



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 13, 2020 starting at 7:00 p.m. in the **Business Resource Center of the Davis Technical College, 450 South Simmons Way, Kaysville, UT.**

In consideration of the COVID-19 pandemic, attendance will be monitored and limited to less than 50 individuals, including Commission, Staff and Applicants. Because of the room occupancy limitation, it is encouraged that those wishing to direct comments to the Planning Commission regarding items on the agenda do so through the Planning Commission Form Center at:

kaysvillecity.com/FormCenter/Planning-Commission-17/Contact-the-Planning-Commission-71

Masks are recommended. No participation using Zoom will be available. The audio from the meeting will be posted on kaysvillecity.com/AgendaCenter/Planning-Commission-4 by end of business on Friday August 14, 2020.

The agenda shall be as follows:

1. Opening and Election of new Planning Commission Chairperson and Vice-Chairperson. Introduction of newly appointed Planning Commission members.
2. Approval of the minutes from the July 9, 2020 meeting.
3. Conditional Use Permit for a Major Home Occupation 'B', for a construction business located at 382 East 200 South for Ken Morley.
4. Conditional Use Permit for a Major Home Occupation 'B', for a lawn care business located at 114 North 100 West for Blue Moon Lawn Care/James Giles.
5. (Tabled Item) Conditional Use Permit for a Major Home Occupation 'B', for private and group swim lessons located at 2052 West Peach Blossom for Peach Blossom Swimming/Cameron Garner.
6. Public Hearing and consideration of a development agreement for the rezone of 0.42 acres of property located at 263 East 100 North from the R-D (Single Family Dwellings) to a RM (Residential Multi-Family) zoning district with a PRUD (Planned Residential Unit Development) overlay zone for Jerry Larsen.
7. Public Hearing and preliminary plat approval for Jerry Larsen Subdivision located at 263 East 100 North for Jerry Larsen.
8. Final plat approval for the Galbraith Kaysville Subdivision located at 1599 West Galbraith Lane for Nathan Alvey.
9. An ordinance amending section 17-31-18 to refine clear view requirements for corner lots prohibiting the planting of trees.

10. An ordinance creating section 17-31-3, Accessory dwelling units, and amending multiple chapters of Title 17, Planning and Zoning, to designate where accessory dwelling units may be considered.
11. An ordinance amending section 17-31-2 Accessory buildings, of Title 17, Planning and Zoning.
12. Call to the public.
13. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
14. 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 August 7, 2020.



Lyle Gibson – Community Development Director

To contact the Community Development Office please call 801-546-1241.



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation "B" Handyman. August 13, 2020

Applicant/Owner	Ken Morley
Location:	382 East 200 South
Zone:	R-D

Description:

The applicant is requesting a conditional use permit for a major home occupation "B" for handyman services to be offered from the address listed above.

Mr. Ken Morley would like to run a handyman business from his home. He has a trailer that will be stored off his property but could possibly be parked in front of his house on rare occasions.

Mr. Morley has informed staff that no employees will report to the home address. He will also not display any advertising signs at the home's premises. Materials needed to perform his services will be picked up by Mr. Morley on the way to jobs or delivered to the job site.

Recommendation:

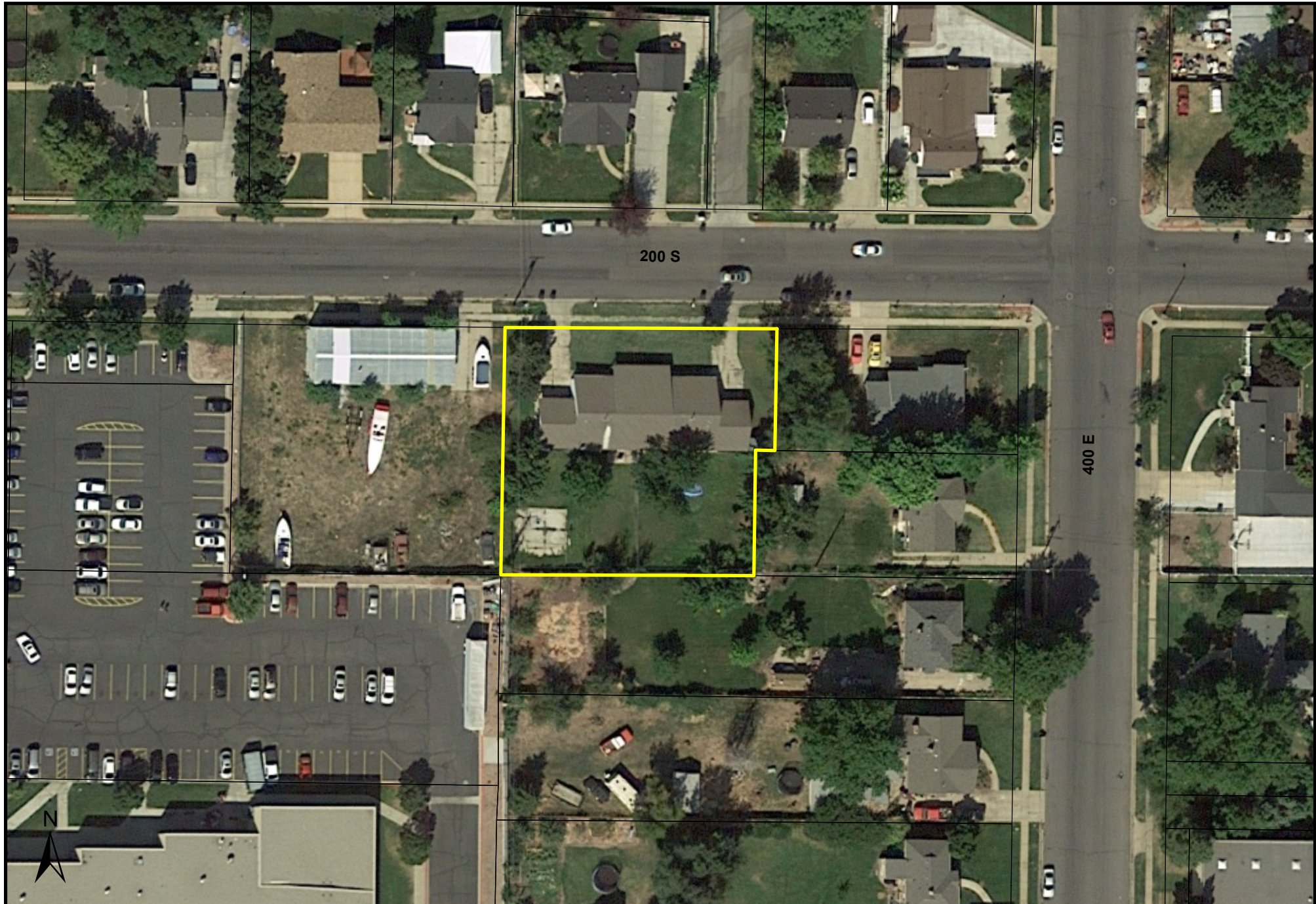
Staff recommends approval of the proposed conditional use permit for a major home occupation "B" for handyman services with no additional conditions for Mr. Ken Morley.

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

382 East 200 South





Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', for BlueMoon Lawn Care and Landscaping Services. August 13, 2020

Applicant/Owner: James Giles
Location: 114 North 100 West
Zoning: R-1-20

Description:

The applicant is requesting a conditional use permit for a major home occupation 'B' for lawn care services at 114 North 100 West for BlueMoon Lawn Care/James Giles.

Mr. Giles has a pickup truck that he will use to transport his lawnmower and other equipment to job sites. When he is not using his equipment it will be stored behind the home.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a major home occupation "B", lawn care service 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

114 North 100 West





Planning Commission Staff Report

Conditional Use Permit for Major Home Occupation 'B' Private and Group Swimming Lessons. August 13, 2020

Applicant/Owner: Cameron Garner
Location: 2052 West Peach Blossom Dr.
Zone: R-1-20

Description:

Update: Item was tabled at the July 9, 202 meeting due to the applicants absence and questions needing to be answered.

The applicant is requesting a conditional use permit for a major home occupation 'B' to offer group and private swimming lessons from their home. Classes will consist of 10 or less students at any particular time. The applicant verified that they will have no on premise advertising.

Lessons are Monday through Friday starting at 8:30 am and going until 12:00 pm. Typical class sessions go from 30-45 minutes.

The request being an organized class per 17-26-4 (12) requires that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion. Subject to compliance with Title 17-26-4 of the Kaysville City Ordinance and the following condition:

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a major home occupation 'B'

The number of students be limited to 10 per class.

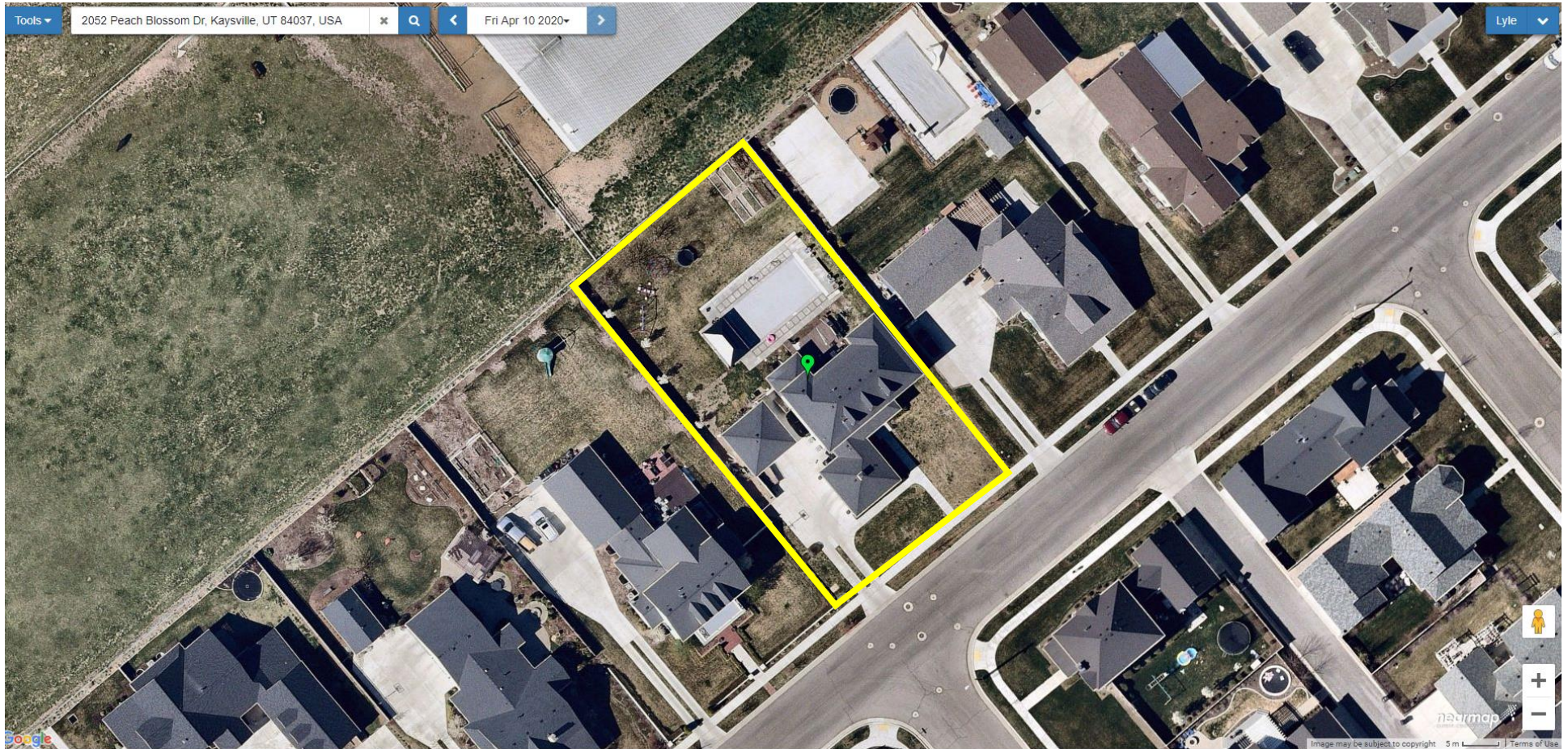
A 15 min gap between class start and end times to allow for traffic control.

Discourage parking in front of neighbors homes. Be courteous of neighbors with parking issues.

Reasoning:

The existing conditions on site, the proposed conditions, and the restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map



2052 West Peach Blossom Drive



Planning Commission Staff Report

Public Hearing and consideration of development agreement and rezone of approximately .425 acres of property at 263 East 100 North from the R-D (Residential Diverse) to the R-M (Multi-Family Residential) zoning district to include the PRUD overlay zone for common open space subdivision with a private drive.

Public Hearing for the Jerry Larsen Subdivision Preliminary Plat at 263 East 100 North.

