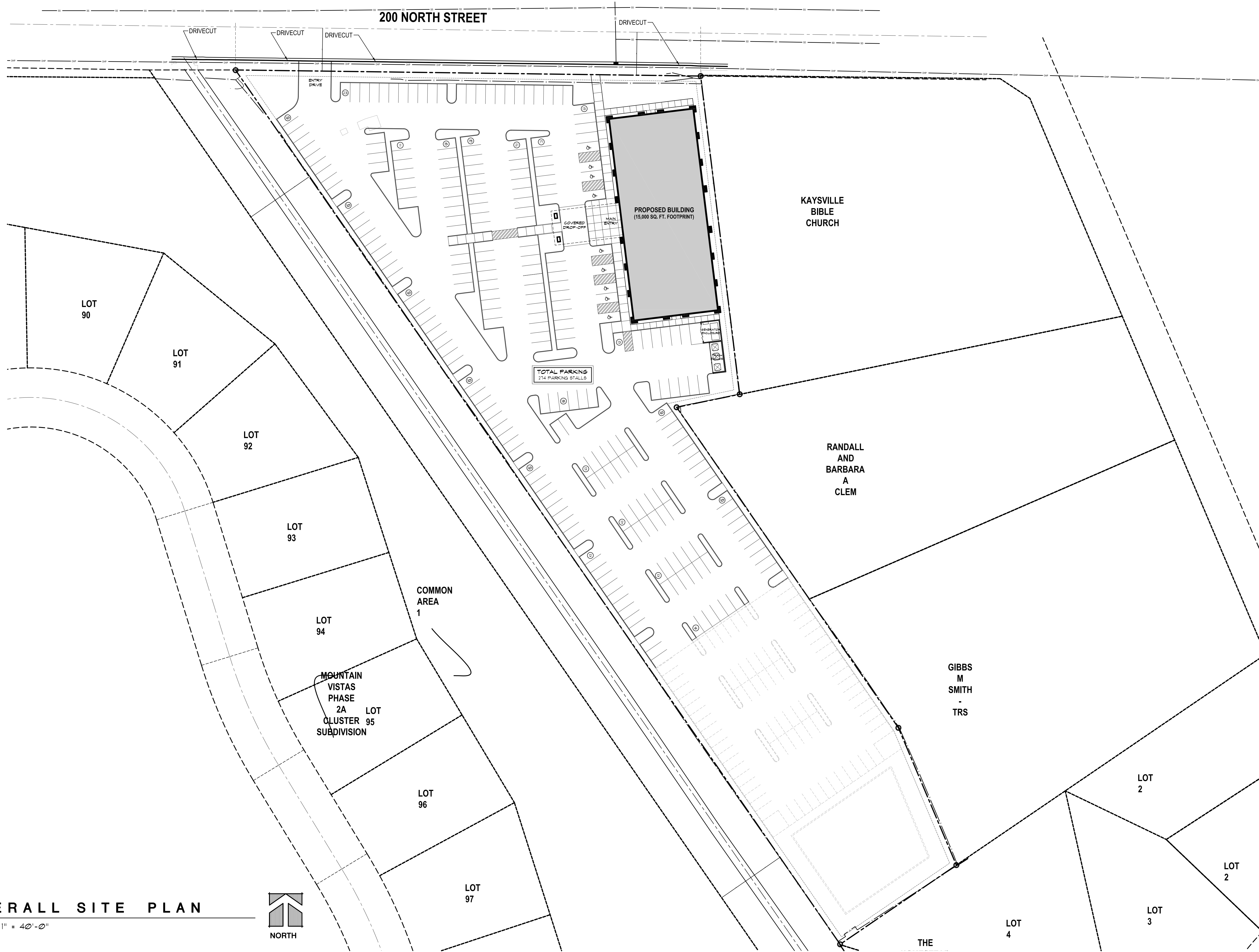
Approximately 1325 West 200 North - Rezone from R-A to GC



