



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, January 4, 2024, starting at 7:00 PM in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT**. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

Public comment is only taken during a meeting for Action Items, "Call to the Public", or for a public hearing. **Those wishing to speak during these times must sign-up in person before the meeting begins.** Comments may also be directed to the City Council via email to publiccomment@kaysville.gov. Emailed comments will NOT be read out-loud at the meeting.

CITY COUNCIL Q&A – 6:30 PM

The City Council will be available to answer questions or discuss any matters the public may have.

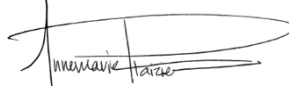
CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

- 1) OPENING
 - a) Presented by Council Member Mike Blackham
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) PRESENTATIONS AND AWARDS
 - a) Oath of Office for Newly Elected City Council Members
 - b) Annual Fiscal Year 2023 Audit Report
- 4) DECLARATION OF ANY CONFLICTS OF INTEREST
- 5) CONSENT ITEMS
 - a) Approval of Minutes of November 16, 2023
 - b) Approval of Minutes of December 6, 2023
 - c) West Davis Corridor UDOT/Kaysville City Cooperative Agreement for Landscaping
- 6) ACTION ITEMS
 - a) King Clarion Annexation Amendment
 - b) Text Amendments to Ordinances within Titles 17, 18 and 19 of the Kaysville City Code
 - c) Rezone at 196 North 200 West and 166 North 200 West from GC (General Commercial) to include a Mixed Use Zoning Overlay
- 7) WORK ITEMS
 - a) Discussion of Davis County's Proposed Homeless Cold Shelter at 20 North 600 West
- 8) COUNCIL MEMBERS REPORTS
- 9) CITY MANAGER REPORT
- 10) ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235 at least 24 hours in advance of the meeting to be held.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Kaysville City Hall, Kaysville City website at www.kaysville.gov, and the Utah Public Notice website at www.utah.gov/pmn. Posted on December 29, 2023.

A handwritten signature in black ink, appearing to read "Annemarie Plaizier", written over a horizontal line.

Annemarie Plaizier
City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Presentations & Awards

PRESENTED BY: Dean Storey

SUBJECT/AGENDA TITLE: Annual Fiscal Year 2023 Audit Report

EXECUTIVE SUMMARY:

Attached is the Annual Comprehensive Financial Report including all financial statements and other financial information for Fiscal Year 2023.

The statements have been audited in accordance with Government Auditing Standards.

Additionally, the statements and City financial records have been audited with compliance requirements as described in the Utah State Compliance Guide.

Our independent auditor will make a brief report to the City Council at the council meeting. Staff will complete a more complete review with the Council at a later date.

Printed copies will be available for city council members, if desired. Please contact Levi or Dean if you have any questions.

City Council Options:

n/a

Staff Recommendation:

n/a

Fiscal Impact:

n/a

ATTACHMENTS:

1. Annual Comprehensive Financial Report - FY 2023
-



Kaysville
City

KAYSVILLE CITY
STATE OF UTAH

Settled in 1850

ANNUAL COMPREHENSIVE
FINANCIAL REPORT

YEAR ENDED
JUNE 30, 2023

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KAYSVILLE CITY, UTAH
23 East Center Street
Kaysville, Utah 84037

Annual Comprehensive
Financial Report

Year Ended June 30, 2023

Mayor:	Tamara Tran
Council Members:	John Swan Adams Mike Blackham Abbigayle Hunt Nate Jackson Perry Oaks

City Manager:	Jaysen Christensen
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Prepared by:

Kaysville City Administration Department
Dean G. Storey, Finance/Admin Services Director
Levi Ball, Assistant Finance Director

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INTRODUCTORY SECTION

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SETTLED IN 1850

November 20, 2023

Mayor Tamara Tran
Members of the City Council
and Citizens of Kaysville City:

The Annual Comprehensive Financial Report (ACFR) of Kaysville City for the Fiscal Year 2023 is hereby submitted.

This report consists of management's representations concerning the finances of Kaysville City. Publication of this report provides important financial information. The management of Kaysville City assumes responsibility for the accuracy, completeness and fairness of the presentation.

We believe the information in this ACFR is accurate in all material respects and presents fairly the financial position and the results of the operations of the City in accordance with generally accepted accounting principles (GAAP). We believe that the disclosures necessary have been made to enable the reader to gain a proper understanding of the financial affairs of the City.

This Annual Comprehensive Financial Report is organized into four main sections:

1. The **Introductory Section** contains general information regarding the organization of the City and overall financial profile of the City including the Management Discussion & Analysis (MD&A). The MD&A is a summary of the changes in the City's financial position throughout the year.
2. The **Financial Section** includes the independent auditor's report, management's discussion and analysis, basic financial statements and required supplemental information. Also included are individual fund statements.
3. The **Statistical Section** presents several tables depicting the financial history of the City and demographic and other useful information. This information is presented to assist in obtaining an understanding of the City.
4. **Compliance Section** includes additional financial statements if applicable, supplemental schedules, independent auditor's report, and supplemental reports as required by the Single Audit Act of 2004 and by the U.S. Office of Management and Budget Circular A-133.

In accordance with State law, the financial statements included herein have been audited by an independent auditor. A firm of certified public accountants, HBME, LLC, has completed this year's independent audit. HBME, LLC, has also provided technical assistance in the preparation of this report. We appreciate the assistance they have provided. The aim of the audit involved



SETTLED IN 1850

examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and the estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unmodified opinion that Kaysville City's financial statements for the fiscal year ended June 30, 2023, are fairly presented in conformity with GAAP. The independent auditor's report is presented as the first component of the financial section of this report.

The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to Kaysville City for its comprehensive annual financial report for the fiscal year ended June 30, 2022. This is the twenty ninth consecutive year that Kaysville City has received this award. In order to receive a certificate of achievement, the government must publish an easily readable efficiently organized ACFR. Qualifying reports must satisfy both GAAP and applicable legal requirements.

The Certificate of Achievement is valid for a period of one year only. We believe that our current ACFR continues to meet the requirements. We are submitting this report to GFOA to determine its eligibility for another certificate.

We respectfully submit this report.

Jaysen Christensen
City Manager

Dean G. Storey
Finance and Administrative Services Director

Levi Ball
Assistant Finance Director

KAYSVILLE CITY FINANCIAL PROFILE

General Information

Kaysville City was settled in 1850 and on March 15, 1868, it was incorporated, becoming the first city to be incorporated in Davis County.

Kaysville is located along the Wasatch Front directly between Ogden City to the north and Salt Lake City to the south. Kaysville is considered primarily a bedroom community with a current population estimated at approximately 34,279 residents. Kaysville experiences an average growth rate of 1.5% - 2%, primarily residential, due to the proximity of larger economic centers and the desire of the citizens for the City to remain a residential community. The build-out population is estimated at approximately forty-two thousand within the next twenty years.

The City covers an area of approximately eleven square miles, bordered by the Wasatch Mountains on the east and the Great Salt Lake on the west.

Organization and Services

Kaysville City operates under a council form of government with an appointed City Manager. The Mayor and five City Council members are elected at large with staggered terms. The City provides a full range of municipal services including general administration, public safety, public works and utilities, parks and recreation, and community development. An organization chart is found at the end of this section.

Economic Factors

The local economy is stable. The majority of the workforce commutes to larger economic centers. The unemployment rate is below the national unemployment rate. The current State unemployment rate of 2.1%. Income levels are above the State average. The area continues to have a good labor and business climate whereas the workforce is young and well educated. The economy of Kaysville is primarily based on service industries to accommodate the residential population including grocery stores, small retail shops, gas stations, etc.

Transportation and Accessibility

Major interstates and highways provide easy access to Kaysville City. Interstate I-15 runs north and south through the City and there is easy access to Interstate 80 and Interstate 84 and many other major roads and highways. Many major western cities are only a day away by commercial carrier. The Salt Lake International Airport is readily accessible within twenty-five minutes. The airport is anchored by Delta Airlines and Southwest Airlines, with several air and cargo express carriers.

Major Initiatives

City leaders continue to strive to provide city services in an efficient and effective manner. The on-going plan includes improving facilities and improving the economic base while controlling growth and containing future costs to the City. The demands of keeping up with the residential growth is the primary challenge for City leaders. This includes providing adequate infrastructure to support the growth. Over the past several years, the City has focused on building and maintaining the infrastructure. City resources have been spent on street improvements, utility extensions, electrical substations, and park development. Additional resources will be spent in these areas in future years. The City continues to plan to meet future financial obligations as part of our budgeting and long-term projections.

Financial Reporting and Accounting Standards

Kaysville City conforms to generally accepted accounting principles established by the Government Accounting Standards Board (GASB). The accounts of the City are organized based on fund, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise of its assets, liabilities, fund equity and revenues and expenses. Resources are allocated to and accounted for based on the purpose of each fund. Further discussion of accounting and budgeting matters may be found in the Financial Section of this report in “Notes to Basic Financial Statements.”

The following fund types are included in this report.

General Fund – The general fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Capital Projects Fund – The capital projects fund is used to account for financial resources used for the acquisition or construction of major capital facilities other than those financed by a proprietary fund, special assessment fund or trust fund.

Debt Service Fund – The debt service fund is used to account for the accumulation of resources to be used for principal and interest payments of long-term debts.

Municipal Building Authority – The municipal building authority is used to account for the construction and finance of new city buildings.

Redevelopment Agency – The redevelopment agency is used to account for the redevelopment of project areas throughout the City.

Road Fund – The road fund is used to account for the ongoing construction and maintenance of city roadways.

ARPA Fund – The ARPA fund is used to account for the expenditures related to the American Rescue Plan Act (ARPA) grant funding.

RAMP Fund – The RAMP fund is used to account for the revenue and expenditures related to the voter approved sales tax for recreation, arts, museum and parks. This is a new fund created as of July 1, 2022. In the previous year, all activity was reported in the general fund.

Enterprise Funds – The enterprise funds are used to account for the operations that are financed and operated in a manner similar to private business enterprises. The intent is to provide services on a continuing basis to be recovered primarily through user charges.

Permanent Funds – Permanent funds are used to account for and report resources that are legally restricted to the extent that only the earnings and not the principal may be used.

A description of each fund and fund type included in this report are as follows:

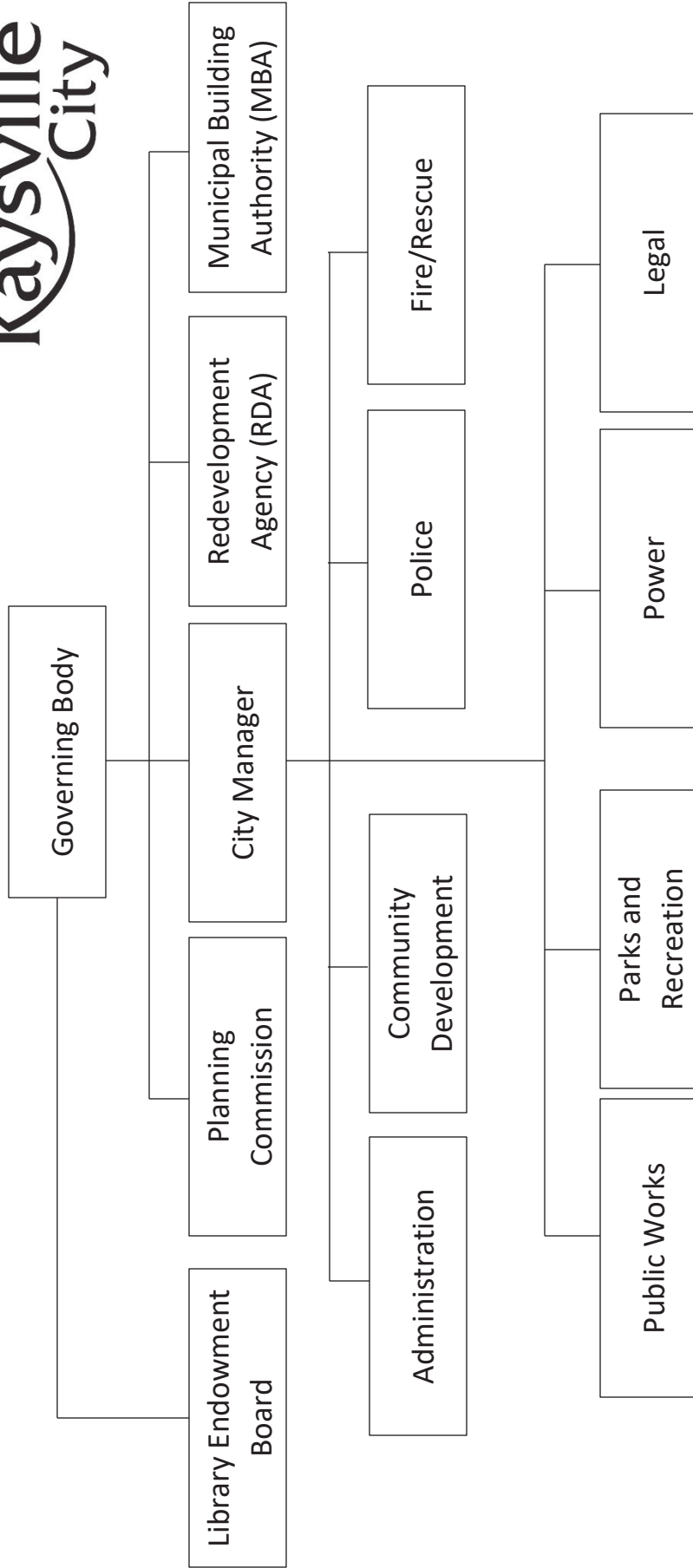
<u>Description</u>	<u>Fund Type</u>
General Fund	General Fund
Capital Projects Fund	Capital Projects Fund
Debt Service Fund	Debt Service Fund
Municipal Building Authority	Special Revenue Fund
Redevelopment Agency	Special Revenue Fund
Road Fund	Special Revenue Fund
ARPA	Special Revenue Fund
RAMP	Special Revenue Fund
Water Fund	Enterprise Fund
Sewer Fund	Enterprise Fund
Storm Water Fund	Enterprise Fund
Pressure Irrigation Fund	Enterprise Fund
Electric Fund	Enterprise Fund
Sanitation Fund	Enterprise Fund
Cemetery Perpetual Care Fund	Permanent Fund
Library Endowment Fund	Permanent Fund

The City operates an integrated budgetary and accounting system which incorporates the adoption of a formal budget for each department. The budget is adopted in June of each year for the ensuing year beginning July 1. State statutes define the legal level of budgetary control at the department level. Monthly financial statements are distributed to each department with the charge that obligations are closely monitored. The budget is reopened as required to consider necessary adjustments.