August 13, 2020

Applicant/Owner: Jerry Larsen/ Michael Larsen
Location: 263 E 100 N

Description:

The subject property is under consideration for a rezone to accommodate a proposed common open space subdivision on a private street which would include 6 units in a townhome style configuration.

The Planning Commission is tasked with considering the rezone items first to determine if the type of use and development is consistent with the general plan and appropriate at the specific location. The subject property is surrounded on all sides by the R-D district. This zoning district covers a neighborhood with a variety of housing types that developed historically, however the ordinance requires that new development under the R-D zone be single family dwellings only. While the zoning is consistent all the way around this property, the use of land is reflective of the districts history including a variety of housing types.

The development of new single family homes under the existing ordinance would be limited to lots of 8,000 sq. ft. in size, however with the PRUD overlay a common open space subdivision in the R-D district may have a density equal to that allowed in the R-M district. Because a request for the PRUD overlay was required, city staff felt the consideration of the R-M would be appropriate to clarify the different sections of the city ordinance as to what type of housing may be permitted.

The project as proposed includes 2 story townhomes with a footprint of about 900 sq. ft. each. Based on the size of the units and the number of units the project would require 5,800 sq. ft. of open space. The

current proposal includes 6,000 sq. ft. of open space. The units would be accessed by a private street that forms a hammerhead turnaround for the shared driveway that the units front with a zero lot line against the private street, 19 foot yards to the north and south of the units, and an 8 foot yard to the east.

The amount of open space would meet the standard requirement of the common open space provisions, however the following would require approval through an acceptable development agreement:

- Zero lot line, distance between buildings – standard is buildings set back 20’ feet from private street, detached homes standard side yard is 8 feet.

**Proposed Zoning: R-M
PRUD Overlay Zone**

Existing Zoning: R-D

In addition to the preliminary plat and building elevations, the applicant has provided images of another project they built in Kaysville City to demonstrate the type of landscaping (open grass area) and fencing (masonry wall) that they would propose around this development.

As a rezone, this decision should be looked at based on its compatibility with the City’s [General Plan](#) and how well the proposed development allowed by the zoning district fits at the specific location.

If the project type, rezone, and development agreement terms are acceptable, the commission would then consider the preliminary plat for recommendation to the city council. The plat is not feasible without the rezone items.

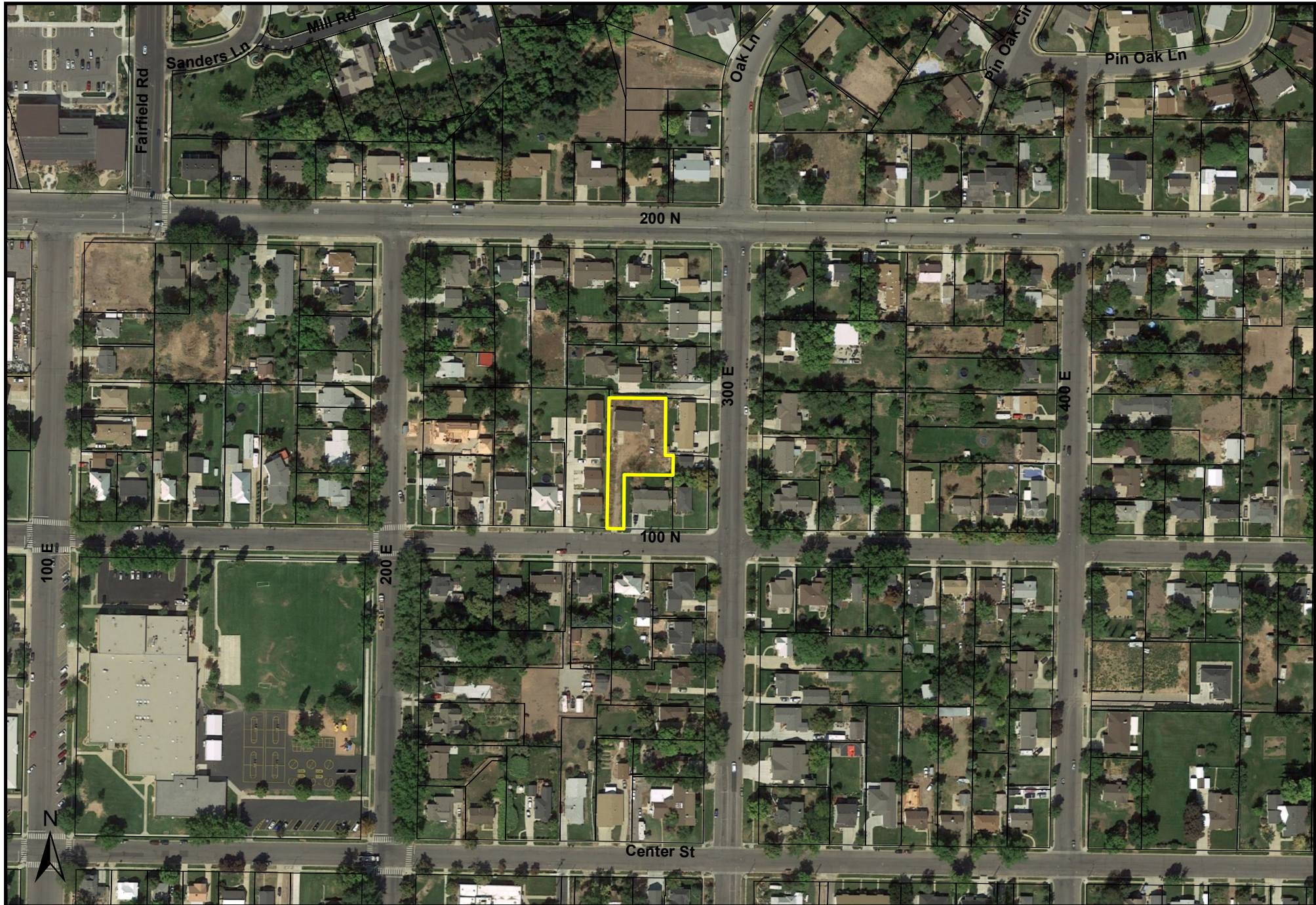
Recommendation:

As a legislative item the Planning Commission has broad discretion in its ability to make a recommendation to the City Council. The Planning Commission may recommend approval, denial, or a variation of the proposal to the city council. Should the commission wish to see changes or additional items in the development agreement. it is the recommendation of city staff that this proposal return to the commission for review of the items it requests before moving forward for review by the city council.

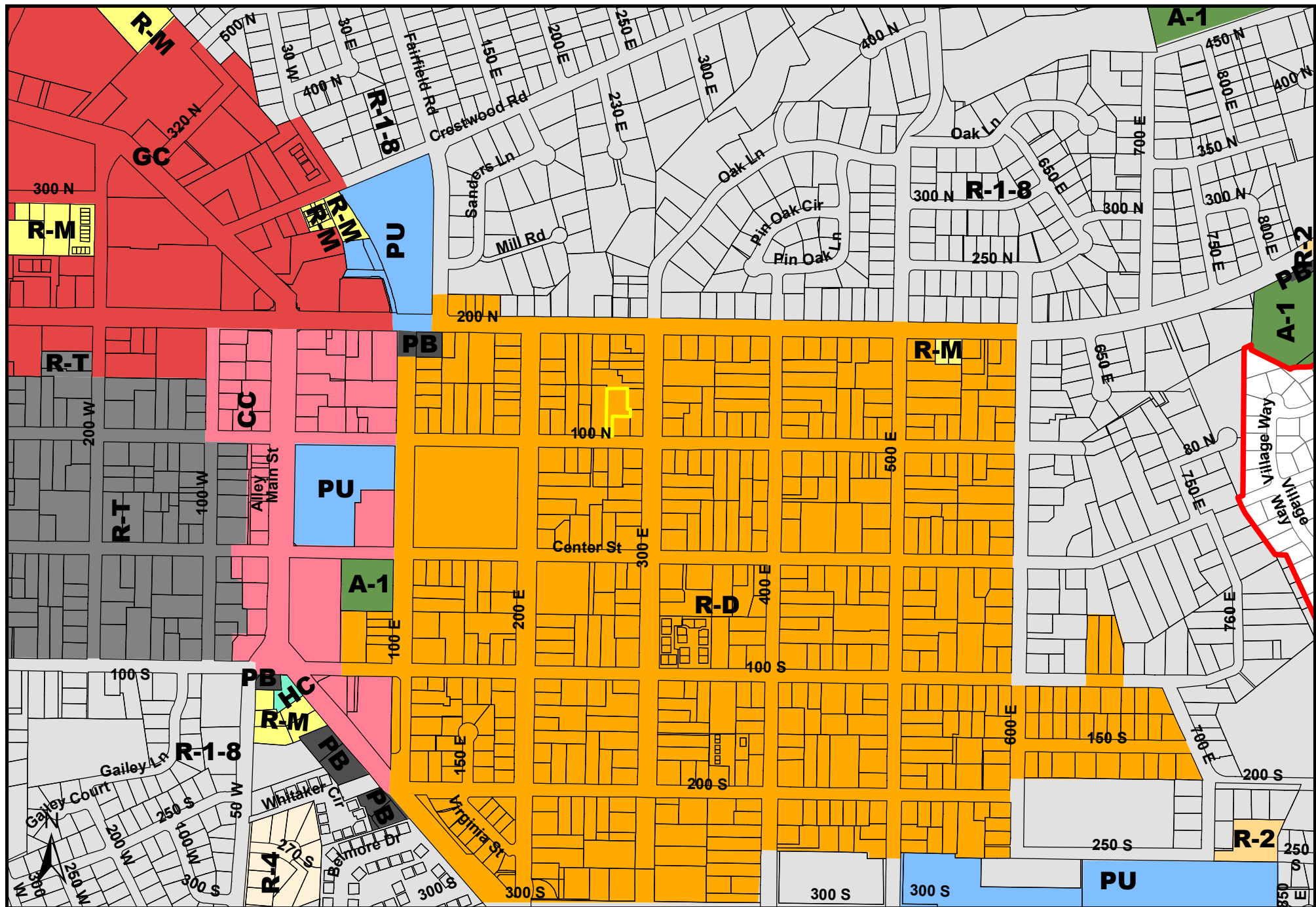
Staff would recommend the commission forward a favorable recommendation of the preliminary plat to the city council if the development agreement and rezone items be acceptable to the Planning Commission.

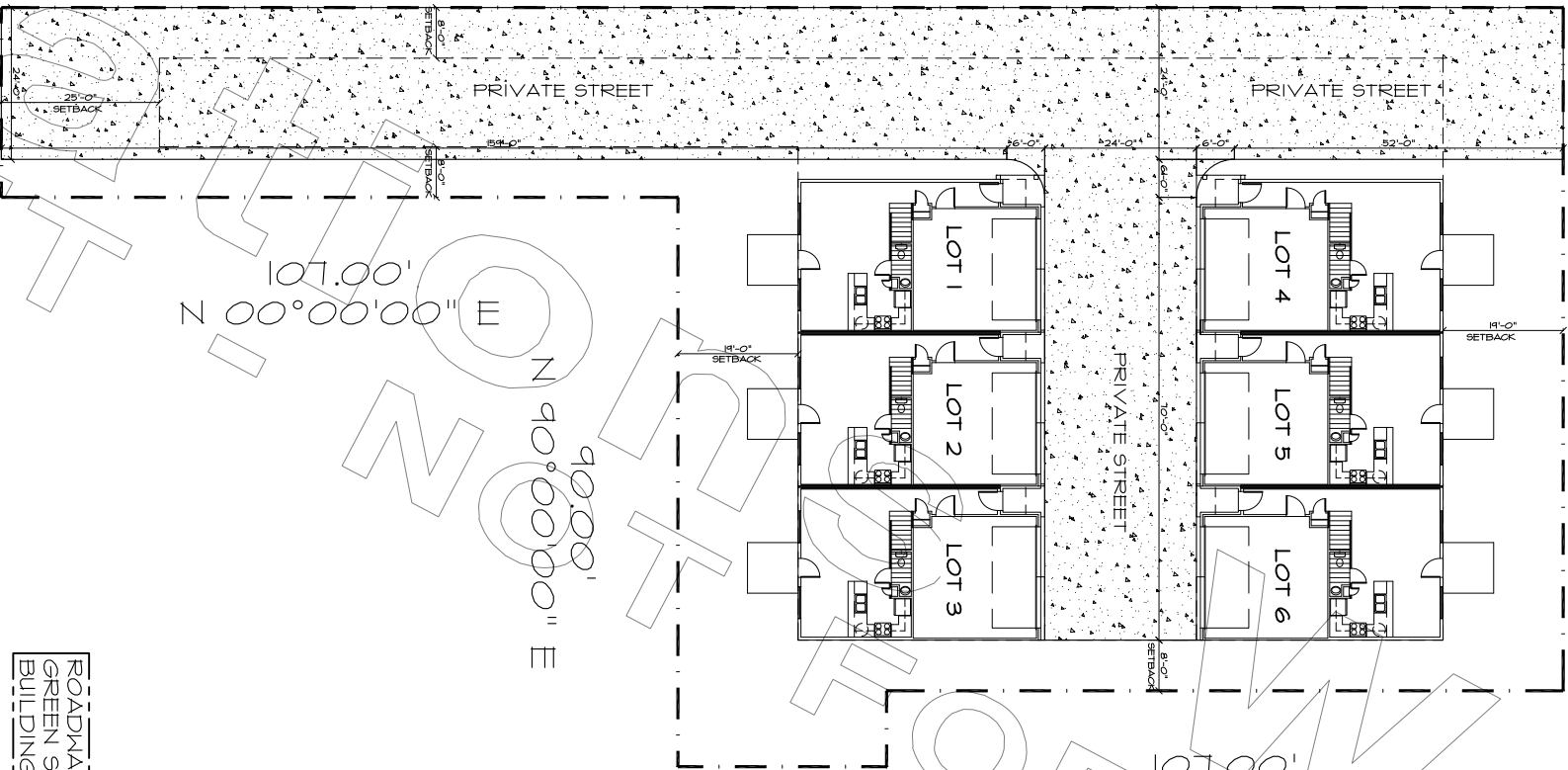
- Attachment 1: Area Map
- Attachment 2: Zoning Map
- Attachment 3: Preliminary Plat
- Attachment 4: Development Agreement
- Attachment 4: Rezone Ordinance

263 E 100 N - Rezone From R-D to R-M PRUD



263 E 100 N - Rezone From R-D to R-M PRUD





ROADWAY AREA: 6716 SQ. FT.
GREEN SPACE: 6008 SQ. FT.
BUILDING AREA: 6002 SQ. FT.