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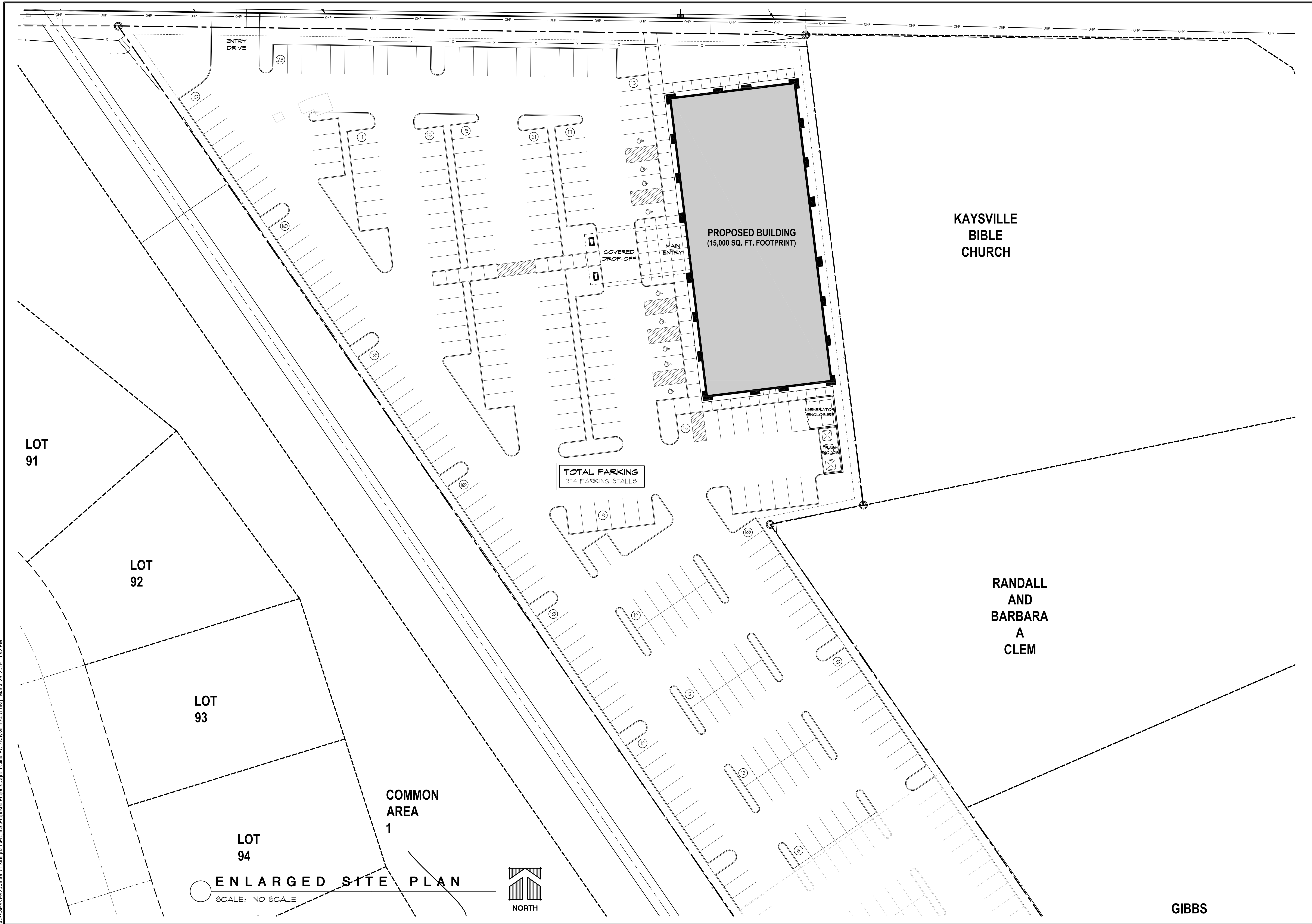
OVERALL SITE PLAN

SCALE: 1" = 40'-0"

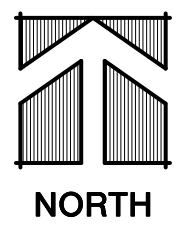


REVISIONS	

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ENLARGED SITE PLAN
SCALE: NO SCALE



REVISIONS	

PROJECT:	19-001.01
DATE:	March 2019
SCALE:	As Shown
DRAWN BY:	ppm
CHECKED:	ppm

SHEET
A002



 OGDEN
CLINIC





Planning Commission Staff Report

AN ORDINANCE AMENDING CHAPTER 17-26, HOME OCCUPATIONS, OF TITLE 17, PLANNING AND ZONING, OF THE REVISED ORDINANCES OF KAYSVILLE CITY

April 11, 2019

Description:

The proposed ordinance makes changes that allow for certain home businesses to receive a business license without the need to come before the Planning Commission for a conditional use permit. Currently these business types are listed as Major Home Occupation B types which require the oversight of the Planning Commission for approval.