Safeguarding assets and providing reasonable assurance that financial transactions are properly recorded requires implementation of internal controls. Management believes that the City's internal controls are presently accomplishing the objective in all material respects. However, because the cost of a control should not exceed the benefits to be derived, the objective is to provide reasonable assurance, rather than absolute assurance, that the financial statements are free of any material misstatements. Further discussion of accounting matters may be found in the "Notes to Basic Financial Statements".

Requests for Information

This comprehensive annual financial report is designed to provide a general overview of the financial affairs and condition of Kaysville City. Additional information or questions concerning any information provided in this report may be addressed to: Kaysville City Finance, Kaysville City Corporation, 23 East Center Street, Kaysville, Utah 84037 or by electronic mail, dstorey@kaysville.gov or lball@kaysville.gov or by phone (801) 546-1235.



Architectural Review Committee	Civic Committee	Youth City Council	Youth Court	CERT	Heritage Park Committee
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Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Kaysville City
Utah**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

June 30, 2022

Christopher P. Morrell

Executive Director/CEO

Kaysville City GIS Base Map

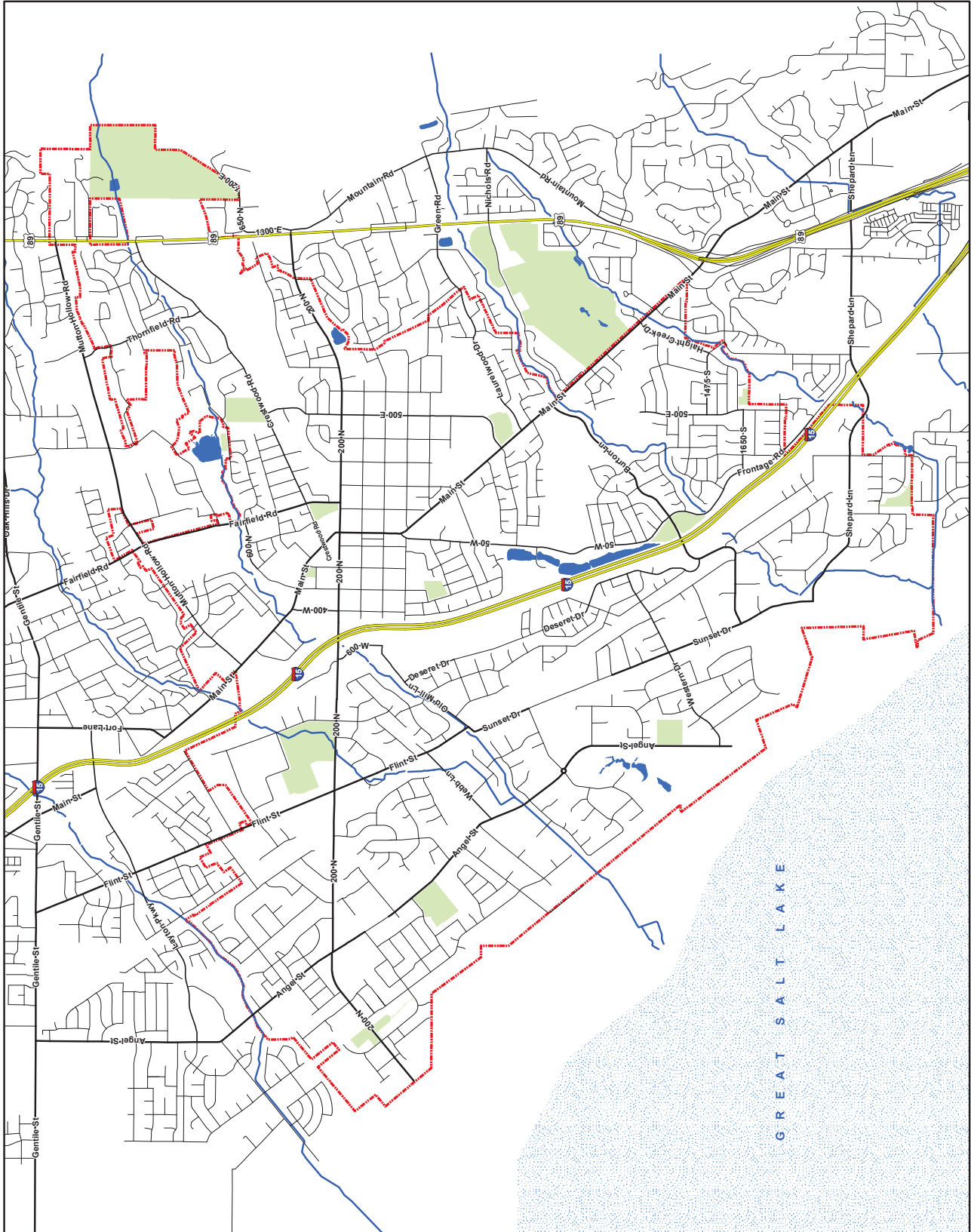


Legend

- Streams
- Ponds
- City Boundary
- Parks
- Great Salt Lake



1 inch = 2,500 feet



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FINANCIAL SECTION

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COMMITTED. EXPERIENCED. TRUSTED.

MICHAEL L. SMITH, CPA
JASON L. TANNER, CPA
ROBERT D. WOOD, CPA
AARON R. HIXSON, CPA
TED C. GARDINER, CPA
JEFFREY B. MILES, CPA
JESSE S. MALMROSE, EA

SHAWN F. MARTIN, CPA
MONTANA T. HADLEY, CPA
NATHAN E. ERICKSON, EA

FOUNDERS

E. LYNN HANSEN, CPA
CLARKE R. BRADSHAW, CPA
GARY E. MALMROSE, CPA
EDWIN L. ERICKSON, CPA

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council
Kaysville City Corporation

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Kaysville City Corporation (the City), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The City's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 15-24, the budgetary comparisons for the general fund, and major special revenue redevelopment agency and municipal building authority, ARPA grant, and road projects funds on pages 73-76, and pension schedules on pages 77-78 be presented to supplement the basic financial statements.

Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The accompanying combining and individual nonmajor fund financial statements and budgetary comparison information are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and budgetary comparison information are the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated November 20, 2023 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control over financial reporting and compliance.

H&BME, LLC

November 20, 2023

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MANAGEMENT DISCUSSION AND ANALYSIS

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KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended June 30, 2023

As management of Kaysville City, Utah (the City), we offer the readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended June 30, 2023. We believe that this narrative, when read in conjunction with the letter of transmittal, financial profile, the financial statements, and particularly, the notes to the financial statements, will greatly assist the reader in understanding the finances of the City.

Financial Highlights

Government Wide

- The City's total net position increased by \$13,331,441 or 7.42% over the prior year. Net position of governmental activities increased by \$13,525,762 or 12.9%. Net position of business-type activities decreased by \$194,321 or 0.25%.
 - The City's total net position is made up of primarily capital assets. Generally, capital assets are made up of infrastructure and are not available to meet on-going obligations. Of the total net position of \$192,780,206, \$144,371,508 (74.88%) includes net investment in capital assets; \$19,594,353 (10.16%) in restricted uses and \$28,814,345 (14.95%) in unrestricted uses and is available to meet City obligations.
 - The City's restricted net position increased by \$6,979,711 from last year, due mainly to an increase in restricted development impact fees and ARPA and road fund restrictions.
 - The City's unrestricted net position decreased by \$3,388,968 from the prior year primarily due to business-type investment in capital assets and power purchases.
 - Overall, the City's long-term liabilities decreased, excluding net pension liability, by \$682,701 over the prior year, due to scheduled debt payments. As of June 30, 2023, long-term liabilities for governmental and business-type activities were \$7,986,847 and \$363,211 respectively.

Fund Level

- The fund balances in governmental funds increased by \$6,557,333 from \$23,259,494 to \$29,816,827 for the fiscal year. Most of this increase is the result of funding provided for city road projects.
- The proprietary funds had a slight decrease of \$194,321 due to an increase in operating expenses during the year.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Overview of the Financial Statements

The discussion and analysis provided here are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements include three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also includes supplementary information intended to furnish additional detail to support the basic financial statements themselves.

Government-wide Financial Statements

The *Government-wide Financial Statements*, including the Statement of Net Position and the Statement of Activities, provide readers with a broad overview of the City with a long-term focus of the City's finances as a whole and are prepared using the full-accrual basis of accounting similar to a private-sector business.

The *Statement of Net Position* presents information on all the City's assets, liabilities, and deferred outflows and inflows of resources with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the City's financial condition is getting better or worse.

The *Statement of Activities* presents information showing how the City's net position changed during the fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will result in cash flows in future fiscal periods.

Both government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*) and from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). These government-wide financial statements include not only the City (known as the *primary government*), but also two legally separate component units, the Redevelopment Agency of Kaysville City (RDA) and the Municipal Building Authority of Kaysville City (MBA), both of which the City is financially accountable. Financial information for these blended component units is presented with the financial statements of the City.

Fund Financial Statements

The fund financial statements provide detailed information about individual funds. A fund is a group of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The operations of each fund are accounted for with a separate set of self-balancing accounts that are comprised of its assets, deferred outflows of resources, liabilities, deferred inflows of resources, fund equity, revenues, and expenses. All the funds of the City are divided into two classes: governmental funds and proprietary funds.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Governmental Funds are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in assessing a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains ten individual governmental funds. Information is presented separately in the governmental fund statements for the general fund, the capital projects fund, the RDA fund (blended component unit), and the MBA fund (blended component unit), the RAMP fund, and the road fund, which are considered to be a major funds. The nonmajor funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements in the *other supplementary information* section of this report. Nonmajor governmental funds includes the debt service fund, ARPA fund, and two permanent funds: the cemetery perpetual care fund and the library endowment fund. These two permanent funds restrict the use of the principal and allow the interest earnings to be spent subject to certain restrictions.

Proprietary Funds are used to account for similar functions presented as *business-type activities* in the government-wide financial statements. The City uses *enterprise funds* to account for its utility operations (water, storm water, electric, sewer, pressure irrigation, and sanitation funds).

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The City maintains six individual proprietary funds. The nonmajor funds are combined into a single aggregated presentation. Individual fund data for each of these nonmajor proprietary funds is provided in the form of combining statements immediately following the notes to the Required Supplementary Information (RSI). Major proprietary funds include the water fund, the electric fund, and the storm water fund. Nonmajor proprietary funds include the sewer fund, the pressure irrigation fund, and the sanitation fund.

Notes to Financial Statements

The notes provide additional schedules, detail, and information essential for a complete understanding of the financial information provided in the government-wide statements and the fund financial statements. The notes apply to both statement types.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Required Supplementary Information

In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* (RSI) concerning budget comparison statements for the general fund, the RDA fund, the MBA fund, RAMP fund, and the road projects fund, as well as the City's progress in funding its obligation to provide pension benefits to its employees.

Other Supplementary Information

In addition to the basic financial statements and accompanying notes, this report also contains *other supplementary information*, in the form of combining statements for nonmajor funds, which are presented immediately after the notes to the RSI. Also included are the budget comparison statements for the nonmajor funds.

Financial Analysis of Government-wide Statements

Net Position

Generally, net position over time may offer a measuring tool of the overall financial condition of a government's financial position. The City's combined net position increased over the prior year by \$13,331,441 (7.42%). This indicates that the City's overall financial condition improved over the prior year. The unrestricted net position, which is available for ongoing obligations, decreased by \$3,388,968. Overall, liabilities current and non-current increased by \$2,830,154.