SCALE : 1" = 30'

MIKE LARSEN
ADDRESS/LOT PLAT
CITY, STATE

When Recorded, Return to:
Kaysville City
Community Development Office
23 East Center Street
Kaysville, UT 84037

Affecting Tax Parcel No.: _____

**DEVELOPMENT AGREEMENT
FOR A COMMON OPEN SPACE SUBDIVISION**

THIS AGREEMENT is made and entered into this ____ day of _____, 2020 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the “City”), and Jerry Larsen (hereinafter the “Developer;”) (“Developer” includes successors and/or assigns of DEVELOPER), as follows:

RECITALS

WHEREAS, Developer is desirous of developing a townhome subdivision (the “Subdivision”) on certain real property located in the City of Kaysville, County of Davis, State of Utah and more particularly described on the Property Location Map attached hereto as Exhibit A and the Area Description of Section 1 A.; and

WHEREAS, the purpose of this Agreement is to define the development standards, conditions and improvements, schedule for development of the Subdivision and other terms and conditions pursuant to which the Subdivision proposed by Developer is to be developed within the City; and

WHEREAS, the City is willing to grant the R-M (residential Multi-Family zoning district and PRUD (Planned Residential Unit Development) overlay upon approval of a final plat and to authorize the development of the subdivision proposed by Developer in conformance with this Agreement, City Ordinances, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. GENERAL DESCRIPTION.

A. Area Description. The property upon which the Facility shall be developed (the “Property”) is located as shown on the Property Location Map, a copy of which is attached as Exhibit A hereto and incorporated by reference herein. The property is further described as parcel # 11-740-0002.

B. Project Description. The project proposed by Developer is a common open space subdivision on a private street, which will consist of 6 residential lots to be developed in substantial compliance with the plan included as Exhibit C.

2. DEVELOPMENT STANDARDS AND GUIDELINES

A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Facility (the “Development Standards”), the following in addition to all other applicable City Ordinances, standards and guidelines:

(1) Architecture. Developer shall construct the Facility in similar compliance and conformance with the Architecture as set forth in Exhibit B, example architecture.

(2) Fencing. Fencing around the project to the north, east, and west shall be masonry as represented in Exhibit D.

(3) Landscaping. Landscaping shall be installed as indicated in the Landscape Plan shown in Exhibit D, being open grass.

(4) Yards. The following requirements shall apply in lieu of standard requirements of the R-M zoning district:

- a. Front Yards abutting the private drive: zero lot line allowed, may need to provide separation for utilities as determined by final plat review.

Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the Subdivision , in

conformance with the Development Standards and this Agreement, promotes the creation of a desirable residential development in an appropriate location. The City further finds that the development of the Subdivision, in conformance with the Development Standards and this Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council of the City.

Subject to the Developer's performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Developer's rights to develop the Facility in accordance with the approved site plan, construction drawings and building plans is vested.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Subdivision, at Developer's sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, the secondary water provider as applicable, The Central Davis Sewer District, other providers and the State of Utah.

4. OFF-SITE PROJECT IMPROVEMENTS

In accordance with applicable standards and subject to the design approval of the City Engineer, Developer shall construct and install street improvements, sidewalks, utilities, and drainage improvements, along or within 100 North Street as applicable with the construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that is has authority to proceed with the Subdivision.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Subdivision.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform Developer's obligations hereunder.

The City may withhold approval of assignment, without consequence, if the city reasonably believes that the anticipated assignee will be unable to meet the requirements of this agreement or any City ordinances.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. ATTORNEY'S FEES

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

A. City. The execution of this Agreement by the City has been authorized by the City Council of Kaysville City at a regularly scheduled meeting of that body, pursuant to the notice.

B. Developer. The execution of this Agreement has been duly authorized by the Developer.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

DEVELOPER

ATTEST:

By: _____

TITLE

TITLE

KAYSVILLE CITY

ATTEST:

By:

Katie Witt
Mayor

Annemarie Plaizier
City Recorder

On the ____ day of _____, 2019, personally appeared before me KATIE WITT, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for himself and herself that he, the said KATIE WITT, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said ANNEMARIE PLAIZIER, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said KATIE WITT and ANNEMARIE PLAIZIER, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

On the ____ day of _____, 2020, personally appeared before me, _____, the signer of the foregoing Development Agreement for DEVELOPER, who duly acknowledged to me that he executed the same for and on behalf of DEVELOPER.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

Exhibit A

263 East 100 north – Parcel ID #11-740-0002

Legal Description: All of Lot 2, Jerry Larsen Subdivision



Exhibit B



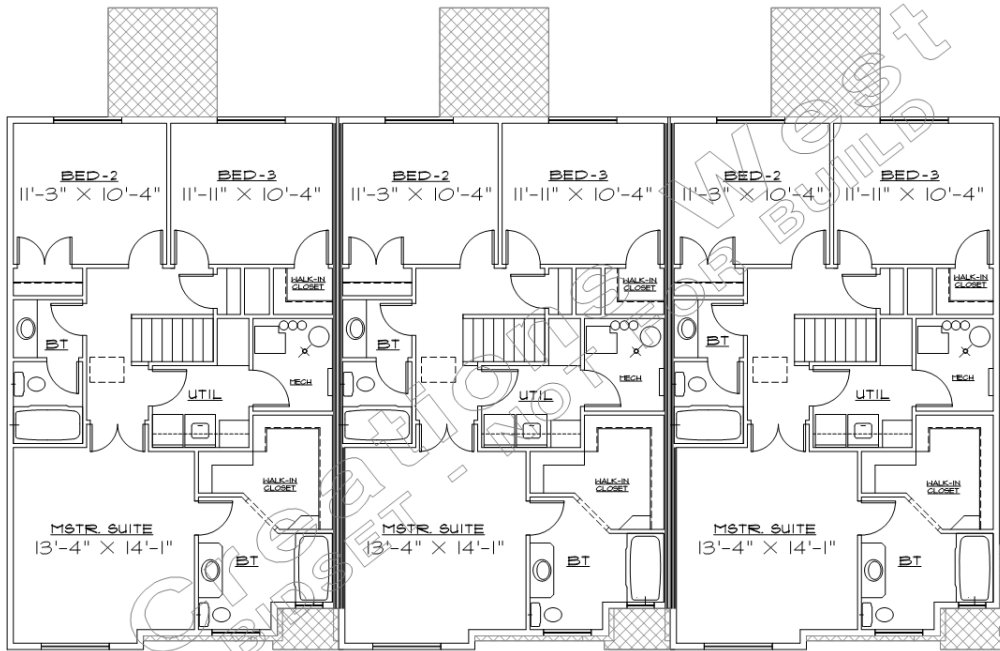
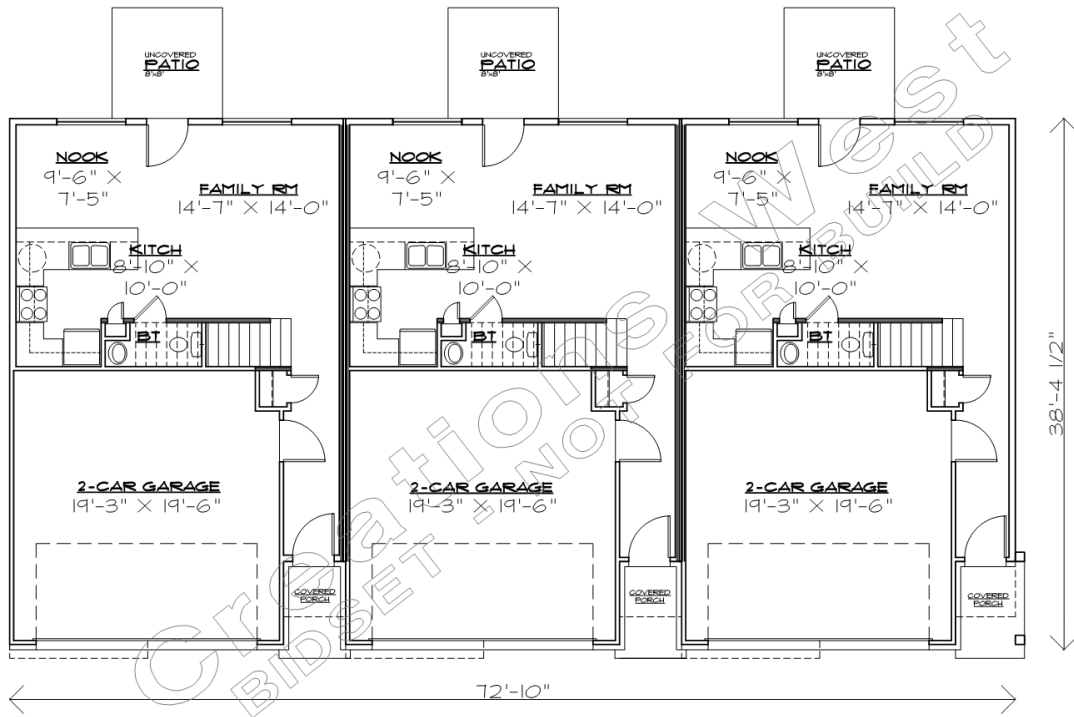