The proposed ordinance has created a new category for select business categories that still requires licensing, continues to provide notice to neighbors, but no longer mandates review and approval by the planning commission in a public meeting. The businesses identified under a new category proposed as Home Occupation C are businesses that have been regularly before the planning commission where conditions are not being imposed.

The proposed ordinance amendments also clarify limitations preschool class sizes, and make changes to the youth enterprise ordinance to avoid compliance issues with common youth enterprise practices.

Recommendation:

The Planning Commission should make a recommendation to the City Council concerning the proposed ordinance. The Commission may recommend approval with or without changes, denial, or table a decision pending additional information.

Attachment 1: Proposed Ordinance.

**KAYSVILLE CITY
ORDINANCE HOME OCCUPATION AMENDMENTS**

**AMENDMENTS TO THE CHAPTER 17-26 CREATING A HOME OCCUPATION C CATEGORY AND CLARIFYING RULES FOR
CERTAIN BUSINESS TYPES.**

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "17-26-4 Major Home Occupations B" of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-4 Major Home Occupations B

A Major Home Occupation B is a home business which may generally have more materials or larger vehicles than other home businesses and may provide services to groups of a limited size.

The following regulations shall apply to all major home occupations B:

1. The use shall be conducted primarily within the dwelling site and carried on by the inhabitants thereof and no others.
2. The use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of sounds, noises, or vibrations.
3. No more than 400 square feet, or 20 percent of the gross floor area of the dwelling, may be used for the home occupation. (The least restrictive shall apply.) Accessory buildings as allowed in the zone district may be used for the home occupation as permitted. The home occupation shall occupy no more than five percent (5%) of the lot area.
4. There shall be no signs present on the property except for one wall sign, not to exceed one square foot, indicating the address and the occupant's name, for example, Joe Doe - Accountant. See Name Plates in KCC Chapter 17-33, Sign Regulations.
5. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental retail sales may be made in connection with other permitted home occupations; for example, a single-chair beauty parlor would be allowed to sell combs, hair spray, and other miscellaneous items to customers. However, a dressmaker would be required to do only custom work for specific clients and would not be allowed to develop stocks of dresses for sale to the general public on-site.
6. There shall be no exterior storage on the premises of material used in the home occupation nor of any explosive material. No activity shall be allowed which would interfere with radio or television transmission in the area; nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
7. The home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accommodate needs created by the home occupation of not less than one parking space for each 200 square feet of floor area devoted to the home occupation.
8. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
9. Parties for the purpose of selling merchandise or taking orders shall not be held more often than four times each month.
10. Notwithstanding any provision contained herein to the contrary, garage, basement, yard, or other similar sales shall be permitted not more than twice a year, and each sale shall not last more than two (2) consecutive days.
11. The allowable number and size of vehicles and equipment used by the home occupation shall be as determined by the Planning Commission. Only one (1) vehicle over twenty-two feet (22') in length shall be used in the home occupation. Vehicles over twenty-two feet (22') in length including trailers shall not be parked on the street nor within a yard abutting a street.
12. Major home occupations B may include, but are not necessarily limited to the following:
 - a. Any use allowed as a minor home occupation;
 - b. ~~Single-chair beauty parlors and barber shops;~~
 - c. Photo studios and developing;
 - d. Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion);
 - e. Television and other electrical repairs excluding major appliances such as refrigerators, or storage;
 - f. Small engine repairs, excluding automobiles, motorcycles, and snowmobiles;
 - g. Upholstering;
 - h. ~~Dressmaking;~~
 - i. Woodworking;
 - j. Preschools with no more than 12 students in any class;
 - k. Contractors;
 - l. Ceramics (kilns smaller than six (6) cubic feet);
 - m. Carpet or upholstery cleaning;
 - n. Gun repair;
 - o. Plant nurseries;
 - p. Pest or weed control service; and
 - q. ~~Massage therapy;~~
13. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the

uses specified below shall not be permitted as home occupations B:

- a. Minor or major auto repair, painting of vehicles, trailers, or boats;
- b. Funeral chapel or home;
- c. Gift shops,
- d. Medical or dental clinic; and
- e. Welding or machine shops.

SECTION 2: **AMENDMENT** “17-26-4a Major Home Occupations C” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-4a Major Home Occupations C

Businesses which qualify as a major home occupation C are those businesses which are run by the resident(s) of a home without outside employees, that may have by appointment no more than one (1) customer at a time unless otherwise stated.