KAYSVILLE CITY CITY NET POSITION						
	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Current and other assets	\$ 39,275,189	\$ 30,901,614	\$ 22,069,132	\$ 25,404,005	\$ 61,344,321	\$ 56,305,619
Capital assets, net	95,738,001	90,107,116	55,945,528	52,385,553	151,683,529	142,492,669
Net pension asset	224,731	2,546,716	-	992,156	224,731	3,538,872
Total assets	135,237,921	123,555,446	78,014,660	78,781,714	213,252,581	202,337,160
Total deferred outflows of resources	1,905,590	1,448,116	646,215	436,578	2,551,805	1,884,694
Current liabilities	4,010,464	3,207,601	2,949,555	2,403,931	6,960,019	5,611,532
Noncurrent liabilities	9,796,243	8,762,004	718,183	270,755	10,514,426	9,032,759
Total liabilities	13,806,707	11,969,605	3,667,738	2,674,686	17,474,445	14,644,291
Total deferred inflows of resources	5,544,380	8,767,295	5,355	1,361,503	5,549,735	10,128,798
Net investment in capital assets	88,425,980	82,245,257	55,945,528	52,385,553	144,371,508	134,630,810
Restricted	15,500,575	8,816,743	4,093,778	3,797,899	19,594,353	12,614,642
Unrestricted	13,865,869	13,204,662	14,948,476	18,998,651	28,814,345	32,203,313
Total net position	\$ 117,792,424	\$ 104,266,662	\$ 74,987,782	\$ 75,182,103	\$ 192,780,206	\$ 179,448,765

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Net Position (Continued)

By far, the largest portion of the City's net position of \$144,371,508 (74.88%), reflects its net investment in capital assets (e.g., land, buildings, machinery, equipment, vehicles, and infrastructure), less any related outstanding debt that was used to acquire those assets. The City uses these capital assets to provide a variety of services to its citizens. Accordingly, these assets are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources used to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City's net position of \$19,594,353 (10.16%), represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$28,814,345 (14.95%) is unrestricted and may be used to meet the government's ongoing obligations to its citizens and creditors.

At the end of the current fiscal year, the City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

The City's overall net position increased \$13,331,441. The reasons for this increase are discussed in the following sections for governmental activities and business-type activities.

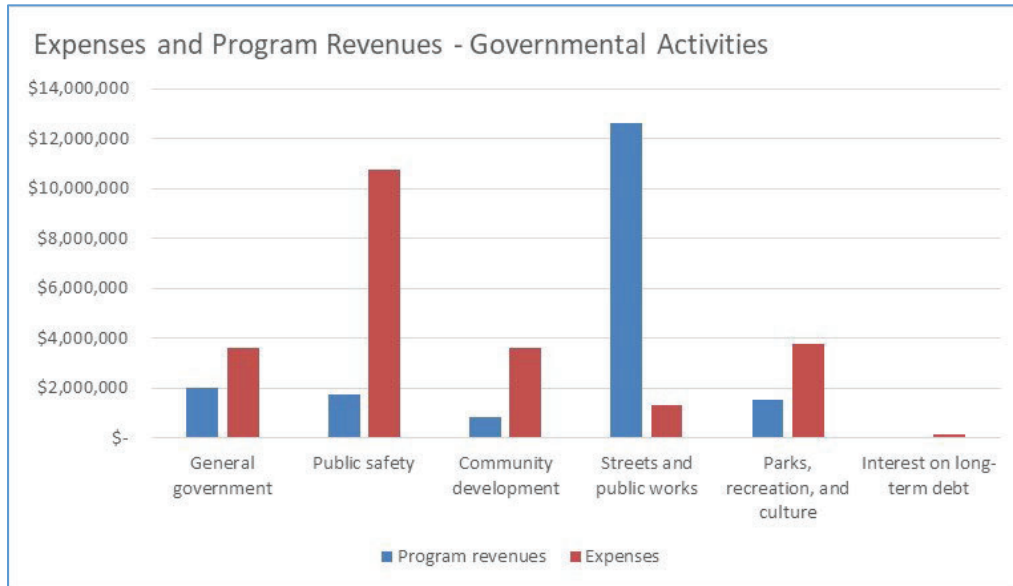
Governmental and Business-Type Activities

Governmental Activities. During the current fiscal year, net position for governmental activities increased \$13,525,762 from the prior fiscal year for an ending balance of \$117,792,424 as of June 30, 2023. The increase is primarily due to funds received for major road projects.

Business-type Activities. For the City's business-type activities, net position decreased from \$75,182,103 to \$74,987,782. This is due to the increase in operating expenses. The City will continue to monitor rates and assess the need for rate adjustments.

The table on the following page illustrates the sources of revenues and the expenses for governmental and business-type activities compared to the prior year. It shows to what extent the City's governmental activities relied on taxes and other general revenues to cover all their costs and to what extent the service charges of the business-type funds adequately cover their costs. The business of government is primarily funded by taxes and other general revenues.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023



Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Revenues						
Program revenues:						
Charges for services	\$ 6,628,004	\$ 6,831,786	\$ 31,247,768	\$ 29,015,880	\$ 37,875,772	\$ 35,847,666
Operating grants and contributions	225,822	430,002	-	-	225,822	430,002
Capital grants and contributions	11,897,196	71,551,127	1,542,116	3,156,232	13,439,312	74,707,359
General Revenues:						
Property taxes	4,740,071	4,735,065	-	-	4,740,071	4,735,065
Sales and use taxes	7,755,116	7,555,446	-	-	7,755,116	7,555,446
Other taxes	3,919,044	3,244,112	-	-	3,919,044	3,244,112
Other	1,178,876	1,108,193	789,208	846,493	1,968,084	1,954,686
Total revenues	36,344,129	95,455,731	33,579,092	33,018,605	69,923,221	128,474,336
Expenses						
General government	3,614,898	3,273,057	-	-	3,614,898	3,273,057
Public safety	10,750,585	8,898,749	-	-	10,750,585	8,898,749
Community development	3,639,288	906,871	-	-	3,639,288	906,871
Streets and public works	1,319,398	4,511,879	-	-	1,319,398	4,511,879
Parks, recreation, and culture	3,754,035	3,004,995	-	-	3,754,035	3,004,995
Interest on long-term debt	152,815	174,335	-	-	-	174,335
Water	-	-	3,617,720	3,360,773	3,617,720	3,360,773
Electric	-	-	20,973,427	17,010,050	20,973,427	17,010,050
Storm water	-	-	2,004,543	1,553,978	2,004,543	1,553,978
Road	-	-	-	63,640,648	-	63,640,648
Ambulance	-	-	-	200,091	-	200,091
Sewer	-	-	2,780,000	2,690,713	2,780,000	2,690,713
Pressure irrigation	-	-	1,517,384	1,333,155	1,517,384	1,333,155
Sanitation	-	-	2,467,687	2,330,173	2,467,687	2,330,173
Total Expenses	23,231,019	20,769,886	33,360,761	92,119,581	56,438,965	112,889,467
Increase (decrease) in net position before transfers	13,113,110	74,685,845	218,331	(59,100,976)	13,331,441	15,584,869
Transfers	412,652	1,752,324	(412,652)	(1,752,324)	-	-
Increase (decrease) in net position	13,525,762	76,438,169	(194,321)	(60,853,300)	13,331,441	15,584,869
Net position, beginning	104,266,662	27,828,493	75,182,103	136,035,403	179,448,765	163,863,896
Net position, ending	\$ 117,792,424	\$ 104,266,662	\$ 74,987,782	\$ 75,182,103	\$ 192,780,206	\$ 179,448,765

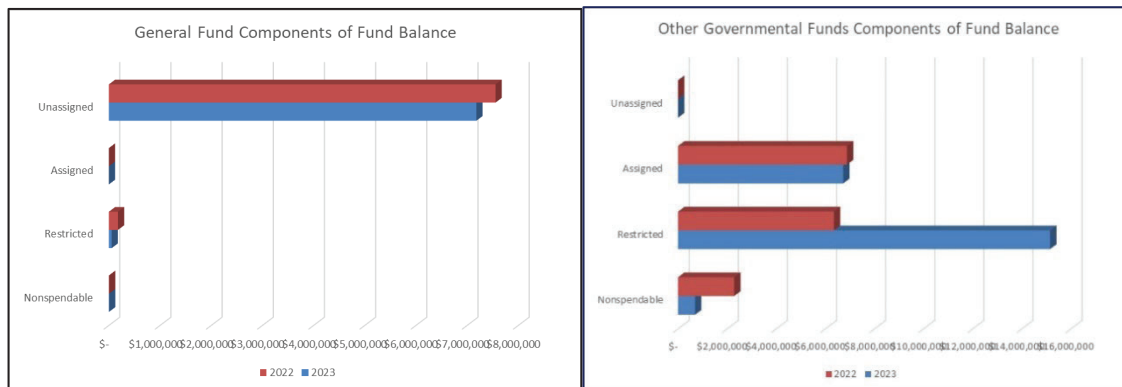
KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Financial Analysis of Governmental Funds

Governmental Funds

The focus of the City's governmental funds is to account for and provide information on near-term inflows, outflows and spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the City's Council.

As of June 30, 2023, the City's governmental funds reported combined fund balances of \$29,816,827. Approximately 24% of this amount (\$7,180,872) constitutes unassigned fund balance, which is available for spending at the government's discretion. The remainder of the fund balance is either non-spendable, restricted, or assigned to indicate that it is 1) not in spendable form (\$2,409,426), 2) restricted for particular purposes (\$13,497,883, or 3) assigned for particular purposes (\$6,728,646).



The general fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the general fund was \$7,180,872. The total fund balance for the general fund decreased \$351,919, excluding \$146,440 of fund balance that was transferred to the newly created RAMP fund. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures.

The Redevelopment Agency of Kaysville City (RDA), a major fund, is used to account for economic development activities in the City. The RDA is considered a blended component unit of the City. Fund balance during the current fiscal year increased \$139,751, for a total fund balance of \$951,557, all of which is assigned for redevelopment.

The Municipal Building Authority of Kaysville City (MBA), a major fund, was created to issue bonds (in prior years) to construct and remodel two buildings, which were then leased to the City for its exclusive use. The first project built a police station, with a \$365,000 annual lease payment for the duration of the debt service period. The second project remodeled Kaysville

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

City Hall, with a \$340,000 annual lease payment. The MBA is considered a blended component unit of the City.

The MBA fund balance increased \$55,145 during the current fiscal year, for a total fund balance of \$532,917, all of which is restricted for MBA purposes.

The Debt Service Fund is used to account for the debt service payments of three equipment purchase agreements (a fire truck, an ambulance, and a wide-area mower) and the series 2017 sales tax revenue bonds, issued to for the construction of Pioneer Park. During the fiscal year, expenditures totaled \$467,385.

The Capital Projects Fund is used to account for major capital projects of the City. Each year, the City transfers \$210,000, which is part of the parks impact fees received, to the Debt Service Fund, used for debt service related to Pioneer Park bonds issuance. During the fiscal year 2023, the fund expended \$444,484 for improvements to the Operations Center.

The ARPA Fund is used to account for revenues and expenditures associated with the American Rescue Plan Act. The City has identified eligible projects and the majority of the funds will be used for infrastructure improvements and public safety operations. During the fiscal year, \$289,642 was spent.

The ROAD Fund is used for street improvement projects. The source of revenues includes, active transportation funds, Class C funds and a road utility fee. During the fiscal year, the City also received intergovernmental revenues for a major connector road project, related to the West Davis Corridor. Total expenditures for the year was \$6,742,208.

The RAMP Fund is used to account for revenues and expenditures related to the voter approved recreation and parks sales tax. An advisory board recommends projects each year for the expenditure of these funds. During fiscal year 2023, \$276,558 was expended.

The City maintains two permanent funds: Cemetery Perpetual Care and Library Endowment Funds. The permanent funds are used to report resources that are legally restricted to the extent that only earnings, not principal, may be used for purposes that support the City's programs.

- A *perpetual care fee* is charged with the sale of each burial plot. As of June 30, 2023, the fund's balance is \$2,309,862, an increase of \$31,930 over the prior year.
- Private donors, in a prior fiscal year, donated property, which was subsequently sold, and the proceeds of the sale were used to establish the corpus. The total fund balance as of June 30, 2023, totaled \$727,503, an increase of \$5,170. This fund will continue to be used to augment the collection held at the Kaysville Branch of the Davis County Library system.

Proprietary Funds

The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

The City maintains several enterprise funds to account for operations that are operated in a manner similar to a private business. Fees and user charges are collected to operate the enterprise. Most of these funds are public utilities.

Operating revenues for all proprietary funds totaled \$30,842,096. This is an increase of 8.2% from the prior year of \$28,502,992. Operating expenses totaled \$33,360,761. This is an increase of \$5,081,919 (17.97%) over the prior year. Continued monitoring of each utility, including the rates charged, is necessary to ensure operating revenues cover operating expenses, especially as residential growth will require additional resources.

General Fund Budgetary Highlights

Original Budget Compared to Final Budget

During the year, there were minor amendments to increase either the original estimated revenues or original budgeted appropriations. There was a need to make an amendment to reallocate appropriations among departments, when it became clear which departments would actually be charged for certain expenses. Generally, the movement of the appropriations between departments was not significant.

Capital Assets and Debt Administration

Capital Assets

The City's investment in capital assets for its governmental activities and business-type activities as of June 30, 2023, is \$151,683,529 (net of accumulated depreciation). This is a net increase of \$9,190,860.

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Land	\$ 28,803,710	\$ 28,803,710	\$ 1,140,723	\$ 1,140,723	\$ 29,944,433	\$ 29,944,433
Construction in Progress	6,797,043	372,935	1,194,485	84,008	7,991,528	456,943
Water Shares	-	-	4,933,490	4,792,490	4,933,490	4,792,490
Buildings and improvements	18,587,313	18,842,835	1,379,027	999,123	19,966,340	19,841,958
Infrastructure	36,607,321	38,340,596	45,632,397	44,650,064	82,239,718	82,990,660
Automobiles, machinery and equipment	4,942,614	3,747,040	1,665,406	719,145	6,608,020	4,466,185
Total capital assets	<u>\$ 95,738,001</u>	<u>\$ 90,107,116</u>	<u>\$ 55,945,528</u>	<u>\$ 52,385,553</u>	<u>\$ 151,683,529</u>	<u>\$ 142,492,669</u>

Additional information on the City's capital assets can be found in note 5 of this report.