Exhibit C

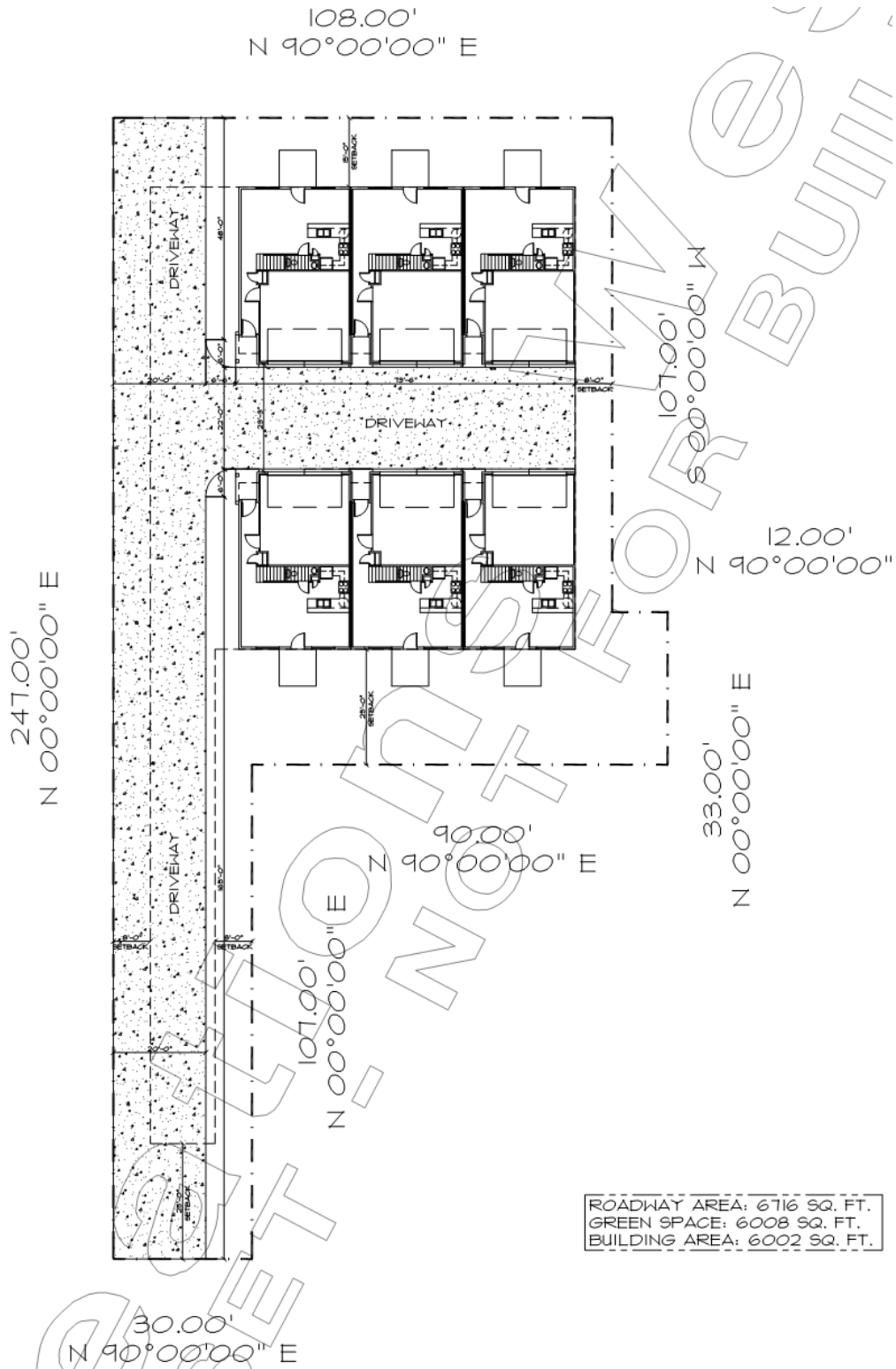


Exhibit D



ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-M (MULTI-FAMILY RESIDENTIAL) TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property to the R-M district to include the PRUD overlay zone for the purpose of accommodating a common open space subdivision on a private street; and

WHEREAS, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the Kaysville City Planning Commission has made a recommendation to the City Council on said zoning action; and

WHEREAS, the City Council after due consideration of said overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zone be implemented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.425 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing it from the Kaysville City R-D district and rezoning it to the R-M (Multi-Family Residential) district and adding the Kaysville City PRUD (Planned Residential Unit Development) overlay zone.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney



Planning Commission Staff Report

Final Plat for the Galbraith Kaysville flag lot subdivision. August 13, 2020

Applicant/Owner:	Applicant: Nathan Alvey – Owner: Lamont and Carolee Anderson
Location:	1599 West Galbraith Lane
Current Zone:	R-1-20

Description:

The Kaysville City Council recently approved a rezone to the R-1-20 zone with the PRUD overlay to allow for a single flag lot development at this property together with the preliminary plat. In consideration of the concerns that were expressed through the rezone and preliminary plat process the Council determined that any engineering solution that was proven to meet the city's requirements was acceptable and that no fencing would be required by the city.

The final plat has been provided which indicates the layout as approved in the preliminary plat process with lots that each meet the minimum width and size requirements of the PRUD ordinance and R-1-20 zone. The applicant has coordinated with Kaysville City staff and has proposed a solution for the storm water that pipes the water from this property out to Galbraith Lane.

Recommendation:

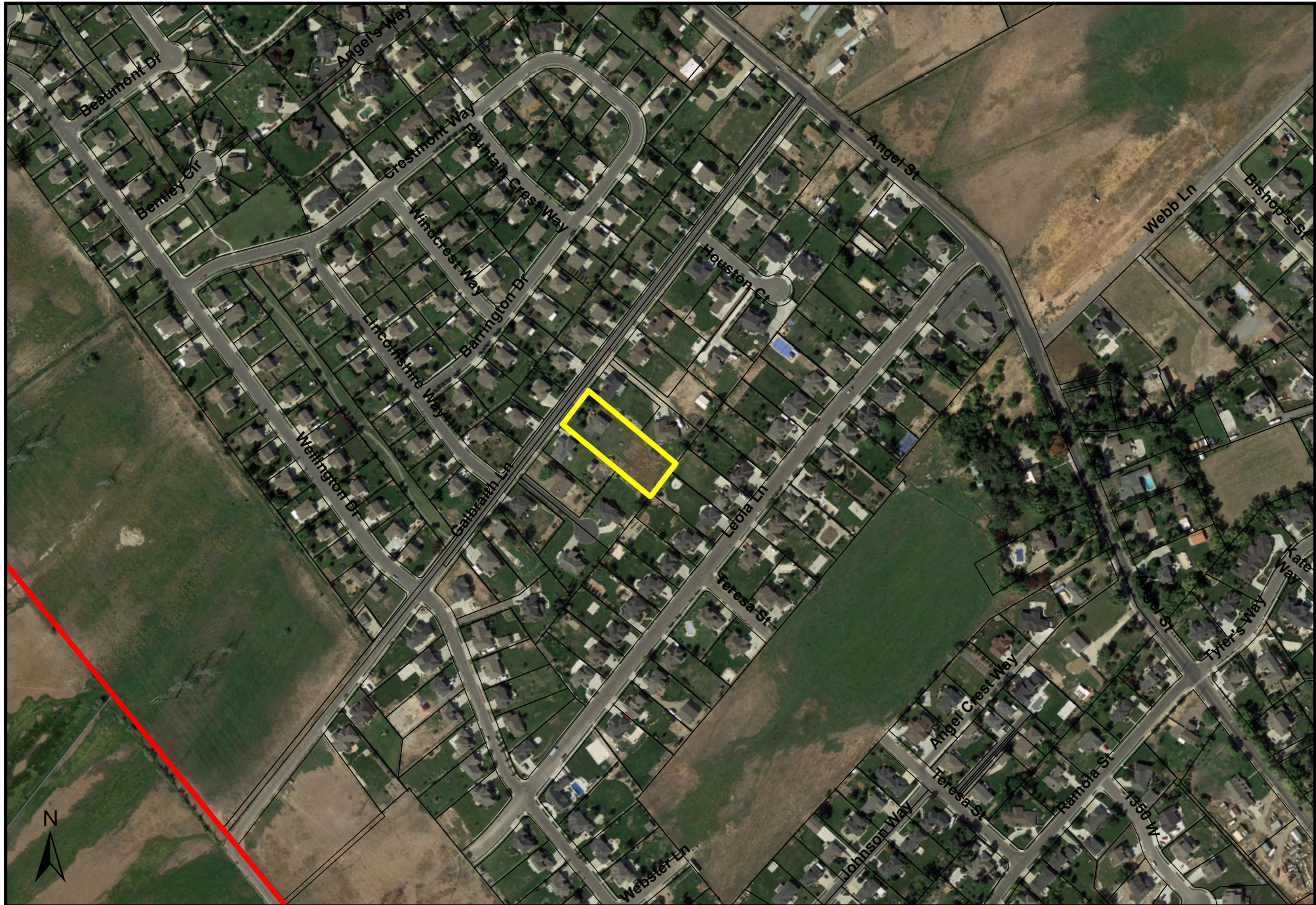
Staff is ready to recommend approval of the final plat for the Galbraith Kaysville subdivision.

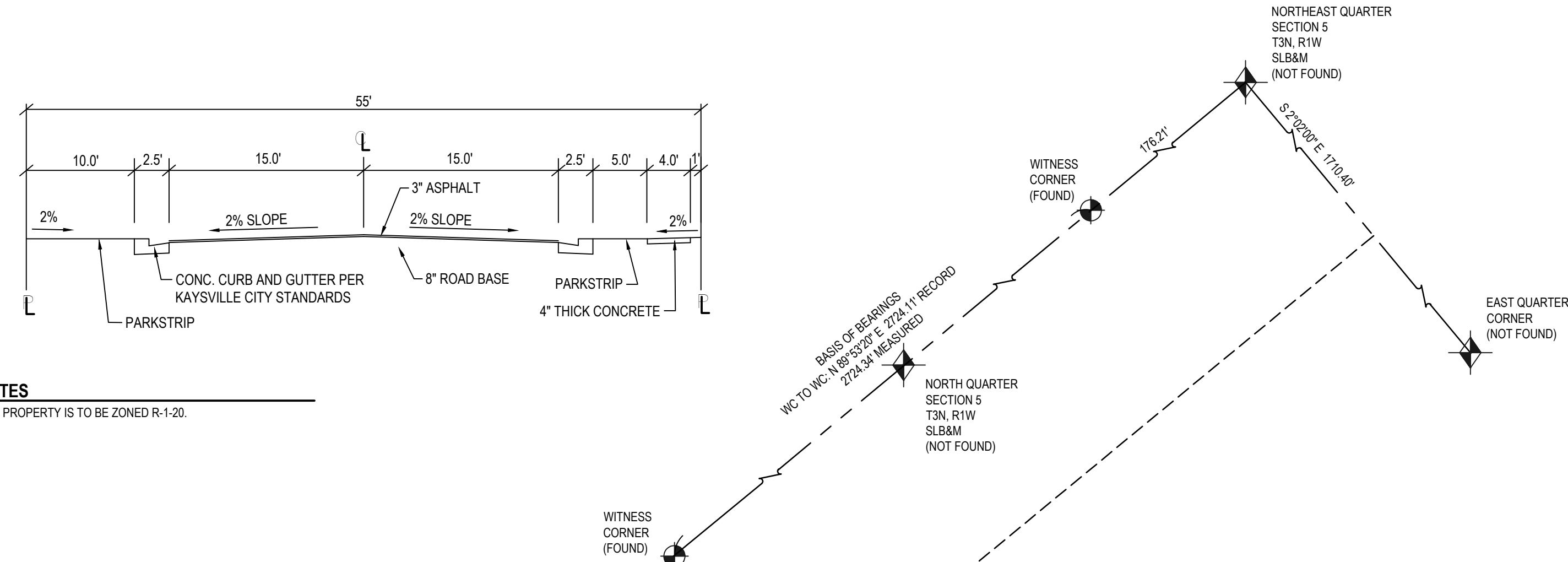
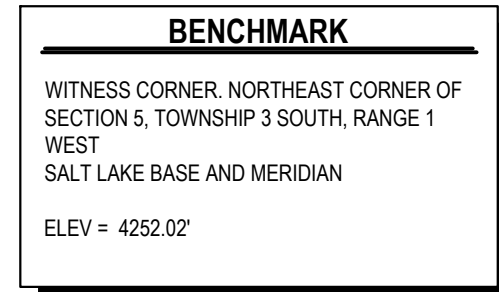
Reasoning:

The plat is consistent with the preliminary plat and meets applicable ordinances and standards.

Attachments: location map, preliminary plat, final plat, demolition and utility plan.

1599 West Galbraith Lane - Rezone to R-1-20 with the PRUD overlay zone to create a flag lot.





NOTES

1. PROPERTY IS TO BE ZONED R-1-20.

A parcel of land, situate in the Northeast Quarter of Section 5, Township 3 North, Range 1 West, Salt Lake Base and Meridian, said parcel also located in Kaysville City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point on the southerly right-of-way of Galbraith Lane, said point also being the westerly corner of Pettingill Estates - Amended. Said point being South 00°02'00" East 1,710.40 feet along the section line and South 89°58'00" West 647.20 feet from the Northeast Corner of said Section 5 and running thence:

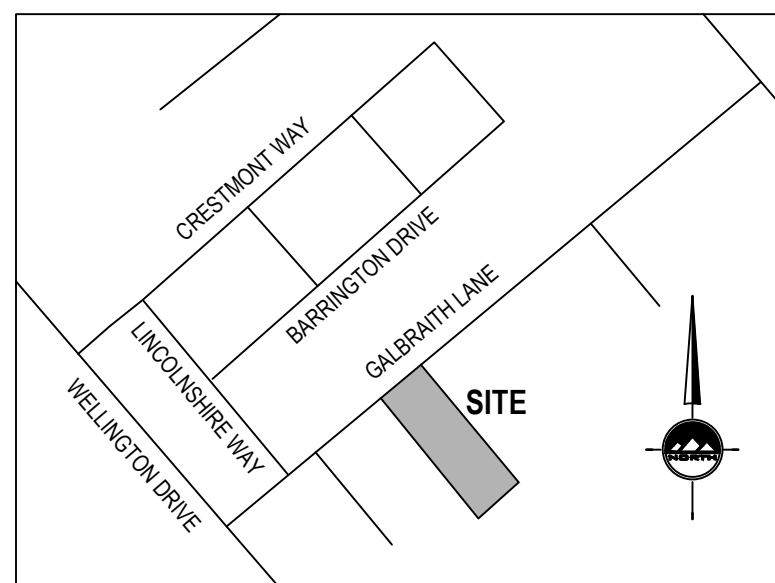
South 50°32'08" East 353.08 feet along the southerly line of Pettingill Estates - Amended to the westerly line of Webster Farms No. 2;

thence South 37° 27' 56" West 128.46 feet along said westerly line to the East corner of Dancing Horse Estates Subdivision and the beginning of a Boundary Line Agreement (Entry No. 2557444 in Book 5122, Page 951);

thence North 50° 58' 59" West 352.85 feet along the northerly line of Dancing Horse Estates Subdivision and said Boundary Line Agreement to the southerly right-of-way- line of Galbraith lane;

thence North 37°24'08" East 131.22 feet along said southerly right-of-way line to the Point of Beginning.