The following regulations shall apply to all major home occupations ~~B~~C:

1. The use shall be conducted primarily within the dwelling site and carried on by the inhabitants thereof and no others.
2. The use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall no occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by th construction, lighting, or the emission of sounds, noises, or vibrations.
3. Only one customer shall be permitted at any point in time and must be a scheduled appointment, no walk-in business shall be permitted.
4. No more than 400 square feet, or 20 percent of the gross floor area of the dwelling, may be used for the home occupation. (The least restricti buildings as allowed in the zone district may be used for the home occupation as permitted. The home occupation shall occupy no more than area.
5. There shall be no signs present on the property except for one wall sign, not to exceed one square foot, indicating the address and the occupa Doe - Accountant. See Name Plates in KCC Chapter 17-33, Sign Regulations.
6. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental ret connection with other permitted home occupations; for example, a single-chair beauty parlor would be allowed to sell combs, hair spray, and to customers. However, a dressmaker would be required to do only custom work for specific clients and would not be allowed to develop stor general public on-site.
7. There shall be no exterior storage on the premises of material used in the home occupation nor of any explosive material. No activity shall be interfere with radio or television transmission in the area; nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare property line.
8. The home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accc the home occupation of not less than one parking space for each 200 square feet of floor area devoted to the home occupation.
9. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
10. Parties for the purpose of selling merchandise or taking orders shall not be held more often than four times each month.
11. Notwithstanding any provision contained herein to the contrary, garage, basement, yard, or other similar sales shall be permitted not more th sale shall not last more than two (2) consecutive days.
12. Only vehicles less than 22 feet in length that would be commonly identified for use of a residence are permitted in conjunction with a Home (
13. Major home occupations C may include, but are not necessarily limited to the following:
 - a. Any use allowed as a minor home occupation;
 - b. Single-chair estheticians, beauty parlors, and barber shops.
 - c. ~~Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent c lessons for school tutoring and music lessons not to exceed 4 students at a time.~~
 - d. Dressmaking;
 - ~~e. Preschools;~~ Daycare for 2 or less children
 - f. Massage therapy.
14. While not all business types are listed under subsection 13 of this section, those businesses which are specifically identified in another home c follow the regulations and processes of the category where they are listed.
15. Upon approval of a business license, notice will be mailed to properties within 100 feet of the major home occupation C to inform them of th activity.

SECTION 3: **AMENDMENT** “17-26-10 Youth Enterprise” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-10 Youth Enterprise

Uses classified as Youth Enterprises shall be permitted in all zones. The following regulations shall apply to all Youth Enterprises:

1. The Youth Enterprise shall be conducted entirely by youth ~~sixteen~~ **seventeen** (17) years of age or younger, ~~who live on the premises and sell less than One Thousand Dollars (\$1,000) per calendar year in gross sales.~~
2. The Youth Enterprise activity shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the premises shall not be significantly altered or changed by the Youth Enterprise.
3. The Youth Enterprise shall have no more than one table or display of goods which shall be located entirely upon the premises.
4. The Youth Enterprise shall have only one sign no larger than sixteen (16) square feet which shall be removed from public view at the end of each business day.
- ~~5. The Youth Enterprise shall be conducted no longer than ninety (90) days per calendar year.~~
6. Any merchandise sold in connection with the Youth Enterprise shall be only that which the youth conducting the enterprise has made or raised.
7. No explosive materials shall be used or stored on the premises. No activity shall be allowed that would interfere with radio or television reception in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line of the premises upon which the enterprise is conducted.
8. The Youth Enterprise shall not create greater vehicle or pedestrian traffic than normal for the zone district in which it is located.
9. The Youth Enterprise shall not require additional off-street parking above that required for the zone district.
10. The Youth Enterprise shall not require deliveries from commercial suppliers nor commercial deliveries from the enterprise.
11. The Youth Enterprise shall comply with all other applicable city rules and regulations.
12. Failure to comply with the provisions of this section or any applicable city regulation may result in the Zoning Administrator issuing an order suspending or terminating the Youth Enterprise.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Council member Adams	_____	_____	_____	_____
Council member Barber	_____	_____	_____	_____
Council member Garn	_____	_____	_____	_____
Council member Hansen	_____	_____	_____	_____
Council member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder Kaysville City



Planning Commission Staff Report

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE KAYSVILLE CITY ORDINANCES MODIFYING THE REQUIREMENT FOR PRESSURE IRRIGATION EAST OF US 89 AND REQUIRING COMMUNICATIONS CONDUIT WITH NEW SUBDIVISION DEVELOPMENT.