KAYSVILLE CITY CORPORATION, UTAH
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
For the Year Ended June 30, 2023

Long-Term Debt: Bonds and Notes Payable

Overall, the City had a net decrease in long-term liabilities, excluding compensated absences and net pension liability, in the amount of \$1,016,253. The City has no general obligation debt. The table below shows the overall debt position of the City for governmental activities and business-type activities compared to the prior fiscal year.

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Sales Tax Revenue Bonds	\$ 402,000	\$ 595,000	\$ -	\$ -	\$ 402,000	\$ 595,000
MBA Lease Revenue Bonds	6,120,000	6,698,000	-	-	6,120,000	6,698,000
Notes payable	323,606	568,859	-	-	323,606	568,859
Total bonds and notes payable	<u>\$ 6,845,606</u>	<u>\$ 7,861,859</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 6,845,606</u>	<u>\$ 7,861,859</u>

Additional information on the City's long-term debt can be found in note 7 of this report.

Conclusion and Economic Factors and Next Year's Budget and Rates

The economic outlook for Kaysville City remains positive. Though the unemployment rate in Utah decreased during 2023 to 2.1%, unemployment remains well below the national average. Sales tax revenues have continued to experience growth for the coming year. Property taxes have stayed constant, with slight increases. Existing revenues have been able to continue to meet the expenditures anticipated. The challenge, of course, will be to continue to provide the critical services to a growing, primarily residential population. However, the economic outlook of the City is very positive and stable. Additional information is provided in the statistical section.

This financial report is designed to provide a general overview of the City's finances. We believe this narrative, read in conjunction with the other financial information included herein, provides a clear understanding of the finances of the City.

Additional information may be obtained by contacting Kaysville City Finance Department at: 23 East Center, Kaysville, Utah 84037, or by telephone (801) 546-1235.

BASIC FINANCIAL STATEMENTS

Government-Wide Financial Statements

Fund Financial Statements

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KAYSVILLE CITY CORPORATION, UTAH
Statement of Net Position
June 30, 2023

	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash and cash equivalents	\$ 4,475,457	\$ 13,710,738	\$ 18,186,195
Restricted assets - cash and cash equivalents	15,309,200	4,093,778	19,402,978
Investments	10,404,838	-	10,404,838
Restricted assets - Investments	140,741	-	140,741
Receivables (net of allowance for uncollectibles)	8,047,793	2,560,204	10,607,997
Intergovernmental receivable	810,772	-	810,772
Internal balances	80,888	(80,888)	-
Inventories	-	1,785,300	1,785,300
Prepays	5,500	-	5,500
Capital assets not being depreciated	35,600,753	7,268,698	42,869,451
Capital assets, net of accumulated depreciation	60,137,248	48,676,830	108,814,078
Net pension asset	224,731	-	224,731
Total assets	<u>135,237,921</u>	<u>78,014,660</u>	<u>213,252,581</u>
DEFERRED OUTFLOWS OF RESOURCES			
Pension related	<u>1,905,590</u>	<u>646,215</u>	<u>2,551,805</u>
LIABILITIES			
Accounts payable	1,788,643	2,772,578	4,561,221
Accrued liabilities	564,053	-	564,053
Developer and other deposits payable	1,612,911	176,977	1,789,888
Accrued interest payable	19,386	-	19,386
Unearned revenues - recreation donation	25,471	-	25,471
Noncurrent liabilities:			
Due within one year:			
Bonds, notes, compensated absences	1,951,645	290,569	2,242,214
Due in more than one year:			
Bonds, notes, compensated absences	6,035,202	72,642	6,107,844
Net pension liability actuarially funded	1,809,396	354,972	2,164,368
Total liabilities	<u>13,806,707</u>	<u>3,667,738</u>	<u>17,474,445</u>
DEFERRED INFLOWS OF RESOURCES			
Property tax related	5,467,284	-	5,467,284
Pension related	77,096	5,355	82,451
Total deferred inflows of resources	<u>5,544,380</u>	<u>5,355</u>	<u>5,549,735</u>
NET POSITION			
Net investment in capital assets	88,425,980	55,945,528	144,371,508
Restricted for:			
Park impact fees	1,188,981	-	1,188,981
Fire impact fees	373,982	-	373,982
Public safety impact fees	268,550	-	268,550
Road impact fees	35,449	-	35,449
Power impact fees	-	2,741,268	2,741,268
Water impact fees	-	1,352,510	1,352,510
Debt service	532,917	-	532,917
Road projects	10,008,249	-	10,008,249
Beer tax reserves	55,082	-	55,082
Perpetual cemetery:			
Expendable	598,077	-	598,077
Nonexpendable	1,711,785	-	1,711,785
Library endowment:			
Expendable	35,362	-	35,362
Nonexpendable	692,141	-	692,141
Unrestricted	13,865,869	14,948,476	28,814,345
Total net position	<u>\$ 117,792,424</u>	<u>\$ 74,987,782</u>	<u>\$ 192,780,206</u>

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Statement of Activities
For the Year Ended June 30, 2023

	Program Revenues			Net (Expense) Revenues and Changes in Net Position		
	Expenses	Charges for Services	Operating Grants and Contributions	Primary Government		
				Governmental Activities	Business-type Activities	Total
Governmental activities						
General government	\$ 3,614,898	\$ 1,951,630	\$ 63,505	\$ (1,599,763)	\$ -	\$ (1,599,763)
Public safety	10,750,585	1,436,256	162,317	(8,999,941)	-	(8,999,941)
Community development	3,639,288	841,066	-	(2,798,222)	-	(2,798,222)
Streets and public works	1,319,398	1,225,673	-	11,301,510	-	11,301,510
Parks, recreation, and culture	3,754,035	1,173,379	-	(2,230,766)	-	(2,230,766)
Interest on long-term debt	152,815	-	-	(152,815)	-	(152,815)
Total governmental activities	23,231,019	6,628,004	225,822	(4,479,997)	-	(4,479,997)
Business-type activities						
Water	3,617,720	3,603,584	-	-	538,050	538,050
Electric	20,973,427	19,578,721	-	-	(903,004)	(903,004)
Storm water	2,004,543	1,258,207	-	-	(248,108)	(248,108)
Sewer	2,780,000	2,775,909	-	-	(4,091)	(4,091)
Pressure irrigation	1,517,384	1,477,720	-	-	(39,664)	(39,664)
Sanitation	2,467,687	2,553,627	-	-	85,940	85,940
Total business-type activities	33,360,761	31,247,768	-	(570,877)	(570,877)	(570,877)
General revenue and transfers						
General Revenues:						
Property tax				4,740,071	-	4,740,071
Sales and use tax				7,755,116	-	7,755,116
Energy tax				1,872,916	-	1,872,916
Telecommunications tax				555,862	-	555,862
Parks and recreation (RAMP) tax				523,811	-	523,811
Vehicle and transportation taxes				966,455	-	966,455
Interest and investment earnings				872,359	464,934	1,337,293
Payment in lieu of taxes				22,337	-	22,337
Gain on sale of assets				139,361	278,628	417,989
Miscellaneous				144,819	45,646	190,465
Transfers				412,652	(412,652)	-
Total general revenue and transfers				18,005,759	376,556	18,382,315
Change in net position				13,525,762	(194,321)	13,331,441
Net position - beginning				104,266,662	75,182,103	179,448,765
Net position - ending				\$ 117,792,424	\$ 74,987,782	\$ 192,780,206

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Balance Sheet – Governmental Funds
June 30, 2023

			Special Revenue					
	General Fund	Capital Projects	Redevelopment Agency	Municipal Building Authority	RAMP	Road	Total Nonmajor Funds	Total Governmental Funds
ASSETS								
Cash and cash equivalents	\$ -	\$ 1,589,690	\$ 951,557	\$ -	\$ -	\$ -	\$ 1,934,210	\$ 4,475,457
Cash and cash equivalents, restricted	55,082	1,831,513	-	532,917	378,892	9,610,874	2,899,922	15,309,200
Investments	10,404,838	-	-	-	-	-	-	10,404,838
Investments, restricted	-	-	-	-	-	-	140,741	140,741
Receivables (net of allowance for uncollectibles):								
Property tax	5,503,191	-	-	-	-	-	-	5,503,191
Sales and use tax	1,400,595	-	-	-	-	473,515	-	1,874,110
Energy tax	31,155	-	-	-	-	-	-	31,155
Telecommunications tax	109,365	-	-	-	-	-	-	109,365
Parks and recreation (RAMP tax)	-	-	-	-	104,956	-	-	104,956
Accounts	257,102	-	-	-	-	167,914	-	425,016
Intergovernmental receivable	-	-	-	-	-	810,772	-	810,772
Prepaid items	5,500	-	-	-	-	-	-	5,500
Due from other funds	80,888	-	-	-	-	-	2,470,437	2,551,325
Total assets	\$ 17,847,716	\$ 3,421,203	\$ 951,557	\$ 532,917	\$ 483,848	\$ 11,063,075	\$ 7,445,310	\$ 41,745,626
LIABILITIES								
Accounts payable	\$ 491,577	\$ 191,777	\$ -	\$ -	\$ 82,614	\$ 1,019,377	\$ 3,298	\$ 1,788,643
Developer and other deposits payable	1,612,911	-	-	-	-	-	-	1,612,911
Deferred revenue - restricted donation	-	25,471	-	-	-	-	-	25,471
Accrued liabilities	564,053	-	-	-	-	-	-	564,053
Due to other funds	2,470,437	-	-	-	-	-	-	2,470,437
Total liabilities	5,138,978	217,248	-	-	82,614	1,019,377	3,298	6,461,515
DEFERRED INFLOWS OF RESOURCES								
Unavailable revenue-property taxes	5,467,284	-	-	-	-	-	-	5,467,284
FUND BALANCES								
Non-Spendable:								
Library Endowment	-	-	-	-	-	-	692,141	692,141
Cemetery perpetual care	-	-	-	-	-	-	1,711,785	1,711,785
Prepaid items	5,500	-	-	-	-	-	-	5,500
Restricted:								
Park impact fees	-	1,188,981	-	-	-	-	-	1,188,981
Police impact fees	-	268,550	-	-	-	-	-	268,550
Fire impact fees	-	373,982	-	-	-	-	-	373,982
Road impact fees	-	-	-	-	-	35,449	-	35,449
Library purposes	-	-	-	-	-	-	35,362	35,362
Cemetery perpetual care	-	-	-	-	-	-	598,077	598,077
Beer tax funds	55,082	-	-	-	-	-	-	55,082
Road projects	-	-	-	-	-	10,008,249	-	10,008,249
RAMP projects	-	-	-	-	401,234	-	-	401,234
Debt service	-	-	-	532,917	-	-	-	532,917
Assigned:								
Capital projects	-	1,372,442	-	-	-	-	4,309,175	5,681,617
Redevelopment	-	-	951,557	-	-	-	-	951,557
Debt Service	-	-	-	-	-	-	95,472	95,472
Unassigned	7,180,872	-	-	-	-	-	-	7,180,872
Total fund balances	7,241,454	3,203,955	951,557	532,917	401,234	10,043,698	7,442,012	29,816,827
Total liabilities, deferred inflows of resources and fund balances	\$ 17,847,716	\$ 3,421,203	\$ 951,557	\$ 532,917	\$ 483,848	\$ 11,063,075	\$ 7,445,310	\$ 41,745,626

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Reconciliation of the Balance Sheet – Governmental Funds
to the Statement of Net Position
June 30, 2023

Amounts reported for governmental activities in the statement of net position are different because:

Total fund balances - governmental funds	\$	29,816,827
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Capital assets of \$153,754,806, net of accumulated depreciation of \$58,016,805, used in governmental activities are not financial resources and, therefore, are not reported in the funds.

Land	\$	28,803,710	
Construction in progress		6,797,043	
Infrastructure, net		36,607,321	
Buildings and improvements, net		18,587,313	
Automobiles, machinery and equipment, net		4,942,614	95,738,001

Differences between expected and actual experiences, assumption changes and net differences between projected and actual earnings and contributions subsequent to the measurement date for the postretirement benefits (URS pension) are recognized as deferred outflows of resources and deferred inflows of resources on the statement of net position. In addition, the net pension asset is not available to pay for current period expenditures and, therefore, are not reported in the funds.

Net pension asset		224,731	
Net pension liability		(1,809,396)	
Deferred outflows of resources, pension related		1,905,590	
Deferred inflows of resources, pension related		(77,096)	243,829

Long term liabilities that pertain to governmental funds, including bonds and notes payable, are not due and payable in the current period and, therefore, are not reported as fund liabilities.