Contains: 45,807 square feet or 1.052 acres.



VICINITY MAP
NO SCALE
KAYSVILLE, DAVIS COUNTY, UTAH



LAYTON

919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3590

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

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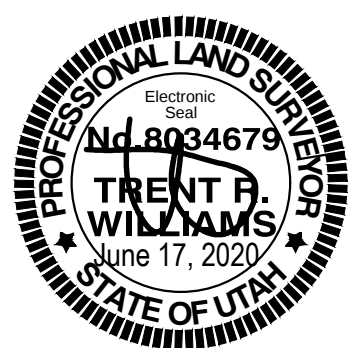
ATHAN ALVEY
116 GRASSY PLAIN DRIVE
MAYSVILLE, UTAH 84037

CONTACT

PHONE: 801-750-5996

GALBRAITH KAYSVILLE

**1599 WEST GALBRAITH LANE
KAYSVILLE, UTAH**



PRELIMINARY PLAT

PROJECT NUMBER

PRINT DATE:

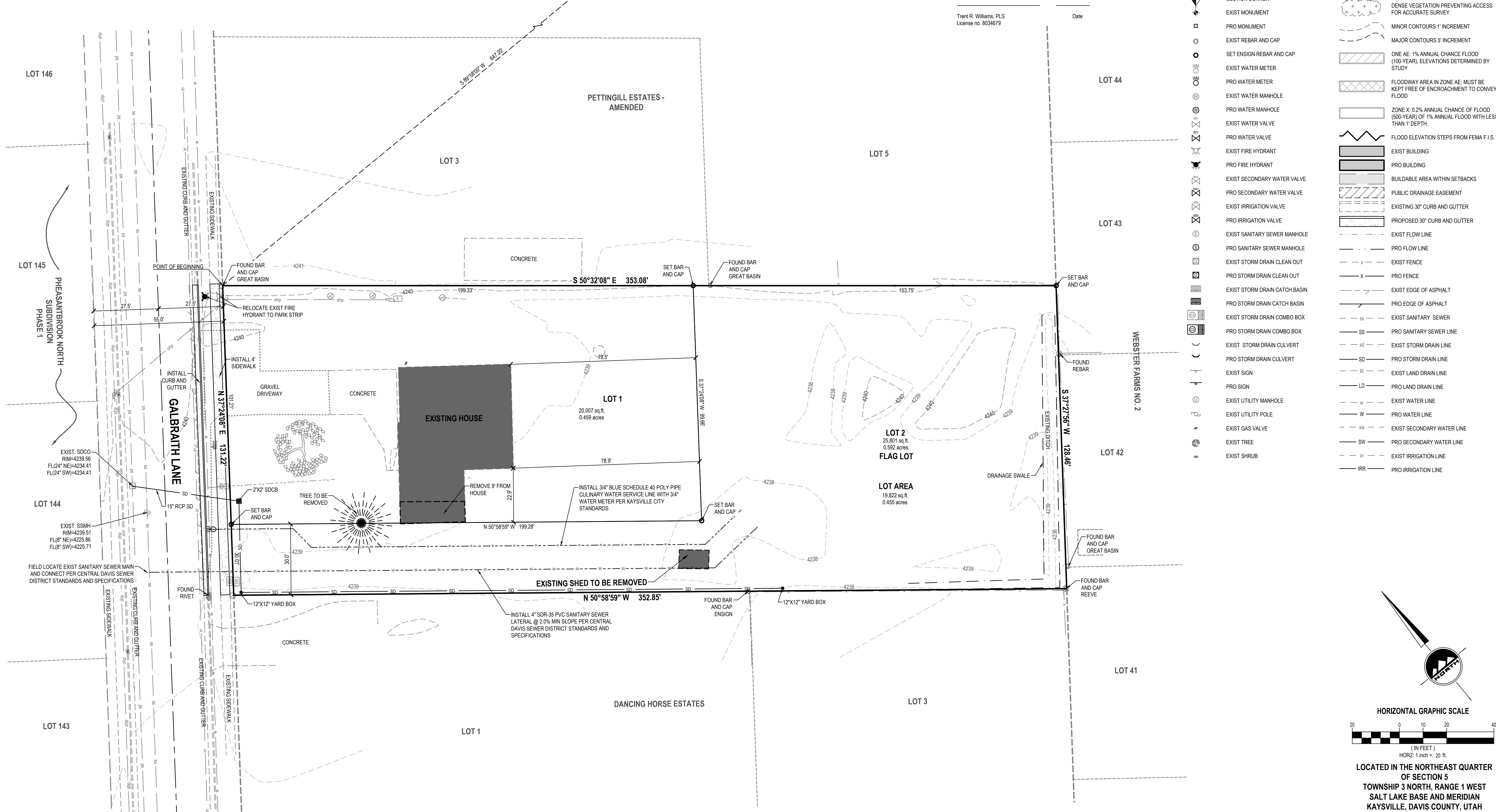
RAWN BY

CHECKED BY _____

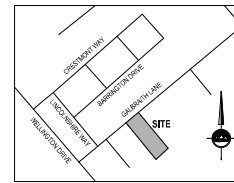
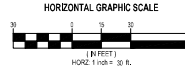
PROJECT N

.WILLIA

1 OF 1



LOCATED IN THE NORTHEAST QUARTER
OF SECTION 5
TOWNSHIP 3 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH
JULY 2020



I, TRENT R. WILLIAMS do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate
No. 8034679 as prescribed under laws of the State of Utah. I further certify that by authority of the
Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land
into lots and streets, hereafter to be known as GALBRAITH KATYVILLE
and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet
frontage width and area requirements of the applicable zoning ordinances.

A parcel of land, situate in the Northeast Quarter of Section 5, Township 3 North, Range 1 West, Salt Lake Base and Meridian, said parcel also located in Kayenta City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point on the southerly right-of-way of Gallatin Lane, said point also being the westerly corner of Pottinger Estates - Amended. Said point being South 01°20'40" East 1,719.40 feet along the section line and South 89°58'00" West 647.20 feet from the Northeast Corner of said Section 5 and running thence:

Section 50: 50'± 520'± East 353.66 feet along the southerly line of Pettigill Estates - Arched to the westerly line of Wheeler Farms No. 2.

Prince South 37'± 756' West 126.46 feet along said westerly line to the East corner of Dancing Horse Estates Subdivision and the beginning of a Boundary Line Agreement (Entry No. 295744 in Book 512, Page 95);

Prince North 50'± 585' West 352.25 feet along the northerly line of Dancing Horse Estates Subdivision and said Boundary Line Agreement to the southerly right-of-way line of California Inc.

Prince North 37'± 1100' East 151.22 feet along said southerly right-of-way line to the Point of Beginning.

Commence: 45,867 square foot, or 1,062 acres.



July 29, 2020
DATE

Well) the undersigned owners of the above described tract of land, do hereby set apart and subdivide the same into lots and streets (private streets/private right-of-way's) as shown hereon and name said tract:

Grant and dedicate a perpetual right and easement and under the lands designated herein as public utility and drainage easements in buildings or structures being erected within such easements.

In witness whereof I / we have hereunto set our hand (s) this _____ day of _____ A.D. 20____.

By: _____ By: _____

STATE OF UTAH)
County of Davis) S.S.

On this _____ day of _____, A.D., 20____, _____
personally appeared before me, the undersigned Notary Public, in and for said County of _____ in the
State of _____, who after being duly sworn, acknowledged to me that He/She is the _____
of _____
a Limited Liability Company and that He/She signed the Owner's Declaration freely and voluntarily for and in behalf of said Limited Liability Com-
pany for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: _____
 _____ RESIDING IN _____ COUNTY.

STATE OF UTAH
County of Davis

On the _____ day of _____, A.D. 20_____, _____, in said
personally appeared before me, the undersigned Notary Public, in and for said County of _____, in said
of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication _____ in number, free
voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC _____ RESIDING IN _____ COUNTY.

LOCATED IN THE NORTHEAST QUARTER	
----------------------------------	--

LOCATED IN THE NORTHEAST QUARTER
OF SECTION 5
TOWNSHIP 3 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

ENTRY NO. _____ FEE _____

PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RE-
PAGE _____

DAVIS COUNTY RECORDER

BY _____
DEPUTY RECORDER

LAYTON
919 North 400 West
Layton UT 84041
Phone: 801.547.1100
Fax: 801.293.0316
WWW.BENEFITSWEEKS.COM

SALT LAKE CITY
Phone: 801/295-0320

TODDLE
Phone: 677/240,2090

CEDAR CITY
Phone: 435/555,5413

ROCHAMBEAU
Phone: 435/595,2583

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____
BY THE KAYSMILE CITY ATTORNEY, _____

KAYSMILE CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____
BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KATYVILLE CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____
BY THE KAYSVILLE CITY ENGINEER _____

KAYSVILLE CITY ENGINEER _____

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____
BY THE KANSAS CITY COUNCIL:

CITY RECORDER

CITY MAYOR

SHEET 1 OF 1

PROJECT NUMBER : 5578
MANAGER : T.WILLIAMS
DRAWN BY : J.MOSS
CHECKED BY : T.WILLIAMS
DATE : 7/29/20

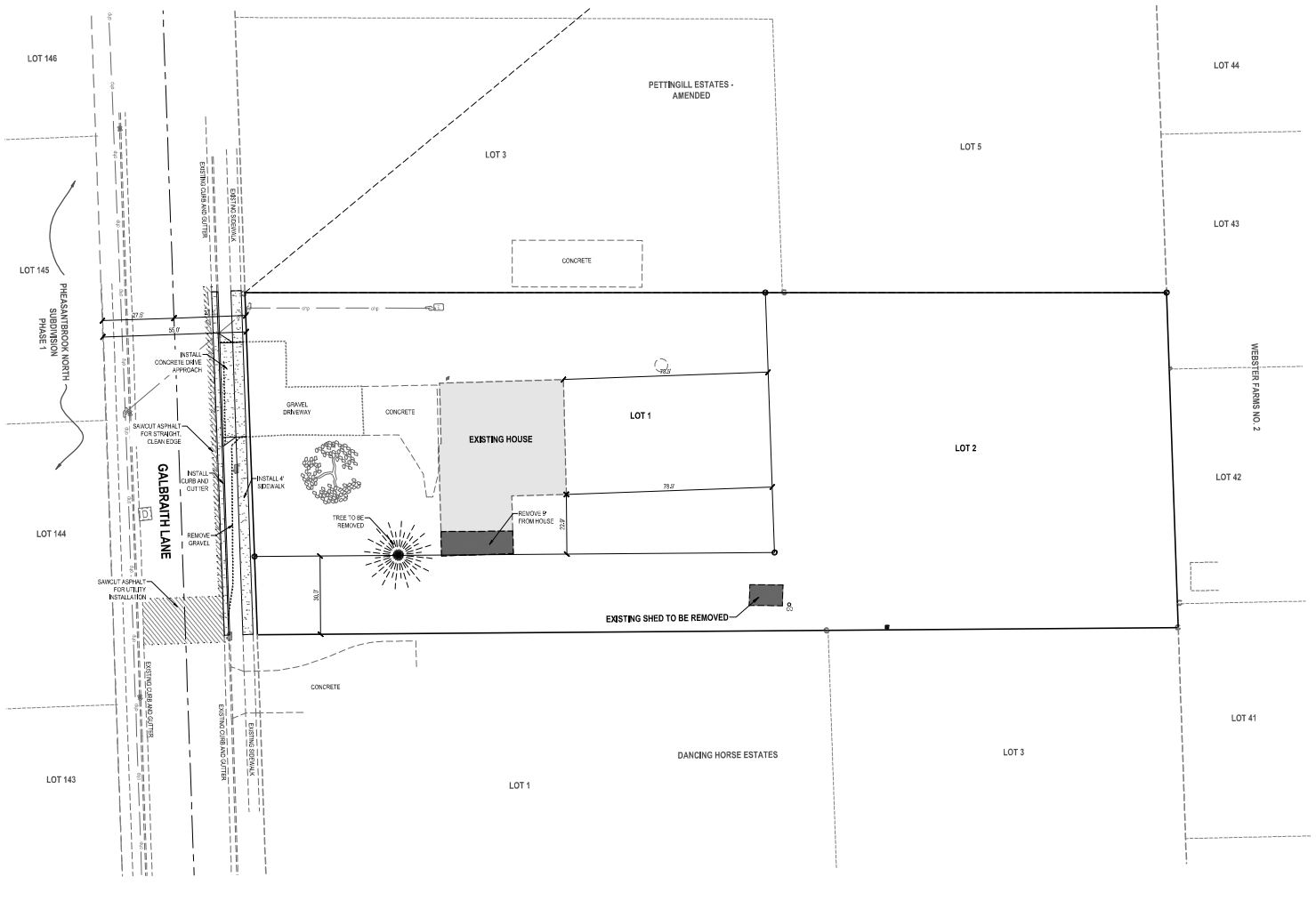
811

Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

WITNESS CORNER, NORTHEAST CORNER OF
SECTION 5, TOWNSHIP 3 SOUTH, RANGE 1
WEST
SALT LAKE BASIN AND MERIDIAN
ELEV = 4253.32'



- GENERAL NOTES
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.