April 11, 2019

Description:

As Kaysville City has been reviewing development east of US 89, Weber Basin Water District has asked that connections to secondary water not be mandatory. This is something they have been advocating with multiple cities in the region. A requirement to supply an additional water source in addition to the culinary system is of concern to the district as far as impacts to the overall function and maintenance of their system.

Also proposed, is a change to the subdivision improvement requirements that would require new subdivisions to install conduit for communication systems.

Recommendation:

The Planning Commission should make a recommendation to the City Council concerning the proposed ordinance. The Commission may recommend approval with or without changes, denial, or table a decision pending additional information.

Attachment 1: Proposed Ordinance.

**KAYSVILLE CITY
ORDINANCE**

REVISIONS TO KAYSVILLE CITY PRESSURE IRRIGATION REQUIREMENTS

**REVISIONS TO MULTIPLE SECTIONS OF TITLE 9, 18, AND 19 TO ELIMINATE THE
REQUIREMENT FOR A PRESSURE IRRIGATION SYSTEM FOR PROPERTIES
LOCATED EAST OF U.S. 89. AND TO REQUIRE INSTALLATION OF
COMMUNICATIONS CONDUIT WITH NEW SUBDIVISION DEVELOPMENT.**

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “9-6-1 Connection Required” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9-6-1 Connection Required

The record owners, or their duly authorized agents, of all residential sites that are west of US-89 where pressure irrigation is available shall connect their properties to a pressure irrigation system (non-culinary) and pay the applicable fees and charges. Residential sites located east of the US-89 corridor will not be required to connect their properties to pressure irrigation systems.

SECTION 2: **AMENDMENT** “9-4-15 Cross Connection Control And Backflow Prevention” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9-4-15 Cross Connection Control And Backflow Prevention

1. No water service connection to any premises shall be installed or maintained by Kaysville City unless the water supply is protected as required by State laws, regulations, codes, and this Chapter. Service of water to a consumer found to be in violation of this Chapter shall be discontinued by Kaysville City:
 - a. If a backflow prevention assembly required by this Chapter for control of backflow and cross connections is not installed, tested, and maintained, or
 - b. If it is found that a backflow prevention assembly has been removed or bypassed, or
 - c. If an unprotected cross connection exists on the premises, or

- d. If the periodic system survey has not been conducted. Service will not be restored until such conditions or defects are corrected.
2. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the Public Works Superintendent to determine whether cross connections or other structural or sanitary hazards, including violation of this Chapter exist and to audit the results of the required survey.
3. Whenever the Public Works Superintendent deems a service connection's water usage contributes a sufficient hazard to the water supply, an approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line, or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.
4. The type of protective assembly required under subsection (3), is shown in the Standard Drawings of the Kaysville City Development Code~~shall depend upon the degree of hazard which exists at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.~~
5. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection (6), be excluded from the requirements of these rules so long as the Public Works Superintendent is assured that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance, or when the Public Works Superintendent finds that the operation or maintenance of this assembly constitutes a hazard to health, the units shall be replaced by an approved backflow prevention assembly meeting the local and state requirements.
6. It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys/inspections, and operational tests made at least once per year at the consumer's expense. In those instances where the Public Works Superintendent deems the hazard to be great, he may require certified surveys/inspections and tests at more frequent intervals. It shall be the duty of the Public Works Superintendent to see that these tests are made according to the standards set forth by the State Department of Health, Bureau of Drinking Water/Sanitation
7. All backflow prevention assemblies shall be tested within ten (10) working days of initial installation.
8. No backflow prevention assembly shall be installed so as to create a safety hazard such as installation over an electrical panel, steam pipes, boilers, pits, or above ceiling level.
9. If violations of this Chapter exist or if there has not been any corrective action taken by the consumer within ten (10) days of a written notification of deficiencies noted within the survey, then the Public Works Superintendent shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with the State and City statutes relating to plumbing, safe drinking water supplies and the regulations adopted pursuant thereto.