Sales tax revenue bonds payable		(402,000)	
MBA lease revenue bonds payable		(6,120,000)	
Notes payable		(323,606)	
Compensated absences		(1,141,241)	
Accrued interest payable on long-term debt		(19,386)	(8,006,233)

Net position of governmental activities	\$	117,792,424
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The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Funds
For the Year Ended June 30, 2023

	Special Revenue						Total	Total
	General	Capital	Redevelopment	Municipal			Nonmajor	Governmental
	Fund	Projects	Agency	Building	RAMP	Road	Funds	Funds
REVENUES				Authority				
Property tax	\$ 4,612,906	\$ -	\$ 127,165	\$ -	\$ -	\$ -	\$ -	\$ 4,740,071
Sales and use tax	7,755,116	-	-	-	-	-	-	7,755,116
Energy tax	1,872,916	-	-	-	-	-	-	1,872,916
Telecommunications tax	555,862	-	-	-	-	-	-	555,862
Parks and recreation (RAMP) tax	-	-	-	-	523,811	-	-	523,811
Other taxes	256,360	-	-	-	-	710,095	-	966,455
Licenses and permits	602,806	-	-	-	-	-	-	602,806
Intergovernmental	223,597	-	-	-	-	10,916,934	-	11,140,531
Charges for services	3,775,495	-	-	-	-	1,180,885	112,430	5,068,810
Fines and forfeitures	218,320	-	-	-	-	-	-	218,320
Lease and rent revenue	30,068	-	-	708,000	-	-	-	738,068
Investment earnings, net	427,954	66,323	21,537	24,595	7,541	138,888	185,521	872,359
Special assessments - impact fees	-	501,511	-	-	-	478,301	-	979,812
Payments in lieu of taxes	22,337	-	-	-	-	-	-	22,337
Donations	2,675	-	-	-	-	-	-	2,675
Miscellaneous	113,474	-	-	30,683	-	662	-	144,819
Total revenues	20,469,886	567,834	148,702	763,278	531,352	13,425,765	297,951	36,204,768
EXPENDITURES								
Current:								
General government	3,378,788	-	-	-	-	-	-	3,378,788
Public safety	10,075,054	-	-	-	-	-	125,374	10,200,428
Community development	1,104,288	-	8,951	10	-	-	-	1,113,249
Streets and public works	1,069,907	-	-	-	-	262,730	7,088	1,339,725
Parks, recreation and culture	3,306,237	-	-	-	17,488	-	20,000	3,343,725
Debt Service:								
Principal	-	-	-	578,000	-	-	438,253	1,016,253
Interest and fiscal charges	-	-	-	130,123	-	-	29,132	159,255
Capital outlay	2,197,904	444,484	-	-	259,070	6,479,478	295,949	9,676,885
Total expenditures	21,132,178	444,484	8,951	708,133	276,558	6,742,208	915,796	30,228,308
Excess (deficiency) of revenues over expenditures	(662,292)	123,350	139,751	55,145	254,794	6,683,557	(617,845)	5,976,460
OTHER FINANCING SOURCES (USES)								
Transfers in	412,652	-	-	-	-	-	473,850	886,502
Transfers out	(263,850)	(210,000)	-	-	-	-	-	(473,850)
Sale of general capital assets	161,571	-	-	-	-	6,650	-	168,221
Total other financing sources (uses)	310,373	(210,000)	-	-	-	6,650	473,850	580,873
Net change in fund balances	(351,919)	(86,650)	139,751	55,145	254,794	6,690,207	(143,995)	6,557,333
Fund balances, beginning	7,593,373	3,290,605	811,806	477,772	146,440	3,353,491	7,586,007	23,259,494
Fund balances, ending	\$ 7,241,454	\$ 3,203,955	\$ 951,557	\$ 532,917	\$ 401,234	\$ 10,043,698	\$ 7,442,012	\$ 29,816,827

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances –
Governmental Funds to the Statement of Activities
For the Year Ended June 30, 2023

Amounts reported for governmental activities in the Statement of Activities are different because:

Net change in fund balances - governmental funds	\$ 6,557,333
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Governmental funds report capital outlays as expenditures. However, in the statement of activities, assets with an initial cost of \$4,000 or more are capitalized and the cost is allocated over the asset's estimated useful lives and reported as depreciation expense. This is the amount by which depreciation expense exceeded capital outlays in the current period.

Capital outlay	\$ 9,676,885	
Depreciation expense	<u>(4,017,140)</u>	5,659,745

Governmental assets disposed during the year with the respective gain (loss) on disposal are not shown in governmental funds.

Proceeds	(168,221)	
Gain on disposal of assets	<u>139,361</u>	(28,860)

Bond and other debt proceeds provide current financial resources to governmental funds, but issuing debt increases long term liabilities in the statement of net position. Repayment of bond and note principal is an expenditure in the governmental funds, but repayment reduces long term liabilities in the statement of net position. In addition, the change in accrued interest reported in the statement of activities does not require the use of current financial resources and, therefore, is not reported as an expenditure in the governmental funds.

Principal paid on bonds	771,000	
Principal paid on notes	<u>245,253</u>	1,016,253

Accrued interest on long-term debt	6,440
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Expenses are recognized in the governmental funds when paid or due; however, the Statement of Activities is presented on the accrual basis and expenses and liabilities are reported when incurred, regardless of when financial resources are available or expenses are paid or due. These adjustments reflect the changes due to compensated absences and pension benefits.

Compensated absences	(241,096)	
Changes in pension liabilities and related deferred outflows and inflows of resources	<u>555,947</u>	<u>314,851</u>
Change in net position of governmental activities		<u><u>\$ 13,525,762</u></u>

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Statement of Net Position – Proprietary Funds
June 30, 2023

	Business-type Activities - Enterprise Funds				
	Water	Electric	Storm Water	Total Nonmajor Funds	Total
ASSETS					
Current assets:					
Cash and cash equivalents	\$ 2,113,164	\$ 7,071,744	\$ 1,829,299	\$ 2,696,531	\$ 13,710,738
Cash and cash equivalents, restricted	1,352,510	2,741,268	-	-	4,093,778
Accounts receivable, net					
Utility customers	284,210	1,343,638	108,454	624,267	2,360,569
Taxes	-	80,888	-	-	80,888
Other	980	117,767	-	-	118,747
Inventories	208,500	1,576,800	-	-	1,785,300
Total current assets	3,959,364	12,932,105	1,937,753	3,320,798	22,150,020
Noncurrent assets:					
Net pension asset	-	-	-	-	-
Capital assets:					
Land	120,094	1,004,307	-	16,322	1,140,723
Water shares	1,211,640	-	-	3,721,850	4,933,490
Construction in progress	729,982	464,503	-	-	1,194,485
Buildings and improvements	1,065,395	733,344	94,700	41,289	1,934,728
Infrastructure	30,519,727	30,996,043	25,223,934	-	86,739,704
Automobiles, machinery and equipment	803,445	2,150,759	701,364	1,842,834	5,498,402
Less: accumulated depreciation	(12,523,272)	(18,196,731)	(13,330,183)	(1,445,818)	(45,496,004)
Total capital assets, net	21,927,011	17,152,225	12,689,815	4,176,477	55,945,528
Total noncurrent assets	21,927,011	17,152,225	12,689,815	4,176,477	55,945,528
Total assets	25,886,375	30,084,330	14,627,568	7,497,275	78,095,548
DEFERRED OUTFLOWS OF RESOURCES					
Pension related	182,626	337,156	126,433	-	646,215
LIABILITIES					
Current liabilities:					
Accounts payable	54,567	1,960,384	119,268	638,359	2,772,578
Compensated absences	104,142	144,770	41,657	-	290,569
Deposits	43,304	133,673	-	-	176,977
Due to other funds	-	80,888	-	-	80,888
Total current liabilities	202,013	2,319,715	160,925	638,359	3,321,012
Noncurrent liabilities:					
Compensated absences	26,036	36,192	10,414	-	72,642
Net pension liability	100,318	185,203	69,451	-	354,972
Total noncurrent liabilities	126,354	221,395	79,865	-	427,614
Total liabilities	328,367	2,541,110	240,790	638,359	3,748,626
DEFERRED INFLOWS OF RESOURCES					
Pension related	1,513	2,794	1,048	-	5,355
NET POSITION					
Net investment in capital assets	21,927,011	17,152,225	12,689,815	4,176,477	55,945,528
Restricted for impact fees	1,352,510	2,741,268	-	-	4,093,778
Unrestricted	2,459,600	7,984,089	1,822,348	2,682,439	14,948,476
Total net position	\$ 25,739,121	\$ 27,877,582	\$ 14,512,163	\$ 6,858,916	\$ 74,987,782
Total liabilities, deferred inflows of resources, and net position	\$ 26,069,001	\$ 30,421,486	\$ 14,754,001	\$ 7,497,275	\$ 78,741,763

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Statement of Revenues, Expenses, and Changes in Net Position – Proprietary Funds
For the Year Ended June 30, 2023

	Business-type Activities - Enterprise Funds				
	Water	Electric	Storm Water	Total Nonmajor Funds	Total
OPERATING REVENUES					
Charges for services:					
Metered sales	\$ 3,443,036	\$ 17,567,205	\$ 1,235,418	\$ -	\$ 22,245,659
Nonreciprocal utility revenue	113,739	263,905	21,718	-	399,362
Treatment and service charges	-	-	-	6,793,966	6,793,966
Energy use tax	-	1,054,123	-	-	1,054,123
Connection fees	36,388	84,698	-	-	121,086
Other user fees and charges	10,421	203,118	1,071	13,290	227,900
Total operating revenues	3,603,584	19,173,049	1,258,207	6,807,256	30,842,096
OPERATING EXPENSES					
Personnel services	1,178,994	2,113,430	797,249	31,571	4,121,244
Contractual services	880,452	16,047,764	193,423	6,236,381	23,358,020
Administrative charges from General Fund	232,018	278,422	92,809	324,825	928,074
Interfund services	125,500	200,500	83,000	5,000	414,000
Maintenance and operations	390,344	378,320	129,533	121,608	1,019,805
Energy sales and use tax charge	-	1,054,123	-	-	1,054,123
Depreciation	810,412	900,868	708,529	45,686	2,465,495
Total operating expenses	3,617,720	20,973,427	2,004,543	6,765,071	33,360,761
Operating income (loss)	(14,136)	(1,800,378)	(746,336)	42,185	(2,518,665)
NONOPERATING REVENUES (EXPENSES)					
Intergovernmental	29,837	12,213	-	-	42,050
Investment earnings	94,221	251,597	54,433	64,683	464,934
Gain on sale of assets	24,313	4,940	177,175	72,200	278,628
Miscellaneous	34,723	10,923	-	-	45,646
Total nonoperating revenues (expenses)	183,094	279,673	231,608	136,883	831,258
Income (loss) before contributions and transfers	168,958	(1,520,705)	(514,728)	179,068	(1,687,407)
Capital contributions	438,018	-	498,228	-	936,246
Capital contributions - impact fees	84,331	479,489	-	-	563,820
Capital contributions - extension fees	-	405,672	-	-	405,672
Transfers out	(113,739)	(263,905)	(21,718)	(13,290)	(412,652)
Change in net position	577,568	(899,449)	(38,218)	165,778	(194,321)
Total net position, beginning	25,161,553	28,777,031	14,550,381	6,693,138	75,182,103
Total net position, ending	\$ 25,739,121	\$ 27,877,582	\$ 14,512,163	\$ 6,858,916	\$ 74,987,782

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Statement of Cash Flows – Proprietary Funds
For the Year Ended June 30, 2023

	Business-type Activities - Enterprise Funds				
	Water	Electric	Storm Water	Total Nonmajor Funds	Total
Cash flows from operating activities					
Receipts from customers and users	\$ 3,584,591	\$ 18,862,324	\$ 1,255,342	\$ 6,747,712	\$ 30,449,969
Payments to suppliers	(1,230,545)	(17,435,459)	(206,037)	(6,317,683)	(25,189,724)
Payments to employees	(1,198,058)	(2,190,888)	(826,928)	(31,571)	(4,247,445)
Payments for interfund services	(357,518)	(478,922)	(175,809)	(329,825)	(1,342,074)
Net cash provided (used) by operating activities	798,470	(1,242,945)	46,568	68,633	(329,274)
Cash flows from noncapital financing activities					
Interfund receivable (payable)		12,750			12,750
Cash received from other funds	-	-	-	(13,290)	(13,290)
Cash paid to other funds	(113,739)	(263,905)	(21,718)	-	(399,362)
Net cash used by noncapital financing activities	(113,739)	(251,155)	(21,718)	(13,290)	(399,902)
Cash flows from capital and related financing activities					
Impact, extension, and other fees	119,054	896,084	-	-	1,015,138
Capital grants	29,837	12,213	-	-	42,050
Cash contribution for water tank project	141,000	-	-	-	141,000
Aquisition of capital assets	(2,758,452)	(1,100,286)	(889,269)	(232,842)	(4,980,849)
Proceeds from sales of capital assets	24,313	4,940	-	-	29,253
Net cash provided by capital and related financing activities	(2,444,248)	(187,049)	(889,269)	(232,842)	(3,753,408)
Cash flows from investing activities					
Interest received	94,221	251,597	54,433	64,683	464,934
Net cash provided by investing activities	94,221	251,597	54,433	64,683	464,934
Net increase (decrease) in cash and cash equivalents	(1,665,296)	(1,429,552)	(809,986)	(112,816)	(4,017,650)
Cash and cash equivalents, beginning of year	5,130,970	11,242,564	2,639,285	2,809,347	21,822,166
Cash and cash equivalents, end of year	\$ 3,465,674	\$ 9,813,012	\$ 1,829,299	\$ 2,696,531	\$ 17,804,516

(Continued)

KAYSVILLE CITY CORPORATION, UTAH
Statement of Cash Flows – Proprietary Funds (Continued)
For the Year Ended June 30, 2023

	Business-type Activities - Enterprise Funds				
	Water	Electric	Storm Water	Total Nonmajor Funds	Total
Reconciliation of operating income (loss) to net cash provided (used) by operating activities					
Operating income (loss)	\$ (14,136)	\$ (1,800,378)	\$ (746,336)	\$ 42,185	\$ (2,518,665)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:					
Depreciation	810,412	900,868	708,529	45,686	2,465,495
Net pension adjustment	(57,342)	(116,325)	(44,990)	-	(218,657)
Changes in assets and liabilities:					
Accounts receivable	(23,793)	(310,725)	(2,865)	(59,544)	(396,927)
Inventory	3,200	(301,800)	-	-	(298,600)
Accounts payable	37,051	347,298	116,919	40,306	541,574
Deposits	4,800	(750)	-	-	4,050
Compensated absences	38,278	38,867	15,311	-	92,456
Net cash provided (used) by operating activities	\$ 798,470	\$ (1,242,945)	\$ 46,568	\$ 68,633	\$ (329,274)
Noncash investing, capital and financing activities					
Capital contributions - developers	\$ 297,018	\$ -	\$ 498,228	\$ -	\$ 795,246

The accompanying notes are an integral part of these financial statements.