2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.

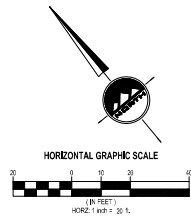
3. SEE LANDSCAPE ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.

4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD, (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).

5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHALBES, SOIL, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.

6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.

7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.



EN SIGN

THE STANDARD IN ENGINEERING

LAYTON

919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3990

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

OWNER

NATHAN ALVEY

2116 GRASSY PLAIN DRIVE

KAYSVILLE, UTAH 84037

OWNER'S

NATHAN ALVEY

PHONE: 801.756.9886

GALBRAITH KAYSVILLE

1599 WEST GALBRAITH LANE

KAYSVILLE, UTAH

UTAH STATE BOARD OF PROFESSIONAL ENGINEERS

SEAL

NO. 0048039

EXPIRES 12/31/2024

REV. DATE

REVISION

BY

1

2

3

4

5

6

7

8

DEMOLITION/

SITE PLAN

PROJECT NUMBER

879

PROJECT ENGINEER

WILLIAMS

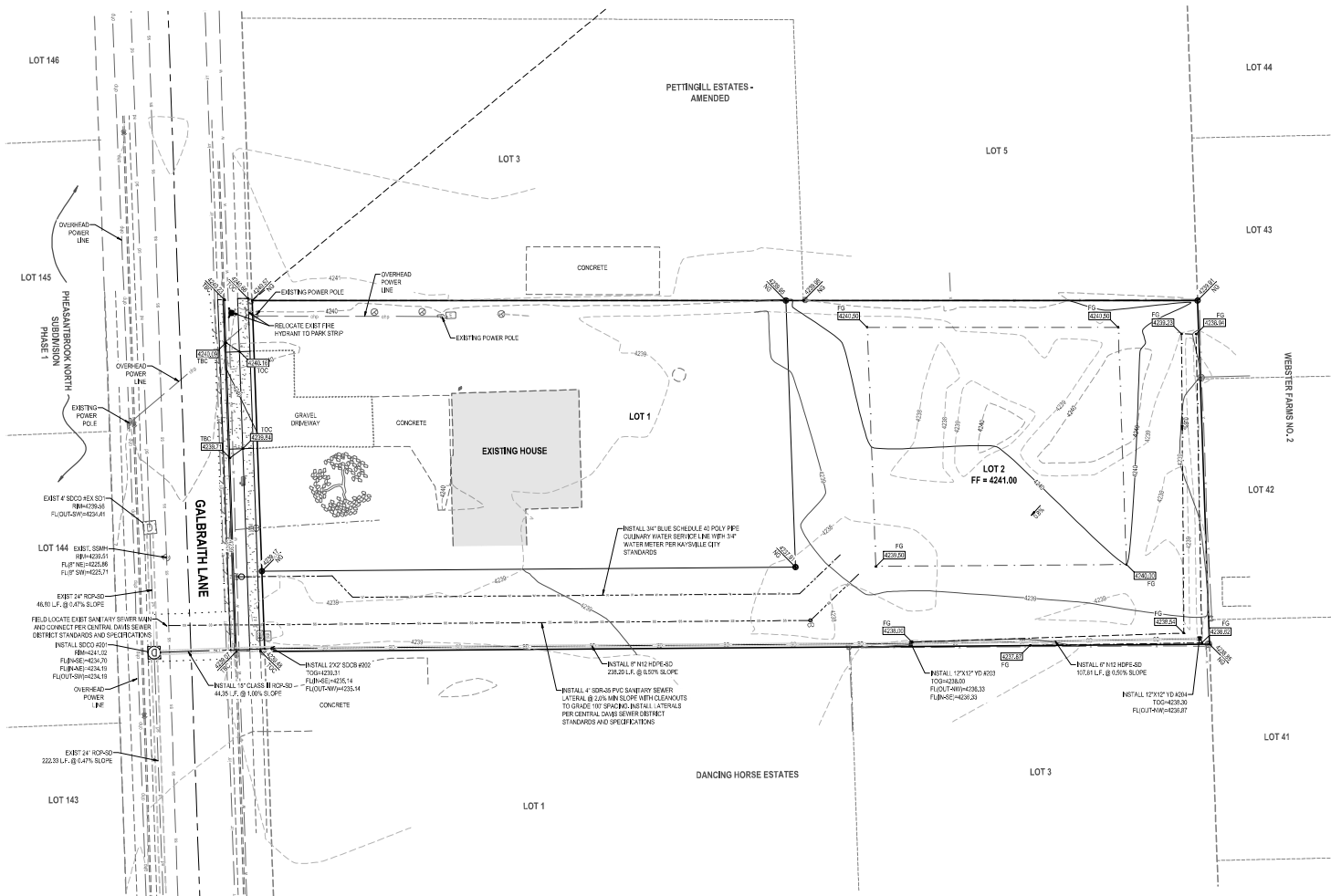
DATE

7/20/24

CHECKED BY

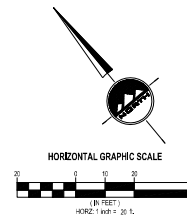
C. PRESTON

C-100



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL WORKMENTS MUST COMPLY WITH ALL STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOLOGICAL ENGINEER AND OTHER SPECIALISTS, INCLUDING BUT NOT LIMITED TO RECORDING OF KNOWLEDGE DATED LIT., ORGANISMS AND DESIRABLE PLACEMENT OF STRUCTURES, AND USE AND ABUSE OF THE EXISTING SITES OF AVAILABLE HEARING MATERIALS AND PLACEMENT OF ACCEPTABLE LIT. MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE FOREGOING S.C. CONDITIONS.
5. ELEVATION HAVING BEEN TRUNCATED FOR CUTOFF, SHALL REPRESENT AN ELEVATION OF ABOVE ON THESE PLANS.
6. LANDSCAPE AREAS SHOULD BE REQUIRED TO BE MAINTAINED AT A SPECIFIED ELEVATION RELAYING HEIGHTS GRASSY SURFACED TO BE PROTECTED, PREVENTING AND SLOPE, SEE LANDSCAPE PLAN FOR ADDITIONAL INFORMATION.
7. SLOPE AND LANDSCAPED AREAS MAY FROM BUILDING FOUNDATIONS TOWARD CROWN AND GUTTER OR TOWARD DRAINAGE.
8. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROPRIATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT YET BE IDENTIFIED IN THE FIELD AND ARE GUARANTEED AS MUCH AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS ON INDICATION IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF THE UTILITIES. FAILURE TO ADOPT THE LOCATION OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION SHALL BE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND ASSUMING UNDER THE CONTRACT, THE CONTRACTOR IS TO ADOPT ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR'S WORK. IN CONNECTION WITH ANY DAMAGE CAUSED TO EXISTING UTILITIES OCCURS THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS WILL BE MADE.
9. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY'S APRA STANDARD PLANS AND SPECIFICATIONS.
10. EXISTURE MANHOLE COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MANHOLE COVER CANNOT BE ATTAINED.
11. ALL FACILITIES WITH DOWNSPOUT/TOROF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLANS FOR DOWNSPOUT/TOROF DRAINS. PLANS, LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1/8" SLOPE.
12. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
13. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR CHANGING BEFORE PLACING CONCRETE UTILITIES OR PIPES.
14. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNALS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.
15. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROPRIATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT YET BE IDENTIFIED IN THE FIELD AND ARE GUARANTEED AS MUCH AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS ON INDICATION IN THE FIELD BY LOCATING SURVEY. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO IDENTIFY THE LOCATION AND EXISTENCE OF UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION SHALL BE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND ASSUMING UNDER THE CONTRACT, THE CONTRACTOR IS TO ADOPT ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES OR THE UTILITIES STRUCTURES THAT ARE NOT IDENTIFIED IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR'S WORK. IN CONNECTION WITH ANY DAMAGE CAUSED TO EXISTING UTILITIES OCCURS THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF FIELD ADJUSTMENTS SHOULD BE MADE.
16. ALL SANITARY DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY'S STANDARD PLANS AND SPECIFICATIONS.
17. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY'S APRA STANDARD PLANS AND SPECIFICATIONS.
18. DEFLECT TO LOCAL WATERBODIES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING UTILITIES, IMPROVEMENTS, UTILITIES, AND SIGNALS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.
20. THE CONTRACTOR TO COORDINATE ALL UTILITIES WITH ALL MAJOR FLOODING PLANS.
21. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR CHANGING BEFORE PLACING LIT. UTILITIES OR PIPES.
22. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
23. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNALS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.



LAYTON
919 North 400 West
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FOR:
NATHAN ALVEY
2116 GRASSY PLAIN DRIVE
KAYSVILLE, UTAH 84037
CONTACT:
NATHAN ALVEY
PHONE: 801-750-5950

GALBRAITH KAYSVILLE

1599 WEST GALBRAITH LANE
KAYSVILLE, UTAH



NO.	DATE	REVISION
-----	------	----------

1	FORRESTER
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GRADING, DRAINAGE AND UTILITY PLAN

PROJECT NUMBER 9878	PRINT DATE 7/20/20
DRAWN BY J. MOSS	CHECKED BY C. PRESTON
PROJECT MANAGER T. L. HARRIS	

C-200

ORDINANCE NO. 20-8-1

AN ORDINANCE AMENDING SECTION 17-31-18 TO REFINE CLEAR VIEW REQUIREMENTS FOR CORNER LOTS PROHIBITING THE PLANTING OF TREES.

WHEREAS, Kaysville City has determined that it is beneficial to the safety of drivers to restrict view obstructions around intersections,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Amendment.

Section 18, VIEW OBSTRUCTIONS of chapter 17-31, SPECIAL PROVISIONS APPLYING TO PARTICULAR USES, of Title 17, PLANNING AND ZONING, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

CHAPTER 31

SPECIAL PROVISIONS APPLYING TO PARTICULAR USES

VIEW OBSTRUCTIONS

1. No obstruction to view shall be allowed on any residential lot between the sidewalk and the curb, or eight feet (8') back from the edge of the street, where no sidewalk exists, or in any street right-of-way, except lawn trees that are pruned high enough to permit unobstructed vision to vehicle drivers.
2. On a corner lot in any district, no obstruction to view, except utility fixtures not higher than three feet (3'), shall be allowed to impede vision between a height of two feet (2') and ten feet (10') above the centerline grades of the streets within a triangular area formed by the streets at property line and a line connecting them at points thirty feet (30') from the intersection of the property lines. The planting of new trees shall be prohibited in this triangular area.

SECTION III: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this ___th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

**KAYSVILLE CITY
ORDINANCE 20-02-02**

ACCESSORY BUILDING AMENDMENTS

**AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY STRUCTURES, OF
TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.**

WHEREAS, Kaysville City has determined some additional flexibility is warranted regarding the placement of accessory buildings; and

WHEREAS, The City has found the building envelope restrictions on accessory buildings to be too restrictive as to architectural design.

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

SECTION 1: **AMENDMENT** “17-31-2 Accessory Buildings” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-2 Accessory Buildings

1. All accessory buildings shall comply with the provisions of this Title. No accessory building shall be located in any front yard ~~or required side yard~~. Accessory buildings 200 sq. ft. or larger, or any accessory building which exceeds 10 feet in height shall not be located in a required side yard or yard abutting a street such as a corner lot or double frontage lot. Accessory buildings such as a garden or tool shed which do not exceed 10 feet in height may be located in a rear or side yard abutting a public street so long as the side yard does not abut the front yard of an existing dwelling.
2. An accessory building may be located in a side yard between the side property line and a portion of the main dwelling which is open on 3 sides such as a covered patio so long as the accessory building is not further forward on the lot than any enclosed portion of the dwelling. An accessory building may be located in the side yard between the dwelling and a side lot line where the footprint of a dwelling narrows by at least 15 feet a minimum of 30 feet from the front of the dwelling.
3. A property owner must obtain written permission from an easement holder in order to locate an accessory structure on any recorded easement. Structures located in an easement such as a Public Utility Easement (P.U.E.) are placed at the property owner's risk and the structure may be required to be removed at the property owner's personal expense should an entity with rights to the easement require access to that easement at any time.
4. Any accessory building attached to the main building shall be made structurally a part of

the main building and shall comply in all respects with the requirements of this Title applicable to the main building.