SECTION 3: **AMENDMENT** “18-3-7 Pressure Irrigation Water” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, ~~R~~ residential building sites shall be served by pressure irrigation.
2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

SECTION 4: **AMENDMENT** “19-6-3 Improvements Required” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

19-6-3 Improvements Required

The improvements shall include all street improvements in front of all lots and along all dedicated streets to a connection with existing improvements of the same kind or to the boundary of the development nearest existing improvements. Layout must provide for further extension to adjacent development and to be compatible with the contour of the ground for proper drainage. All water lines, sewer lines, and any other buried conduit shall be installed to the boundary lines of the development. The owner of any land located in or platted as a subdivision shall install the following improvements in compliance with the specifications contained in the Specifications and Standard Drawings:

1. Sewage Collection

- a. The Subdivider shall connect to the sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and specifications of, and shall be approved by, the applicable Sewer District and Kaysville City. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
- b. Subdivisions using individual wastewater disposal systems are allowed in the area of Kaysville City which is three hundred feet (300') or more west of and at an elevation that cannot flow to the western most sewer main of the Central Davis Sewer District, if after review of all alternatives, the City Engineer

determines that other alternatives are not reasonably available Such subdivisions shall comply with the following:

- i. The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.
- ii. All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.
- iii. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).
- iv. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.

2. **Groundwater.** The Subdivider shall protect the structures from groundwater by:

- a. Digging at least one test hole per acre or part thereof, at locations approved by the City Engineer, and determining the depth of the groundwater table and the permeability and percolation rate of the soils. These tests shall be performed by a qualified soils engineer at the Subdivider's expense. If a groundwater drainage system is installed to City standards, with a lateral provided to each lot for a footing drain, this testing is not required.
- b. Preparing a detailed groundwater plan for the subdivision. showing the minimum level of all floors and crawl spaces. If any floor or crawl space is to be installed within one foot or below the groundwater table or where the permeability and percolation rate of the soil is not adequate, the Subdivider shall install a groundwater drainage system to City standards, with a lateral provided to each lot for a footing drain.
- c. Making improvements to adequately remove groundwater and prevent groundwater entry into buildings, including crawl spaces.
- d. Preventing the discharge of surface water drainage into the groundwater drainage system.

3. **Storm Water.** A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The Subdivider shall implement the portion of that plan applicable to the subdivision by:

- a. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
- b. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, and other appurtenant structures, to adequately dispose of 10-year frequency storm runoff within the subdivision and from adjacent properties. Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.
- c. Providing for restriction of the runoff from the subdivision to 0.20 cubic feet per

second per acre per 10-year frequency rainfall event through one or more of the following, at the direction of the City:

- i. Conveyance (including easements) of the runoff to a regional detention site and paying the subdivisions proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 - ii. Dedicating land and constructing regional detention within the subdivision and conveyance to the main channel if said subdivision contains a proposed detention site. The Subdivider will be compensated for the cost of the regional detention and conveyance to the main channel which is not the proportional share for the subdivision.
 - d. If the subdivision is within one hundred feet (100') of a main channel, complying with all Davis County Flood Control requirements and being approved by Davis County.
 - e. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.
4. **Culinary Water.** The Subdivider shall install water lines to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The location and size of water mains shall be approved by the City Engineer. Subdivision water lines shall be a minimum of eight inches (8") in diameter and service laterals shall be a minimum of 3/4-inch in diameter. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
5. **Fire Hydrants.** Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as adopted by the City, and installed in such locations as approved by the City. A fire hydrant shall also be placed at the end of every cul-de-sac in which the water line dead-ends.
6. **Irrigation Water.** Unless located east of U.S. 89, **P**ressure irrigation shall be provided to each lot in residential subdivisions.
- a. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 - b. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. It shall be illegal for any person to connect together a culinary water system and a non-potable water system by any method.
 - c. The Subdivider shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