NOTES TO THE BASIC FINANCIAL STATEMENTS

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

The basic financial statements of Kaysville City, Utah (the City) have been prepared in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP) as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing accounting and financial reporting principles.

The City was settled in 1850 and on March 15, 1968 was incorporated. The City operates under a council form of government, with an appointed city manager. The mayor and the five City Council members are elected at large, with staggered terms. The City provides the following services: public safety (police, fire, animal control, and ambulance), public utilities (water, sewer, electric, sanitation, pressure irrigation, and storm water), streets, library endowment, parks, recreation, cemetery, public works, planning and zoning, building inspection, and general administrative services.

Blended Component Units

As required by U.S. GAAP, these financial statements present the City and its component units, entities for which the City is considered to be financially accountable. The City is considered to be financially accountable for an organization if the City appoints a voting majority of that organization or there is a potential for that organization to provide specific financial benefits to or impose specific financial burdens on the City. The City is also considered to be financially accountable for an organization if that organization is fiscally dependent (i.e., it is unable to adopt its budget, levy taxes, set rates or charges, or issue bonded debt without approval from the City). Blended component units are, in substance, part of the primary government's operations, even though they are legally separate entities. Thus, blended component units are appropriately presented as funds of the primary government. The component units discussed below are included as part of the City's reporting entity as blended component units.

The Municipal Building Authority of Kaysville City (MBA) and the Redevelopment Agency of Kaysville City (RDA) are considered blended component units of the City. The MBA and RDA are governed by an independent board, comprised of members of the City Council, and are financially dependent upon the City. In conformity with U.S. GAAP, the financial information of both component units has been included in these financial statements as blended component units. Separate financial statements are not issued.

Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the City and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those which are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, including blended component units, and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

The City has a total of sixteen funds, including ten governmental funds and six proprietary funds.

The City reports the following major governmental funds:

General Fund is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Capital Projects Fund accounts for the acquisition of capital assets or construction of major capital projects not being financed by proprietary or nonexpendable trust funds.

Redevelopment Agency Fund accounts for the redevelopment of project areas throughout the City.

Municipal Building Authority Fund accounts for the construction and finance of certain City buildings.

RAMP Fund accounts for expenditures related to recreational purposes of the City.

Road Fund accounts for the ongoing construction and maintenance of City's roadways.

The government reports the following major enterprise funds:

Water Fund accounts for the activities of the City's water operations, both culinary and secondary water systems.

Electric Fund accounts for the activities of the City's power operations.

Storm Water Fund accounts for the activities of the City's storm drain operations.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

During the course of operations, the City has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due to/from other funds or advances to/from other funds. Further, certain activity occurs during the year involving transfers of resources between funds reported at gross amounts as transfers in/out. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column.

Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as *current financial resources or economic resources*. The basis of accounting indicates the timing of recognition in the financial statements of various kinds of transactions or events.

The government-wide and proprietary fund financial statements are reported using the *economic resources measurement focus* and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized when they have been earned and they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service principal and interest expenditures on general long-term debt, including any lease liabilities, as well as expenditures related to compensated absences, and claims and judgments, and post-employment benefits are recognized later, based on specific accounting rules applicable to each, generally when payment is due. General capital asset acquisitions, including entering into contracts giving the City the right to use leased assets, when applicable, are reported as expenditures in governmental funds. Issuance of long-term debt and financing through leases, when applicable, are reported as other financing sources.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Property taxes, sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end).

Budgetary Information

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for each of the funds presented.

The appropriated budget is prepared by fund, function, and department. The City's department heads may make transfers of appropriations within a department. Transfers of appropriations between departments require the approval of the Council. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the department level.

Appropriations in all budgeted funds lapse at the end of the fiscal year even if they have related encumbrances. Encumbrances are commitments related to unperformed (executory) contracts for goods or services (i.e., purchase orders, contracts, and commitments). Encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. While all appropriations and encumbrances technically lapse at year end, valid outstanding encumbrances (those for which performance under the executory contract is expected in the next year) are reappropriated and become part of the subsequent year's budget pursuant to state regulations, and the encumbrances are automatically reestablished in the next year.

Assets, Liabilities, Deferred Inflows and Outflows of Resources and Equity

Cash, Cash Equivalents

The City's cash and cash equivalents include cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition. For purposes of the statement of cash flows, the City's proprietary funds consider their demand deposits and all highly liquid investments with an original maturity of three months or less when purchased to be cash equivalents. The Public Treasurers' Investment Fund (PTIF) is considered a cash equivalent since it is readily accessible by the City.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Investments

State of Utah statutes authorize the City to invest in obligations of the U.S. Treasury, commercial paper, and repurchase agreements, as well as the PTIF. Investments are recorded at fair value in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income.

Investments with a maturity of less than one year when purchased, non-negotiable certificates of deposit, and other nonparticipating investments are stated at cost or amortized cost. Investments with a maturity greater than one year when purchased and all investments of the pension are stated at fair value. Fair value is the price that would be received to sell an investment in an orderly transaction at year end.

Receivables and Payables

Transactions between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "interfund receivables/payables" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the noncurrent portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Advances between funds are offset by a fund balance reserve account in applicable governmental funds to indicate they are not available for appropriation and are not expendable, available financial resources.

Property taxes are recognized when they are measurable and available. Property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on June 15 and are due on November 30 of the same calendar year. City property tax revenues are not recognized when levied because they are not expected to be collected within 60 days after the end of the current year and are, therefore, recorded as unavailable revenue.

Inventories and Prepaid Items

Inventories are valued at cost using the replacement value method. The costs of business-type fund inventories are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Capital Assets

Capital assets of the City are tangible and intangible assets, which include property, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), and are reported in the applicable governmental or business-type activities column in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$4,000 and an estimated useful life in excess of five years.

As the City constructs or acquires capital assets each period, including infrastructure assets, they are capitalized and reported at historical cost (except for intangible right-to-use lease assets, the measurement of which is discussed later in these footnotes). The reported value excludes normal maintenance and repairs, which are amounts spent in relation to capital assets that do not increase the asset's capacity or efficiency or increase its estimated useful life. Donated capital assets, such as developer contributions, are recorded at acquisition value at the date of donation. Acquisition value is the price that would be paid to acquire an asset with equivalent service potential on the date of the donation. Intangible assets follow the same capitalization policies as tangible capital assets and are reported with tangible assets in the appropriate capital asset class.

Land, water shares, and construction in progress are not depreciated. The other tangible and intangible property, equipment, the right to use leased equipment (when applicable), and infrastructure of the government are depreciated using the straight-line method over the following estimated useful lives:

<u>Asset Class</u>	<u>Useful Life</u>
Buildings	60 years
Infrastructure	30 to 50 years
Improvements other than buildings	30 years
Vehicles, machinery and equipment	5 to 7 years

Compensated Absences

The City accrues accumulated unpaid paid time off, and associated employee-related costs when earned (or estimated to be earned) by the employee. Applicable payroll taxes are included in the calculation.

For reporting purposes, the City's proprietary funds report the amounts accrued for all employees as a liability, while the governmental fund financial statements only report a liability for earned compensated absences for terminated employees. The governmental funds liability balance for all employees is maintained separately and represents a reconciling item between the fund and government-wide presentations.

As of the date of this report, management and the City Council is updating its compensated absences policy.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Utah Retirement Systems Pension Plan (URS) including additions to and deductions from URS's fiduciary net position, have been determined on the same basis as they are reported by URS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Deferred Inflows and Outflows of Resources

In addition to assets, the statement of financial position includes a separate section for *deferred outflows of resources*. Deferred outflows of resources represent a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City has one item that qualifies for reporting in this category. It is the deferred amounts related to pension. The deferred amounts related to pension is the difference between estimated and actual investment earnings, changes in actuarial assumptions, and other pension related changes.

In addition to liabilities, the statement of financial position includes a separate section for *deferred inflows of resources*. Deferred inflows of resources represent an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The City has two items that qualify for reporting in this category. Unavailable revenue is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from one source: property taxes. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. In the government-wide financial statements the City reports deferred amounts related to pensions.

Long-term Liabilities

The City reports long-term liabilities at face value in the applicable governmental activities, or business-type activities or Statement of Net Position. Certain other governmental activities liabilities not expected to be financed with current available financial resources are also reported in the Statement of Net Position. Long-term liabilities and other obligations financed by proprietary funds are reported as liabilities in the appropriate funds.

For governmental fund types, bond premiums and discounts, as well as issuance costs, are recognized during the current period. Bond proceeds are reported as *other financial source* net of the applicable premium or discount. Issuance costs, even if withheld from the actual net proceeds received, are reported as debt service expenditures. Bonds payable are reported net of the applicable bond premium or discount.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Equity

Fund balance

GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, provide reporting categories for fund balance in governmental funds. The statement applies only to fund financial statements and not to government-wide statements or proprietary fund statements. Proprietary fund equity is classified the same as in the government-wide statements. The fund balance may be classified as follows:

- Nonspendable – Fund balances that cannot be spent either because they are in non-spendable form or because they are legally or contractually required to be maintained intact.
- Restricted fund balance – Fund balances are reported as restricted when they are constrained by externally imposed legal restrictions, by law through constitutional provisions or enabling legislation, or restrictions set by creditors, grantors, or contributors.
- Committed fund balance – Fund balances are reported as committed when the Council formally designates the use of resources by ordinance or resolution for a specific purpose and cannot be used for any other purpose unless the City Council likewise formally changes the use through an ordinance or resolution.
- Assigned fund balance – Fund balances are reported as assigned when the City Council intends to use funds for a specific purpose. Normally funds are assigned by the appropriation process of setting the budget. Additionally, funds in special revenue, debt service, and capital project funds are by their nature assigned to the purpose of those respective funds.
- Unassigned fund balance – Fund balances in the general fund are reported as unassigned when they are neither restricted, committed, nor assigned. They may be used for any governmental purpose.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the City considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless City Council has provided otherwise in its commitment or assignment actions.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Net Position

Equity is classified as net position and displayed in three components:

- Net Investment in capital assets – Consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted net position – Consists of net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- Unrestricted net position – All other net position that does not meet the definition of “restricted” or “net investment in capital assets.”

Leases

In June 2017, the Governmental Accounting Standards Board (GASB) issued Statement No. 87, *Leases*, which establishes criteria for identifying and properly reporting leases for all state and local governments. The Statement establishes a single model for lease accounting based on the principle that leases are financings of the right to use an asset.

The City has adopted this standard for the fiscal year ended June 30, 2023. However, an in-depth analysis of the City’s agreements found no lease arrangements which are subject to GASB 87. However, during the fiscal year ended June 30, 2023, the City has incurred approximately \$25,000 in governmental activities and \$15,000 in business-type activities in lease expenses for a total of 3 lease agreements. This obligation is expected to occur for the next 5 and 6 years, respectively.

Lessee: When applicable, the City recognizes a lease liability and an intangible right-to-use lease asset (lease asset) in the government-wide financial statements. The City recognizes lease liabilities and assets only when the lease term is more than 1 year, and (1) an individual contracted present value calculation exceeds \$75,000, or (2) the total aggregate present value of all leases city-wide exceeds \$300,000.

When applicable, at the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date, plus certain initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over its useful life.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

- The City uses the interest rate charged by the lessor as the discount rate. When the interest rate charged by the lessor is not provided, the City generally uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancellable period of the lease. Lease payments included in the measurement of the lease liability are composed of fixed payments and purchase option price that the City is reasonably certain to exercise.

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability.

Lease assets are reported with other capital assets (as right-to-use assets) and lease liabilities are reported with long-term debt on the statement of net position.

Lessor: The City is not a lessor for any agreements as of June 30, 2023.

Subscription-Based Information Technology Arrangements

In May 2020, the Governmental Accounting Standards Board (GASB) issued Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITA)*, which establishes criteria for identifying and properly reporting right-to-use subscription assets, primarily software subscriptions, for all state and local governments. The City has adopted this standard for the fiscal year ended June 30, 2023. However, an in-depth analysis found that no material SBITA liabilities exist for the City.

When applicable, the City recognizes a SBITA liability and an intangible right-to-use asset in the government-wide financial statements. The City recognizes subscription liabilities and assets only when the term is more than 1 year, and (1) an individual contracted present value calculation exceeds \$100,000, or (2) the total aggregate present value of all leases city-wide exceeds \$500,000.