5. One story detached accessory buildings smaller than 200 square feet shall not be located so that they cause storm water runoff onto the adjacent property. Accessory buildings 200 square feet or larger shall have the required permits and be located not closer than one foot (1') to the adjacent property line and so that storm water does not run off onto the adjacent property.
6. Accessory buildings in any zone shall occupy no more than twenty percent (20%) of the lot area less the footprint area of the main building. An accessory building shall not exceed ten percent (10%) of the lot area or three thousand (3,000) square feet, whichever is more restrictive. Accessory buildings may exceed three thousand (3,000) square feet in area by conditional use in the zones where allowed by conditional use.
7. ~~Accessory building shall not exceed in height the line created by a point twelve feet (12') above ground at the property line and extending upwards from that point at a 45 degree angle towards the interior of the property, up to the maximum building height allowed in the zone.~~ Accessory buildings within five feet (5') of any property line shall not exceed fifteen feet (15') in height. Accessory buildings set back from property lines more than five feet (5') may be one foot (1') higher than fifteen feet (15') for each two feet (2') beyond five feet (5') they are set back from any property line, up to the maximum building height allowed in the zone.
8. Buildings housing farm animals shall comply with [KCC 17-24-3](#).

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Lortz	_____	_____	_____	_____
Council Member Tran	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

**KAYSVILLE CITY
ORDINANCE 19-11-02**

ACCESSORY DWELLING UNITS

AN ORDINANCE CREATING SECTION 17-31-3, ACCESSORY DWELLING UNITS, AND AMENDING MULTIPLE CHAPTERS OF TITLE 17, PLANNING AND ZONING, TO DESIGNATE WHERE ACCESSORY DWELLING UNITS MAY BE CONSIDERED.

WHEREAS, Kaysville City has determined within its General Plan that it would consider allowing Accessory Dwelling Units as a means of providing additional housing options within Kaysville City; and

WHEREAS, An Accessory Dwelling Unit may serve as an option to provide more affordable housing choices and accomplish the purposes of the Kaysville City Moderate Income Housing element of the General Plan.

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

SECTION 1: **AMENDMENT** “17-31-3 (Reserved)” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-31-3 ~~(Reserved)~~ Accessory Dwelling Units

1. Purpose - The purpose of this section is to establish the parameters by which an accessory dwelling unit (ADU) is allowed within Kaysville City.
2. Accessory Dwelling Units shall be allowed only where expressly permitted by Title 17 of the Kaysville City Ordinances and must be approved by the Kaysville City Planning Commission subject to Chapter 17-30. An ADU may be permitted on a flag lot.
3. An ADU may be permitted as either a unit located within the primary dwelling or as a detached structure on the same lot as a permitted dwelling.
 - a. Provisions applicable to all Accessory Dwelling Units
 - i. Where permitted, no more than 1 ADU may be allowed per lot.
 - ~~ii. The unit must be equal to or smaller in size than the main dwelling on the property.~~
 - iii. The owner of the property must occupy either the primary dwelling or the ADU.
 - ~~iv. 2 parking spaces in addition to the parking required for the main dwelling shall be provided~~ A minimum of 1 extra parking space beyond the parking required for the primary dwelling shall be provided on a

property where an ADU is proposed. Additional parking may be required by the Planning Commission as part of the Conditional Use Permit review.

- v. An ADU shall maintain the same address as the primary dwelling with the addition of 'Unit B'
- vi. Occupancy of an ADU shall be limited to 1 family as defined by Chapter 17-2 except that occupancy shall not exceed 2 total individuals where there is no family relation.
- vii. Upon approval from the Kaysville City Planning Commission to have an ADU on a property, a building permit must be pursued to confirm compliance with applicable building code for occupancy as a separate unit.

(1) An ADU shall not operate on separate utilities meters from the primary dwelling.

b. An ADU which is part of the main dwelling such as a loft or basement apartment must meet the following parameters.

- i. ~~No more than 50% of the livable space of a dwelling may be used for an ADU.~~ An ADU must have a separate entrance and be built to meet applicable building codes for a separate unit including but not limited to appropriate fire separation and separation of HVAC systems.

c. An ADU which is built as an accessory structure or part of an accessory structure must meet the following parameters.

- i. All buildings or structures wherein an ADU is located shall meet the requirements of Chapter 17-31-2 Accessory Structures.
- ii. ~~The living area of an ADU which includes all space not dedicated to storage such as a garage shall be limited to a maximum of 900 square feet.~~

SECTION 2: AMENDMENT “17-2-2 Definitions” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-2-2 Definitions

Accessory Dwelling Unit (ADU) - An accessory dwelling unit (ADU) is a legal and regulatory term for a secondary house or apartment that shares the owner occupied building lot of an equal or larger, primary dwelling.

Accessory Use or Building - A use or building subordinate to the principal use of a building or principal use on the same lot, and serving a purpose customarily incidental to the use of the principal building or use. Garden sheds, greenhouses, storage shelters, and covered patios not equipped for use as living quarters are accessory buildings.

Agent or Owner - Any person who is legally authorized to act for the property owner.

Agriculture - The tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of farm animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, greenhouses, or similar uses.

Alley - A public right-of-way less than thirty feet (30') wide.

Amusement Arcade - A building or part of a building in which four (4) or more mechanical or electronic amusement devices are offered for use. Animal Hospital - A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Apartment, Efficiency - A dwelling unit in a multi-family building consisting of not more than one (1) habitable room, together with cooking and sanitary facilities.

Apartment Hotel - Any building which contains dwelling units and also satisfies the definition of a hotel.

Apartment House - See Dwelling, Multiple.

Assisted Living Facility

- a. Assisted Living Facility, Type I - A residential facility that provides assistance with activities of daily living and social care to two or more residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.
- b. Assisted Living Facility, Type II - A residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Automobile or Trailer Sales Area - An open area used for display, sale or rental of new or used motor vehicles, trailers, or mobile homes in operable condition, and where no repair work is done.

Automobile Repair, Major - General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service, including body, frame, or fender repair, or over-all painting.

Automobile Repair, Minor - Upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 1/2) tons capacity, but not including other operations, named under Automobile Repair Major, or similar thereto as determined by the Building Inspector.

Automobile Service Station - A place where gasoline or other major fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services are performed to include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, and automobile washing, and not to include repairs performed of a minor or major type, except replacement of plugs, lights, fan belts, and other small parts.

Basement - A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (1/2) of its floor-to-ceiling height is below the average contact level of the adjoining ground (as distinguished from a "cellar").

Beer - Any product defined as beer in Utah Code Section 32B-1-102.

Beginning of Construction - Demolition, elimination, and removal of an existing structure preparatory to new construction, or the incorporation of labor and materials in the foundation of a building or buildings.

Boarding or Lodging House - A dwelling or part thereof where meals and/or lodging are provided, for compensation, for three (3) or more non-transient persons, other than members of the resident family.

Breezeway - A building that is no less than three feet (3') and no greater than ten feet (10') in any horizontal dimension, is open on two sides and joins doorways of two separate buildings which are considered as one main building in any residential zone. The joined buildings shall comply with the setbacks and height requirements for the main building of the zone in which it is located. The combined area of the two buildings and breezeway shall not exceed forty percent (40%) of the lot area in which it is located.

Building - Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building Height - The vertical distance from grade plane to the average height of the highest roof structure.

Building, Main - A building in which is conducted the principal use of the building site on which it is situated. In any R-District, any dwelling shall be deemed to be a main building on the building site on which it is located.

Carport - A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

Cellar - A room or space wholly under the surface of the ground, or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

Child - The child of a person other than the provider of child care.

Child Care - Continuous care and supervision of five (5) or more children under 14 years of age, in lieu of care ordinarily provided by parents in their own home, for less than 24 hours a day, for direct or indirect compensation.

Conditional Use - A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Condominium - The ownership of a single unit in a multi-unit project or structure together with an undivided interest in common in the common areas and facilities of the property.

Court - An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Coverage - The percent of the total site area covered by structures other than those excepted in this title.

Crop and Tree Farming - The raising for commercial purposes of any field crops or wholesale nursery or greenhouses including necessary buildings incidental to such crop, but not including a building for retail sales.

Dairy - A commercial establishment for the manufacture and packaging of dairy products.

Disability - A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Distance Between Residential Structures - The shortest distance between the vertical walls of two residential structures as herein defined.

District - A portion of the territory of Kaysville City within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this title. Includes "Zone" and "Zoning District."

Driveway - A private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which located.

Dwelling - Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent or trailer.

- a. Dwelling, Condominium - A dwelling whose ownership conforms with the definition of Condominium herein.
- b. Dwelling, Single-Family - A building designed for or used exclusively as a residence by one (1) family.

- c. Dwelling, Two-Family or Duplex - A building designed for or used exclusively as a residence by two (2) families, living independently of one another.
- d. Dwelling, Multiple - A building or portion thereof designed for or used exclusively as a residence by two (2) or more families, living independently of one another.
- e. Dwelling, Townhouse - An attached or semi-attached building containing a single dwelling unit and located on a parcel of land in one (1) ownership and having any yard or court in common.
- f. Dwelling, Twin Home - A building designed and used as a residency by two (2) families and for which each dwelling unit and its lot may be owned separately from the other dwelling unit and lot.

Dwelling Unit - One (1) room, or suite, or two (2) or more rooms, designed for or used by one (1) family for living and sleeping.

Family - An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than five (5) persons who are not all so related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Flag Lot - A lot which meets the minimum area requirement, but not the lot width or yard requirements of the zone in which it is located and is mostly behind another lot and has access to a street by way of a projection or "staff."

Front Lot Line - The boundary of a lot that coincides with the right-of-way line of the street on which the lot has frontage.

Garage, Private - A detached accessory building, or a portion of a main building, used, or intended to be used, for the storage of vehicles of persons occupying the main building on the lot.

Garage, Public - A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

General Plan - A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within the municipality.

Grade - All walls approximately parallel to and not more than five (5) feet from a street line are to be considered as adjoining a street.

- a. For building adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- b. For building adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.
- c. For buildings having no walls adjoining the street, the average elevation of the ground (finished surface) adjacent to the exterior walls of the building.

Home Occupation - A commercial or industrial activity conducted on a dwelling site and incidental and secondary to the dwelling use.

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel - See Motor Hotel.

Household Pets - Two or fewer animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries. More than a total of two such animals and fowl are not permitted as household pets.

Junk Yard - The use of any lot, portion of lot, or tract of land for the long-term storage, keeping, or abandonment of automobiles, other vehicles, or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses that are clearly accessory and incidental to any agricultural use permitted in the district.

Kenel - Any lot or premise on which three (3) or more dogs (or similar household pets) at least four (4) months old are kept.

Liquor - Any liquid defined as liquor in Utah Code Section 32B-1-102. Lodging House - See Boarding or Lodging House.

Lot - A piece or parcel of land having frontage on a public street, or approved private street, which may be occupied by a principal building or a group of such buildings and accessory buildings, together with such open spaces as required by this title, intended to be held in separate ownership or leasehold.

Lot, Corner - A lot abutting on two or more intersecting or intercepting streets.

Manufactured Home - A transportable factory built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act of 1974, in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Manufactured Home Park - A parcel of land under single ownership on which two or more manufactured homes are located.

Manufactured Home Subdivision - A subdivision designed and intended for sale of lots for siting manufactured homes.

Mobile Home - A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Motor Hotel, Including Motel and Hotel - A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units.

Natural Waterways - Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the Building Inspector or City Engineer.

Non-Complying Structure - A structure that legally existed before its current land use designation; and because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations excluding those regulations which govern the use of land.

Non-Conforming Use - A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Nursing Care Facility - A health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two patient services and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

- a. Office, Professional - A place intended for the conduct of a recognized learned profession in most cases requiring a license, such as physician, dentist, chiropractor, lawyer, engineer, architect, accountant.
- b. Office, Business - A place intended for the conduct of the administrative function of a business enterprise and in which no goods or merchandise are stored or sold.

Parking Area, Private - An open space for the same uses as a private garage.

Parking Area, Public - An open area used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Space - A permanently-surfaced area of not less than one hundred eighty (180) square feet in area, either within a structure or in the open, excluding paved areas necessary for access under the provisions of this title, for the parking of a motor vehicle. (See [KCC 17-32](#), Off-Street Parking.)

Planned Residential Unit Development (PRUD) - A subdivision of land guided by an integrated design in which residential lots may have areas less than the minimum lot area of the zone in which the subdivision is located, and other regulations, except use regulations, may be waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.