7. **Street Grading and Surfacing.** All streets whether existing or proposed, shall be graded and surfaced, including a Slurry Seal Type III applied on all new asphalt pavement in streets, in accordance with the standards and specifications of Kaysville City and the design for each street. Existing streets shall be modified to drain and function properly. Any pavement removed from existing streets shall be replaced within sixty (60) days of such removal.
8. **Curbs and Gutters.** Curbs and gutters shall be installed by the Subdivider on existing and proposed streets in accordance with all the appropriate specifications of Kaysville City. Curb and gutter shall be thirty inches (30") wide standard high back style, or standard roll curb if recommended by the Planning Commission and approved by the City Council, and shall be placed in six inches (6") of compacted untreated base course as foundation materials.
9. **Street Drainage.** Street drainage and drainage structures shall be required where necessary in the opinion of the City Council. after recommendation by the City Engineer.
10. **Sidewalks.** Sidewalks shall be installed according to the specifications of Kaysville City. Sidewalks shall be at least four feet (4') wide with four inches (4") of compacted untreated base course material as foundation materials. Depth of sidewalks shall be four inches (4"). except at driveways, which shall be six inches (6").
11. **Active Transportation Improvements.** Subdivisions which include or are adjacent to an element of the Kaysville City Active Transportation Plan shall account for and install the applicable improvements including off street shared use paths and street improvements such as striping.
12. **Telecommunications Conduit.** Conduit for the purpose of housing telecommunications and internet infrastructure shall be installed in accordance with the Kaysville City Standard Drawings.
13. **Driveway Approaches.** All driveway approaches shall meet the following specifications:

Specification	Residential	Type Commercial, Industrial, and Institutional
Minimum width	10 feet	10 feet
Maximum width	30 feet	40 feet
Minimum concrete thickness	6 inches	8 inches
Minimum base course thickness	6 inches	6 inches
Minimum distance between driveways	12 feet	12 feet
Minimum distance to the point of intersection of two property lines at any street intersection	20 feet	40 feet

14. **Monuments.** Permanent survey monuments shall be accurately set and established at the intersections of centerlines of streets within the subdivision and intersections with centerlines of existing streets and the beginning and ends of curves on centerlines or points of intersections or tangents. All permanent survey monuments shall remain in place, or be reset at the Subdivider's expense, after curbs, gutter, and sidewalks are installed. Monuments shall be of a type specified in City standards, and all subdivision plats shall be tied to a section corner or monument of record, as established by the Davis County Surveyor.

15. **Electric Power System**

- a. The Subdivider shall pay the cost of electric system extensions and street lights, installed by the City, to service the subdivision.
- b. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 - i. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 - ii. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 - iii. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
- c. The Subdivider shall prepare the site for electrical distribution line installation before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:
 - i. Installation of curb and gutter indicating permanent grade.
 - ii. Markers installed on curb indicating property lines.
 - iii. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
 - iv. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
- d. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
- e. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.

16. **Street Signs.** The Subdivider shall pay the cost of traffic control, street identification, and other street signs, installed by the City, in accordance with City standards. The cost will be charged to the Subdivider and shall be paid before the plat is recorded. The improvement assurance in the subdivision will not be released until after payment of the costs incurred to install the necessary street signs has been made.

17. **Fencing of Subdivision.** A permanent solid board, metal chain link (with opaque slats if required), masonry, or other similar fence not less than six feet (6') in height shall be installed prior to the start of building construction along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be non-compatible by the Planning Commission. In addition, temporary construction fencing shall be installed along appropriate boundaries or where required to contain blowing refuse prior to the start of building construction, as recommended by the City Engineer. The construction fence shall remain in place until 90% of the lots are built on. The construction fence shall be type "D" field fence as given in the specifications. Upon installation of the permanent fence by the Subdivider, and approval by Kaysville City, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall not hold Kaysville City responsible for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a non-climbable permanent fence coincide, the non-climbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of construction within the subdivision.
18. **Marking of Lots.** Survey markers shall be placed at all lot corners and at lot boundary locations to completely identify the lot boundaries on the ground. Lot corners shall be identified with permanent plugs in the sidewalk or back of the curb or with a metal pipe or rod driven into the ground if sidewalks or curbs are not next to the lot boundary. All lot corners and lot boundaries shall be marked prior to the issuance of building permits, after the completion of all subdivision improvements and during building construction and inspections. It shall be the responsibility of the lot owner to insure that all lot corner and boundary markers are in place. The City is not responsible to replace survey stakes or markers.
19. **Highway Noise Abatement.** Highway noise abatement, as determined through environmental studies and engineering analysis and approved by the Planning Commission, shall be provided in all residential subdivisions within three hundred feet (300') of a freeway or principal arterial. Noise abatement may include distance of noise sensitive uses from noise sources, landscaping, earth berms, and other mitigation. The Subdivider shall pay the entire cost of any noise abatement studies and noise abatement facilities.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council member Adams	_____	_____	_____	_____
Council member Barber	_____	_____	_____	_____
Council member Garn	_____	_____	_____	_____
Council member Hansen	_____	_____	_____	_____
Council member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