Interfund Transactions

As a rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided, and other charges between the City's enterprise functions of the City. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned. Interfund services provided and used are accounted for as revenues, expenditures, or expenses. Transactions that constitute reimbursements to a fund for expenditures and expenses initially made from it that are properly applicable to another fund, are recorded as expenditures/expenses in the reimbursing fund and as revenues in the fund that is reimbursed.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Program Revenues

Amounts reported as program revenues include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided or fines imposed by a given function or segment, and (2) grants and contributions (including developer impact fees) that are restricted to meeting the operational or capital requirements of a particular function or segment. All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

Restricted Net Position

The following fund balances or net position are considered restricted:

- Power Impact Fees – a capacity impact fee is charged on all new construction permits. The use of these fees is limited by state law to be used for capital outlay in the electric fund. Accordingly, net position has been restricted.
- Water Impact Fees – a water impact fee is charged on all new construction permits. The use of these fees is limited by state law to be used for capital outlay in the water fund. Accordingly, net position has been restricted.
- Other Impact Fees – certain fees are charged on all new construction permits. The use of these fees (park development, public safety, fire, and transportation) is limited by state law. Unexpended balances are used for future developments throughout the City. Accordingly, net position has been restricted.
- Perpetual Cemetery – a part of the fees collected at the time a cemetery lot is sold, which is used for perpetual care.
- Library Endowment – the restriction is imposed by the contributor. The principal portion of the contribution is fully restricted, plus a portion of the interest earned each year. The remaining portion of the interest earned on the principal may be used for other purposes.
- Class C Roads & Active Transportation – all unexpended Class “C” Road and Active Transportation payments at the end of the fiscal year are restricted by state law to be appropriated in the following budget year.
- Capital projects – restricted for use in City projects for capital purposes.
- Debt service – Debt holders require certain funds be held and restricted for use to repay the debts.
- Redevelopment projects – restricted for use by the RDA and its purposes to finance and construct various projects to beautify, rehabilitate and enhance certain targeted areas of the City.
- Beer Tax – all unexpended Beer Tax payments at the end of the fiscal year are restricted by state law to be appropriated in the following budget year.

When both restricted and unrestricted net position are available for use, the City's policy is to use restricted net position first, then unrestricted as needed.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

2. DEPOSITS AND INVESTMENTS

Investments are recorded at fair value in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income.

The State of Utah Money Management Council has the responsibility to advise the State Treasurer about investment policies and promote measures and rules that will assist in strengthening the banking and credit structure of the state, and review the rules adopted under the authority of the State of Utah Money Management Act that relate to the deposit and investment of public funds.

The City follows the requirements of the Utah Money Management Act (*Utah Code*, Title 51, Chapter 7) in handling its depository and investment transactions. The Act requires the depositing of Kaysville City funds in a qualified depository. The Act defines a qualified depository as any financial institution whose deposits are insured by an agency of the Federal Government, and which has been certified by the State Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council.

The Money Management Act defines the types of securities authorized as appropriate investments for the City and the conditions for making investment transactions. Investment transactions may be conducted only through qualified depositories, certified dealers, certified investment advisors, or directly with issuers of the investment securities.

Statutes authorize the City to invest in negotiable or nonnegotiable deposits of qualified depositories and permitted negotiable depositories; repurchase and reverse repurchase agreements; commercial paper that is classified as “first tier” by two nationally recognized statistical rating organizations, one of which must be Moody’s Investors Services or Standard & Poor’s; bankers’ acceptances; obligations of the United States Treasury including bills, notes, and bonds; obligations, other than mortgage derivative products, issued by U.S. government sponsored enterprises (U.S. Agencies) such as the Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation (Freddie Mac), and Federal National Mortgage Association (Fannie Mae); bonds, notes, and other evidence of indebtedness of political subdivisions of the State; fixed rate corporate obligations and variable rate securities rated “A” or higher, or the equivalent of “A” or higher, by two nationally recognized statistical rating organizations; shares or certificates in a money market mutual fund as defined in the Money Management Act; and the Utah State Public Treasurers’ Investment Fund. Investments in pooled accounts are stated at fair value.

The Utah State Treasurer’s Office operates the Public Treasurers’ Investment Fund (PTIF). The PTIF is available for investment of funds administered by any Utah public treasurer and is not registered with the SEC as an investment company. The PTIF is authorized and regulated by the Money Management Act (*Utah Code*, Title 51, Chapter 7). The Act established the Money Management Council which oversees the activities of the State Treasurer and the PTIF and details the types of authorized investments. Deposits in the PTIF are not insured or otherwise guaranteed by the State of Utah, and participants share proportionally in any realized gains or losses on investments.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

2. DEPOSITS AND INVESTMENTS (CONTINUED)

The PTIF operates and reports to participants on an amortized cost basis. The income, gains, and losses of the PTIF, net of administration fees, are allocated based upon the participant's average daily balance. The fair value of the PTIF investment pool is approximately equal to the value of the pool shares.

As of June 30, 2023, the City had the following investments and maturities:

Investment Type	Fair Value	Maturities (in years)			
		Less than 1	1 to 5	6 to 10	More than 10
<u>Cash Equivalent</u>					
Utah Public Treasurer's					
Investment Fund (PTIF)	\$ 28,473,198	\$ 28,473,198	\$ -	\$ -	\$ -
Money market funds	3,160,387	3,160,387	-	-	-
<u>Investments</u>					
Certificates of deposit	9,092,789	972,897	8,119,892	-	-
Corporate bonds	1,002,661	275,332	727,329	-	-
Government securities	450,129	-	450,129	-	-
	\$ 42,179,164	\$ 32,881,814	\$ 9,297,350	\$ -	\$ -

Fair Value of Investments

The City measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles. These guidelines recognized a three-tiered fair value hierarchy, as follows:

- Level 1: Valuations based on quoted prices in active markets for identical assets or liabilities that the City can access. Since valuations are based on quoted prices that are readily and regularly available in an active market, valuation of these securities does not entail any significant degree of judgement. Securities classified as Level 1 inputs include U.S. Government securities and certain other U.S. Agency and sovereign government obligations,
- Level 2: Valuations based on quoted prices in markets that are not active or for which all significant inputs are observable, either directly or indirectly. Securities classified as Level 2 include: corporate and municipal bonds, and "brokered" or securitized certificates of deposit; and,
- Level 3: Valuations based on input that are unobservable and significant to the overall fair value measurement.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

2. DEPOSITS AND INVESTMENTS (CONTINUED)

As of June 30, 2023, The City had the following quality rating, each with a recurring fair value measurement of Level 2, except for Corporate Bonds, which are Level 1:

Investment Type	Fair Value	Quality Rating				
		AAA	AA	A	BBB	Unrated
<u>Cash Equivalent</u>						
Utah Public Treasurer's Investment Fund (PTIF)	\$ 28,473,198	\$ -	\$ -	\$ -	\$ -	\$ 28,473,198
Money market funds	3,160,387	114,042	-	-	-	3,046,345
<u>Investments</u>						
Certificates of deposit	9,092,789	-	1,395,453	696,512	225,222	6,775,602
Corporate bonds	1,002,661	-	246,465	756,196	-	-
Government securities	450,129	217,110	-	-	-	233,019
	\$ 42,179,164	\$ 331,152	\$ 1,641,918	\$ 1,452,708	\$ 225,222	\$ 38,528,164

Debt and equity securities classified in Level 1 are valued using prices quoted in active markets for those securities.

For securities that generally have market prices from multiple sources, it can be difficult to select the best individual price, and the best source one day may not be the best source on the following day. The solution is to report a "consensus price" or a weighted average price for each security.

The City receives market prices for these securities from a variety of industry standard data providers (e.g., Bloomberg), security master files from large financial institutions, and other third-party sources. Through the help of an investment advisor, The City uses these multiple prices as input into a distribution curve-based algorithm to determine the daily market value:

- U.S. Treasuries, Money Markets, U.S. Agencies: quoted prices for identical securities in markets that are active.

Debt securities classified in Level 2 are valued using the following approaches:

- Corporate and Municipal Bonds and Commercial Paper: quoted prices for similar securities in active markets,
- Repurchase Agreements, Negotiable Certificates of Deposit, and Collateralized Debt Obligations: matrix pricing based on the securities' relationship to benchmark quoted prices,
- Bond Mutual Funds: Published fair value per share (unit) for each fund,
- Utah Public Treasurers' Investment Fund: application of the June 30, 2023, fair value factor, as calculated by the Utah State Treasurer, the Kaysville City's average daily balance in the fund, and,
- Donated Real Estate: recent appraisals of the real estate's value.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

2. DEPOSITS AND INVESTMENTS (CONTINUED)

Interest rate risk – Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The City manages its exposure to fair value loss arising from increasing interest rates is to comply with the State's Money Management Act. Section 51-7-11 of the Money Management Act requires that the remaining term to maturity of investments may not exceed the period of availability of the funds to be invested. The Act further limits the remaining term to maturity on all investments in commercial paper, bankers' acceptance, fixed rate negotiable deposits, and fixed rate corporate obligations to 270 days – 15 months or less. The Act further limits the remaining term to maturity on all investments in obligations of the United States Treasury; obligations issued by U.S. government sponsored enterprises; and bonds, notes, and other evidence of indebtedness of political subdivisions of the State to 5 years. In addition, variable rate negotiable deposits and variable rate securities may not have a remaining term to final maturity exceeding 3 years.

Credit risk – Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City's policy for reducing its exposure to credit risk is to comply with the State's Money Management Act as previously discussed. The PTIF is not registered with the SEC as an investment company, and it is also unrated.

Concentration of credit risk – Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The City's policy for reducing this risk of loss is to comply with the Rules of the Money Management Council. Rule 17 of the Money Management Council limits investments in a single issuer of commercial paper and corporate obligations to 5-10% depending upon the total dollar held in the portfolio. The City's investment in the Utah Public Treasurers' Investment Fund has no concentration of credit risk.

As of June 30, 2023, the City does not hold more than 10 percent of total investments in any single security concentration other than U.S. Government Treasuries and Agencies.

Custodial credit risk – Custodial credit risk is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City does not have a formal deposit policy for custodial credit risk. All investments other than bank deposits or funds invested in the state treasurer's fund are to be held by a third party with securities delivered on a delivery vs. purchase basis. As of June 30, 2023, the City safe kept all investments with a custodian counterparty and all investments which were held by the counterparty's trust department or agent are registered in the City's name. Throughout the year the City's bank balance may fluctuate and there is a credit risk when deposits are above the covered FDIC limits. As of June 30, 2023, \$6,590,479 of the City's bank balances of \$7,262,456 (which excludes outstanding checks and deposits) was uninsured and uncollateralized.

For an investment, this is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's investment in the Utah Public Treasurers' Investment Fund and Moreton Asset Management has no custodial credit risk.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

2. DEPOSITS AND INVESTMENTS (CONTINUED)

Components of cash, cash equivalents, and investments (including interest earning deposits) as of June 30, 2023, are as follows:

Cash and cash equivalents on hand and on deposit:	
Cash on hand	\$ 250
Cash on deposit and money market	9,115,725
PTIF accounts	28,473,198
	<u>37,589,173</u>
Investments:	
Certificates of deposit	9,092,789
Government securities	450,129
Corporate bonds	1,002,661
	<u>10,545,579</u>
Total	<u>\$ 48,134,752</u>

Cash, cash equivalents, and investments are included in the accompanying combined statement of net position as follows:

Cash and cash equivalents	\$ 18,186,195
Cash and cash equivalents, restricted	19,402,978
Investments	10,404,838
Investments, restricted	<u>140,741</u>
Total	<u>\$ 48,134,752</u>

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

3. ACCOUNTS RECEIVABLE

Receivables as of the fiscal year end, including the applicable allowances for uncollectible accounts, are as follows:

Governmental Funds

	General	RAMP	Road	Total
Receivables:				
Property tax	\$ 5,503,191	\$ -	\$ -	\$ 5,503,191
Sales and use	1,400,595	-	473,515	1,874,110
Other taxes	140,520	104,956	-	245,476
Accounts	257,102	-	167,914	425,016
Gross receivables	7,301,408	104,956	641,429	8,047,793
Less: allowance for uncollectibles	-	-	-	-
Net total governmental receivables	<u>\$ 7,301,408</u>	<u>\$ 104,956</u>	<u>\$ 641,429</u>	<u>\$ 8,047,793</u>

Business-type Funds

	Water	Electric	Storm Water	Nonmajor Enterprise	Total
Receivables:					
Utility customers	\$ 285,951	\$ 1,353,447	\$ 109,079	\$ 627,306	\$ 2,375,783
Taxes	-	80,888	-	-	80,888
Other	980	117,767	-	-	118,747
Gross receivables	286,931	1,552,102	109,079	627,306	2,575,418
Less: allowance for uncollectibles	(1,741)	(9,809)	(625)	(3,039)	(15,214)
Net total business-type receivables	<u>\$ 285,190</u>	<u>\$ 1,542,293</u>	<u>\$ 108,454</u>	<u>\$ 624,267</u>	<u>\$ 2,560,204</u>

4. INTERFUND ACTIVITY

Payables as of the fiscal year end are as follows:

Advances from/to other funds:		
Receivable fund	Payable fund	Amount
General	Electric	\$ 80,888
Nonmajor governmental	General	2,470,437
		<u>\$ 2,551,325</u>

Advances To Other Funds in the electric fund represents the energy use tax that the electric fund collects and remits to the general fund.

	Transfers in:		
	Governmental funds		Total
	General Fund	Nonmajor Governmental Funds	
Transfers out:			
General fund	\$ -	\$ 263,850	\$ 263,850
Nonmajor governmental funds	-	210,000	210,000
Water enterprise fund	113,739	-	113,739
Electric enterprise fund	263,905	-	263,905
Storm water enterprise fund	21,718	-	21,718
Nonmajor enterprise funds	13,290	-	13,290
	<u>\$ 412,652</u>	<u>\$ 473,850</u>	<u>\$ 886,502</u>

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

4. INTERFUND ACTIVITY (CONTINUED)

The transfers on the previous page resulted from the normal course of the City's operations. Often, funds are received in a given fund, but those funds are used for a purpose in which the expenditures are made in another fund. The transfer from the General Fund to the Nonmajor Governmental Funds was to make the debt service payments.