Public or Quasi-Public Use - An educational, recreational, religious, cultural, service, utility, or similar use primarily serving the public.

Public Utility - A public or quasi-public agency, or its structures and facilities, established to provide water, power, gas, sewer, storm drain, pressure irrigation, telecommunications and other public services, and who construct and maintain structures and facilities for their distribution, collection, transmission, storage or treatment.

Recreation, Commercial - Recreation facilities operated as a business and open to the general public for a fee.

Recreation, Private, Non-Commercial - Clubs or recreational facilities, operated by a non-profit organization and open only to bonafide members of such non-profit organization and their guests.

Recreation, Public - Publicly owned or operated recreation facilities.

Recreational Vehicle - A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Residential Child Care - Child care provided in the home of a provider.

Residential Density - The average number of dwelling units on one (1) acre of land in a given area. Net residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all parcels of land within the area that is used exclusively for residential and accessory purposes. Gross residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all land within the area.

Residential Facility for Persons with a Disability - A dwelling in which more than one person with a disability resides and which is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, of the Utah Code or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Retail Sales - Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

Retail Services - Establishments providing services or entertainment, as opposed to products, including eating and drinking places; hotels and motels; finance, real estate, and insurance offices; personal services; theaters; amusement and recreation services; health, educational, and social services; museums; and galleries.

Sign - Any writing, pictorial representation, symbol, banner, lighting fixture, or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructed, erected, posted, painted, printed, tacked, nailed, glued, stuck, carved, strung, or otherwise fastened, affixed, or made visible in any manner whatsoever. (For further definitions, consult [KCC 17-33](#), Signs.)

Site Plan - A description of the proposed development within the boundaries of the development site consisting of plans, drawings, and information.

Stable - A detached building for the keeping of horses.

Story - That portion of a building included between the surface of any floor and the floor or ceiling next above it.

- a. Story, Half-A partial story under a gable, hip, or gambrel, roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for one (1) or more dwelling units shall be deemed a full story.
- b. Story, First - The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the finished grade level at the exterior walls of the building, except that any basement or cellar used for residential purposes shall be deemed the first story.

Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

Street, Private - A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more sites.

Structural Alterations - Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure - Anything constructed, the use of which requires fixed location on the ground, or which is attached to something having a fixed location upon the ground, and which imposes an impervious material upon or above the ground.

Swimming Pool - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain water, and which is of sufficient size, capacity, and depth for swimming.

Tank - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain liquid, and which is of sufficient size, capacity, or depth for bathing, therapy, or other such use by one or more persons. Such definition shall include, but not be limited to, hot tubs, therapy tanks or pools, and similar structures.

Telecommunications Service - The providing or offering for rent, sale or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

Telecommunication Tower - A structure that holds transmitting or receiving devices used for telecommunications service, with any associated buildings, site improvements, and property.

Unified Control - A parcel of land under one ownership, or a group of parcels, the owners of which have agreed in writing to subject the development of their properties to a single control.

Yard, Front - An open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.

Yard, Front, Depth - The shortest distance, measured horizontally, between any part of the main building, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line, provided, however, that if the proposed location of the right-of-way line of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the City.

Yard, Rear - An open space between a building and the rear lot line, unoccupied and unobstructed from the ground upward and extending across the full width of the lot, except as specified elsewhere in the title.

Yard, Rear, Depth - The shortest distance, measured horizontally, between any part of a main building, other than parts hereinafter excepted, and the rear lot line.

Yard, Side - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this title. A side yard on the street side of a corner lot shall be known as an "exterior side yard."

Yard, Side, Width - The shortest distance, measured horizontally, between any part of a building, other than parts herein excepted, and the nearest side lot line. Such width shall be measured from the nearest side lot line and, in the case where the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required side yard width shall be measured from the right-of-way of such street as adopted, or said building shall comply with any applicable official setback lines.

Zoning Map - The Zoning Map or Maps of Kaysville City, Utah, together with all amendments subsequently adopted.

SECTION 3: AMENDMENT “17-8-3 Permitted Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-8-3 Permitted Uses

1. Accessory building or use customarily incidental to any permitted or conditional use subject to the provisions of [KCC 17-31-2](#).
2. [Accessory dwelling unit subject to KCC 17-31-3](#)

Agriculture, agricultural experiment station.

Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).

Dairy farm, milk processing and retail sale, provided at least fifty percent (50%) of milk sold is produced and processed on the premises.

Farm animals and fowl kept for family food production and the keeping of horses for private use, together with their dependent young, as set forth in [KCC 17-24](#).

Farms devoted to the hatching, raising (including fattening as an incidental to raising) of chickens, turkeys, or other fowl, rabbits or fish.

Fruit or vegetable stand, storage and packaging for produce grown on the premises only.

Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.

Publicly owned treatment works.

Two household pets.

Parking lot accessory to uses allowed in this Zone District.

Private swimming pool subject to the provisions of [KCC 17-31-9](#).

Single-family dwelling.

Temporary buildings or use incidental to construction work but not to include temporary dwellings. Such building shall be removed upon completion or abandonment of the construction work.

The keeping and raising of not more than ten (10) hogs, more than sixteen (16) weeks old, provided that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises.

The raising and grazing of horses, cattle, sheep or goats as part of a farming operation including the supplementary or full feeding of such animals, provided that such raising and grazing when conducted in conjunction with any livestock feed yard or livestock sales shall:

1. Not exceed a density of twenty-five (25) head per acre of used land.
2. Be not closer than three hundred feet (300') to any dwelling, public or semi-public building on an adjoining parcel of land.

Farms devoted to the raising, breeding, keeping and training of horses.

Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.

Minor home occupations subject to the provisions of [KCC 17-26](#).

Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#)

.

SECTION 4: AMENDMENT “17-9-3 Permitted Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-9-3 Permitted Uses

1. Accessory building or use customarily incidental to any permitted or conditional use subject to the provisions of [KCC 17-31-2](#).
2. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Agriculture, agricultural experiment station.

Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).

Farm animals and fowl kept for family food production and the keeping of horses for private use, together with their dependent young, as set forth in [KCC 17-24](#).

Fruit or vegetable stand for produce grown on the premises only.

Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.

Two household pets.

Parking lot accessory to uses allowed in this Zone District.

Private swimming pool subject to the provisions of [KCC 17-31-9](#).

Single-family dwelling.

Temporary buildings or use incidental to construction work but not to include temporary dwellings. Such building shall be removed upon completion or abandonment of the construction work.

Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged. Minor home occupations subject to the provisions of [KCC 17-26](#). Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).

SECTION 5: **AMENDMENT** “17-10-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-10-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Public utility substations subject to the provisions of [KCC 17-31-15](#)

Golf courses subject to the provisions of [KCC 17-31-8](#)

Plant nurseries occupying one-half (1/2) acre or more.

Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#)

, which buildings must be removed upon completion or abandonment of the construction.

Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

SECTION 6: **AMENDMENT** “17-11-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-11-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#)

, which buildings must be removed upon the completion or abandonment of the construction.

Public utility substations subject to the provisions of [KCC 17-31-15](#)

.
Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

SECTION 7: AMENDMENT “17-12-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-12-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#)

, which buildings must be removed upon the completion or abandonment of the construction.

Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

Public utility substations subject to the provisions of [KCC 17-31-15](#)

.

Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

.
Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.

Twin homes subject to the provisions of [KCC 17-28](#)

. Must also be permitted as two-family dwellings.

SECTION 8: AMENDMENT “17-13-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-13-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Multiple dwellings, not to exceed six (6) dwelling units per building, legally existing upon the effective date of this Chapter. The lot area shall be not less than eight thousand (8,000) square feet for a two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, and sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling.
2. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
3. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
4. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#)

, which buildings must be removed upon the completion or abandonment of the construction.
Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

Twin homes subject to the provisions of [KCC 17-28](#)

. Must also be permitted as two-family dwellings.

Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

.
Public utility substations subject to the provisions of [KCC 17-31-15](#)

.
SECTION 9: AMENDMENT “17-31-16 Dwellings” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-16 Dwellings

1. The real property and the dwellings thereon shall be owned by the same person and taxed as real property.
2. Dwellings must be at least twenty feet (20') wide. An Accessory Dwelling Unit is not required to meet this minimum dimension.
3. Dwellings shall be anchored to, and supported by, a permanent foundation in accordance with plans prepared by a registered engineer providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the International Residential Code.
4. Dwellings shall be permanently connected to and approved for all required utilities.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Lortz	_____	_____	_____	_____
Council Member Tran	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

July 9, 2020

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Vice Chairperson Joshua Sundloff, Steve Lyon, Toby Barrus, Quan Nguyen, Jared Doxey and Scott Hess.

Staff Present: Lyle Gibson, Dan Jessop, Heather Nielsen.

Public Attendees: Steven Einfeldt.

OPENING

The Planning Commission meeting was held on Thursday, July 9, 2020 at 7:00 p.m. at the Business Resource Center for the Davis Technical College. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

Steve Lyon made a motion to approve the minutes from the June 25, 2020 meeting. Scott Hess seconded the motion and they were unanimously approved.

CONDITIONAL USE PERMIT FOR MAJOR HOME OCCUPATION 'B' PRIVATE AND GROUP SWIMMING LESSONS LOCATED AT 2052 WEST PEACH BLOSSOM FOR CAMERON GARNER/PEACH BLOSSOM SWIMMING.

Heather Nielsen said that the applicant is requesting a conditional use permit for a major home occupation 'B' to offer group and private swimming lessons from their home. Classes will likely be 10 students or less at any particular time. Typical lesson structure includes 30 minute class sessions.

The pool on site is an outdoor swimming pool. Lessons are Monday through Friday starting at 8 am going until 12pm.

The request being an organized class per 17-26-4 (12) requires that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion.

Staff recommended approval of the proposed conditional use permit with the stipulation that the number of students be limited to 10 per class.

Chairperson Wilf Sommerkorn had some questions for the applicant concerning the traffic and parking situation that this home business was creating. The applicant Cameron Garner was not in attendance so a suggestion was made to table the item until questions could be answered.

Steve Lyon made a motion to table the conditional use permit for major home occupation 'B' private and group swimming lessons located at 2052 West Peach Blossom for Cameron Garner/Peach Blossom Swimming. Toby Barrus seconded the motion and it was unanimously approved.

FINAL PLAT APPROVAL FOR THE DARLING PLACE PHASE TWO SUBDIVISION LOCATED AT 37 SOUTH ANGEL STREET FOR STEVEN AND SHERRILEE EINFELDT.

Lyle Gibson said that a few of months ago this property was rezoned to the R-1-14 PRUD zone and received a preliminary plat approval. Initially the applicant intended to only improve and plat the first 2 lots which was previously approved as phase 1 of the development. The final plat and improvement drawings have now been completed and are in good order for approval of phase 2.

The phase 2 plat contains 3 lots on the east end of the site. The proposal is consistent with the concept and approved preliminary plan and all lots within the subdivision meet the minimum frontage and size requirements for the zone. The current plan is to construct phase 1 and 2 together rather than separately. Staff met together with the applicant and sewer district 7/7/20 to discuss the design of sewer system and identified some changes to that system which in short would move a manhole further east. It is currently shown with utilities stubbing to the adjacent property to the east and the plat includes easements for those lines. Both the district and city staff were comfortable bringing the plat to the commission for a final plat approval knowing the construction details will change some before they are allowed to build.

Quan Nguyen made a motion to approve the final plat for the Darling Place Phase Two Subdivision located at 37 South Angel Street for Steven and Sherrilee Einfeldt. Jared Doxey seconded the motion and it was unanimously approved.

DISCUSSION OF POTENTIAL KAYSVILLE CITY ORDINANCE CHANGES.

Lyle Gibson said that in the past meeting the Planning Commission had asked staff to prepare information for consideration of changes to multiple ordinances in the city's Zoning Ordinance.

While one of the following items has previously been noticed for a public hearing, it is the opinion of city staff that new notice should be completed before holding the required public hearing for each item and before a formal recommendation can be made by the Planning Commission.

- Park Strip Landscaping/ Trees
- Accessory Dwelling Units
- Accessory Structures – location and architecture. – Continued from 2/27/20.

The Planning Commission members held a discussion among themselves concerning each of these items. Overall, they felt that the ideas were moving in the right direction. The commission requested some changes to the accessory dwelling unit draft to make it less restrictive. Steve Lyon encouraged something be provided to limit flag lot development. The commission would like to have each of these items noticed for a public hearing to have further discussion on these items and to move forward with recommendations for the Kaysville City Council.

CALL TO THE PUBLIC

Nothing was brought forward from the public to the Planning Commission.

CALENDAR

The next regularly scheduled Planning Commission meeting is anticipated to be held on Thursday, August 13, 2020 at the Business Resource Center for the Davis Technical College.

ADJOURNMENT

Steve Lyon made a motion to adjourn the meeting. It was approved unanimously and the meeting was adjourned.