KAYSVILLE CITY PLANNING COMMISSION

March 28, 2019

Members Attended: Chairperson Matthew Anderson, Gary Bullock, Betty Parker, Thomas Wood, Wilf Sommerkorn, Joshua Sundloff Excused: Tamara Tran

Staff Present: Zoning Administrator Lyle Gibson, Secretary Heather Nielsen

Others Present: Rob Bryant, Heidi G. Nettleton, Brian Bolinder, Councilman Stroh DeCaire, Jon Cox, Paul Clifton, Rachel Olpin, Councilman Larry Page

OPENING

The Planning Commission meeting was held on Thursday, March 28, 2019 at 7:00 p.m. in the Municipal Center. Chairperson Matthew Anderson opened the meeting by welcoming those present.

The minutes of the February 28, 2019 meeting were presented for approval. Gary Bullock made a motion to approve the minutes. Betty Parker seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, HAIR SALON AT 61 W. 2250 S.—RACHEL OLPIN

Lyle Gibson stated that the applicant is requesting a conditional use permit for Major Home Occupation “B” at the above listed address. Ms. Olpin is currently working on finishing her basement to include a hair salon for her to see clients from her home. She is anticipating holding appointments throughout the week at varied times as the appointments work for her clientele. She would expect to work about 25 hours on a typical week. No walk-ins, all customers are by appointment.

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation “B”, hair salon without the need for additional conditions.

Chairperson Matthew Anderson asked the applicant to approach the stand. Betty Parker asked the applicant if there would be a side entrance into the basement salon. Rachel Olpin responded that there would be a walkway and side entrance into the basement salon.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, Hair Salon at 61 W. 2250 S for Rachel Olpin. Gary Bullock seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AN ADDITION TO A CHURCH MEETINGHOUSE AT 490 S. ANGEL ST.--CHURCH OF CHRIST-PAUL CLIFTON

Lyle Gibson explained that the applicant has an existing conditional use permit for the church located at the corner of Angel Street and Leola Lane. They are looking to do an addition and so

are modifying their original conditional use permit.

The front or eastern exterior of the building will be left alone. The existing chapel on the west side of the building would be extended to the west 30 feet. While this addition does increase the seating capacity of the chapel area, it is only partially for that purpose, as it will allow for some additional classrooms where a portion of the original chapel was located.

The proposal would remove 5 of the existing parking stalls, but maintain full access and circulation around the building all in compliance with fire code. The max occupancy is 258 people requiring 51 parking stalls on site. 53 parking stalls will remain. Staff is recommending approval of the proposed conditional use permit for an addition to the church meetinghouse at 490 South Angel Street as proposed.

Chairperson Matthew Anderson asked Mr. Clifton to approach the stand for some questions. Mr. Clifton told the commission that he approached both neighbors surrounding the church and informed them about the planned addition. Both neighbors were okay with the planned construction.

Gary Bullock asked if parking has ever been a problem there. Mr. Clifton responded that there has never been any parking issues. Lyle Gibson stated that the plan meets the zoning requirement for parking stalls even with the loss of stalls for the building addition.

Gary Bullock made a motion to grant a conditional use permit for a church addition located at 490 S Angel St for Church of Christ--Paul Clifton. Josh Sundloff seconded the motion and it passed unanimously

FINAL PLAT APPROVAL FOR THE PRIGMORE LEGACY ESTATES SUBDIVISION AT 233 S. 400 E. —HGN DEVELOPMENT

In December of 2018 the City Council approved the Preliminary Plat for this subdivision and the PRUD overlay zone subject to an acceptable Final Plat.

The subdivision consists of 3 total lots, an existing home on a standard lot fronting 400 East Street and 2 flag lots to the east with access from the south side of the property.

The applicant has since had the property surveyed and created a final plat for review. No public improvements are required with the subdivision and it is consistent with the preliminary plan.

Staff is recommending approval of the proposed final plat for the Prigmore Legacy Subdivision. The plat is consistent with the existing preliminary plat and meets applicable ordinances and standards.

Wilf Sommerkorn made a motion to grant final plat approval for the Prigmore Legacy Estates Subdivision at 233 S. 400 E. for HGN Development. Chairperson Matthew Anderson seconded the motion and it passed unanimously

CALL TO THE PUBLIC

Nothing was brought under this item.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, April 11, 2019 at 7:00 p.m.

ADJOURNMENT

Chairperson Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:22 p.m.