5. CAPITAL ASSETS

Capital asset activity in the governmental activities for the year ended June 30, 2023, was as follows:

	07/01/22	Increases	Decreases	06/30/23
Capital assets, not depreciated:				
Land	\$ 28,803,710	\$ -	\$ -	\$ 28,803,710
Construction in progress	372,935	6,430,836	(6,728)	6,797,043
Total capital assets, not depreciated	29,176,645	6,430,836	(6,728)	35,600,753
Capital assets, depreciated:				
Buildings and improvements	26,804,113	417,307	-	27,221,420
Infrastructure	77,644,372	718,879	-	78,363,251
Automobiles, machinery and equipment	11,115,041	2,116,591	(662,250)	12,569,382
Total capital assets, depreciated	115,563,526	3,252,777	(662,250)	118,154,053
Accumulated depreciation:				
Buildings and improvements	(7,961,278)	(672,829)	-	(8,634,107)
Infrastructure	(39,303,776)	(2,452,154)	-	(41,755,930)
Automobiles, machinery and equipment	(7,368,001)	(892,157)	633,390	(7,626,768)
Total accumulated depreciation	(54,633,055)	(4,017,140)	633,390	(58,016,805)
Total capital assets, depreciated (net)	60,930,471	(764,363)	(28,860)	60,137,248
Net governmental capital assets	\$ 90,107,116	\$ 5,666,473	\$ (35,588)	\$ 95,738,001

Depreciation expense was charged to functions as follows:

Governmental activities:	
General government	\$ 325,539
Public safety	654,048
Community development	13,207
Highways and public improvements	2,565,317
Parks, recreation, and public property	459,029
Total depreciation expense - governmental activities	\$ 4,017,140

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

5. CAPITAL ASSETS (CONTINUED)

Capital asset activity in the business-type activities for the year ended June 30, 2023, was as follows:

	07/01/22	Increases	Decreases	06/30/23
Capital assets, not depreciated:				
Land	\$ 1,140,723	\$ -	\$ -	\$ 1,140,723
Water shares	4,792,490	141,000	-	4,933,490
Construction in progress	84,008	1,136,156	(25,679)	1,194,485
Total capital assets, not depreciated	6,017,221	1,277,156	(25,679)	7,268,698
Capital assets, depreciated:				
Buildings and improvements	1,526,147	408,581	-	1,934,728
Automobiles, machinery and equipment	4,952,896	1,130,218	(584,712)	5,498,402
Infrastructure				
Water system	28,688,791	1,830,936	-	30,519,727
Electric	30,592,084	403,959	-	30,996,043
Storm water system	24,223,635	1,000,299	-	25,223,934
Total capital assets, depreciated	89,983,553	4,773,993	(584,712)	94,172,834
Accumulated depreciation:				
Buildings and improvements	(527,024)	(28,677)	-	(555,701)
Automobiles, machinery and equipment	(4,233,751)	(183,957)	584,712	(3,832,996)
Infrastructure				
Water system	(11,157,314)	(737,230)	-	(11,894,544)
Electric	(15,149,259)	(829,706)	-	(15,978,965)
Storm water system	(12,547,873)	(685,925)	-	(13,233,798)
Total accumulated depreciation	(43,615,221)	(2,465,495)	584,712	(45,496,004)
Total capital assets, depreciated (net)	46,368,332	2,308,498	-	48,676,830
Net business-type capital assets	\$ 52,385,553	\$ 3,585,654	\$ (25,679)	\$ 55,945,528

Depreciation expense was charged to functions as follows:

Business-type activities:	
Water	\$ 836,582
Sewer	688
Electric	880,497
Sanitation	44,998
Storm Water	702,730
Total depreciation expense - business-type activities	\$ 2,465,495

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

5. CAPITAL ASSETS (CONTINUED)

Capital assets by proprietary fund are as follows:

	Major Funds			Nonmajor Funds			Total
	Water	Electric	Storm Water	Sewer	Pressure Irrigation	Sanitation	
Land	\$ 120,094	\$ 1,004,307	\$ -	\$ -	\$ 16,322	\$ -	\$ 1,140,723
Water shares	1,211,640	-	-	-	3,721,850	-	4,933,490
Construction in progress	729,982	464,503	-	-	-	-	1,194,485
Buildings and improvements	1,065,395	733,344	94,700	41,289	-	-	1,934,728
Infrastructure	30,519,727	30,996,043	25,223,934	-	-	-	86,739,704
Automobiles	277,971	1,545,627	592,174	-	-	305,042	2,720,814
Machinery and equipment	525,474	605,132	109,190	-	-	1,537,792	2,777,588
Total	34,450,283	35,348,956	26,019,998	41,289	3,738,172	1,842,834	101,441,532
Accumulated depreciation	(12,523,272)	(18,196,731)	(13,330,183)	(25,461)	-	(1,420,357)	(45,496,004)
Capital assets, net	\$ 21,927,011	\$ 17,152,225	\$ 12,689,815	\$ 15,828	\$ 3,738,172	\$ 422,477	\$ 55,945,528

6. DEPOSITS

General Fund - Deposits in the general fund as of June 30, 2023, are as follows:

Business license bonds	\$ 1,600
Builders' deposits	296,100
Parks and public properties	10,113
Excavation deposits	148,685
Escrow deposits	<u>1,156,413</u>
Total	<u>\$ 1,612,911</u>

Capital Projects - Deposits in the capital projects fund as of June 30, 2023, are as follows:

Donations for parks and public properties	<u>\$ 25,471</u>
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Enterprise Funds – Electric utility deposits are recorded in the electric utility fund. Both water utility customer and water meter deposits are recorded in the water utility fund. As of June 30, 2023, deposits are as follows:

Electric utility customer deposits	\$ 133,673
Water utility customer deposits	32,854
Water meter deposits	<u>10,450</u>
Total	<u>\$ 176,977</u>

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

7. LONG-TERM DEBT

Notes Payable

Governmental Activities. As of June 30, 2023, the City had three purchase agreements, two for the fire department to obtain a fire truck and an ambulance, one for the parks and recreation department to obtain a large area mower. These purchase agreements do not qualify as leases for accounting purposes and, therefore, have been recorded as notes payable.

The fire truck purchase agreement bears an interest rate of 2.86%. Semi-annual payments are required, with the final payment in July 2024. The remaining payments, for both principal and interest, are as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Totals</u>
2024	\$ 146,752	\$ 5,299	\$ 152,051
2025	74,954	1,072	76,026
	<u>\$ 221,706</u>	<u>\$ 6,371</u>	<u>\$ 228,077</u>

During fiscal year 2021, the City entered into a lease agreement to acquire an Ambulance, that is recorded as a note payable on the government-wide financial statements. The purchase agreement bears an interest rate of 1.650%. Semi-annual payments are required, with the final payment in November 2023. The remaining payments, for both principal and interest, are as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Totals</u>
2024	\$ 82,342	\$ 1,405	\$ 83,747
	<u>\$ 82,342</u>	<u>\$ 1,405</u>	<u>\$ 83,747</u>

The wide area mower lease purchase agreement bears an interest rate of 3.835%. Annual payments are required, with final payment in September 2023. The remaining payments, for both principal and interest, are as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Totals</u>
2024	\$ 19,558	\$ 750	\$ 20,308
	<u>\$ 19,558</u>	<u>\$ 750</u>	<u>\$ 20,308</u>

Business-Type Activities. As of June 30, 2023, the business-type activities did not have any bonds or notes payable.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

7. LONG-TERM DEBT (CONTINUED)

Bonds Payable

Governmental Activities

Sales Tax Revenue Bonds, Series 2017 - Pioneer Park

The City is obligated for the repayment of bonds issued in 2017 in the amount of \$1,330,000, to finance the construction of Pioneer Park on the west side of the City. Interest payments are paid on July 15 and January 15 of each year; principal payments are made on July 15. Interest rate is based on a fixed debt service schedule with an average annual rate of 2.05%. The bonds will mature on July 15, 2024. The amortization of the bond is as follows:

Sales Tax Revenue Bonds, Series 2017

	Principal	Interest	Totals
2024	\$ 198,000	\$ 8,843	\$ 206,843
2025	204,000	3,060	207,060
	<u>\$ 402,000</u>	<u>\$ 11,903</u>	<u>\$ 413,903</u>

MBA Lease Revenue Bonds, Series 2019 - City Hall Remodel

During the year ended June 30, 2020, the MBA issued bonds to finance the remodel and construction of the City Hall. The MBA is obligated for the repayment of these bonds in the amount of \$4,028,000. Interest payments are paid on December 1 and June 1 of each year; principal payments are made on June 1. The Interest rate is based on a fixed debt service schedule, with an annual rate of 2.14%. The bonds mature on June 1, 2034. The amortization of the bond is as follows:

MBA Lease Revenue Bonds, Series 2019

	Principal	Interest	Totals
2024	\$ 266,000	\$ 69,828	\$ 335,828
2025	272,000	64,136	336,136
2026	278,000	58,315	336,315
2027	284,000	52,366	336,366
2028	290,000	46,288	336,288
2029 - 2033	1,544,000	135,719	1,679,719
2034 - 2035	329,000	7,041	336,041
	<u>\$ 3,263,000</u>	<u>\$ 433,693</u>	<u>\$ 3,696,693</u>

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

7. LONG-TERM DEBT (CONTINUED)

MBA Lease Revenue Refunding Bonds, Series 2019B - Police Station

The MBA issued lease revenue refunding bonds in October 2019 to lower the interest rate from 2.857% to 1.620%. The proceeds from this issuance were to decrease the MBA Lease Revenue Bonds, Series 2014. The bonds will mature on June 1, 2031. The amortization of the bonds is as follows:

MBA Lease Revenue Refunding Bonds, Series 2019B

	Principal	Interest	Totals
2024	\$ 326,000	\$ 46,283	\$ 372,283
2025	335,000	41,002	376,002
2026	343,000	35,575	378,575
2027	352,000	30,019	382,019
2028	360,000	24,316	384,316
2029 - 2032	1,141,000	37,309	1,178,309
	<u>\$ 2,857,000</u>	<u>\$ 214,504</u>	<u>\$ 3,071,504</u>

Activity with long-term liabilities, including bonds, notes payable, and compensated absences for the year ended June 30, 2023, is as follows:

Governmental Activities

	06/30/22	Increases	Decreases	06/30/23	Due in One Year
<u>Governmental activities</u>					
Bonds payable:					
Sales Tax Revenue, Series 2017 (Pioneer Park)	\$ 595,000	\$ -	\$ (193,000)	\$ 402,000	\$ 198,000
MBA Lease Revenue, Series 2019 (City Hall Remodel)	3,523,000	-	(260,000)	3,263,000	266,000
MBA Lease Revenue Refunding, Series 2019B (Police Station)	3,175,000	-	(318,000)	2,857,000	326,000
Total bonds payable	7,293,000	-	(771,000)	6,522,000	790,000
Other long-term liabilities:					
Notes payable:					
Fire Truck	364,351	-	(142,645)	221,706	146,752
Wide-area Mower	38,393	-	(18,835)	19,558	19,558
Ambulance	166,115	-	(83,773)	82,342	82,342
Compensated absences	900,145	1,004,419	(763,323)	1,141,241	912,993
Governmental activities, long-term liabilities	<u>\$ 8,762,004</u>	<u>\$ 1,004,419</u>	<u>\$ (1,779,576)</u>	<u>\$ 7,986,847</u>	<u>\$ 1,951,645</u>

Business-type Activities

	06/30/22	Increases	Decreases	06/30/23	Due in One Year
<u>Business-type activities</u>					
Other long-term liabilities:					
Note payable, Ambulance	\$ 12,565	\$ -	\$ (12,565)	\$ -	\$ -
Compensated absences	270,755	381,068	(288,613)	363,210	290,569
Business-type activities, long-term liabilities	<u>\$ 283,320</u>	<u>\$ 381,068</u>	<u>\$ (301,178)</u>	<u>\$ 363,210</u>	<u>\$ 290,569</u>

For the year ended June 30, 2023, \$152,815 in interest was charged to expenditures in governmental activities.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS

Kaysville City contributes to the Local Governmental Contributory Retirement System, Local Governmental Noncontributory Retirement System and Public Safety Retirement System for employers with Social Security coverage, which is a cost-sharing multiple-employer defined benefit pension plans administered by the Utah Retirement Systems (Systems). Additional detail and amounts are outlined in this note and in the Schedule of Required Supplementary Information section of this audit.

Defined Contribution Plan – In addition to the Local Government Retirement Systems, the City also provides a 401(k) plan for employees. The plan is adopted and amended by the City Council, administered by the trustees with money management and contract administration provided by The Principal Financial Group.

Plan description - Eligible plan participants are provided with pensions through the Utah Retirement Systems. The Utah Retirement Systems are comprised of the following pension trust funds:

Defined Benefit Plans

- Public Employees Noncontributory Retirement Systems (Noncontributory System);
- Firefighters Retirement System (Firefighters System) are multiple employer, cost sharing, retirement systems.
- Tier 2 Public Employees Contributory Retirement System (Tier 2 Public Employees System);
- Tier 2 Public Safety and Firefighter Contributory Retirement System (Tier 2 Public Safety and Firefighters System) are multiple employer, cost sharing, public employees, retirement systems.

The Tier 2 Public Employees System became effective July 1, 2011. All eligible employees beginning on or after July 1, 2011, who have no previous service credit with any of the Utah Retirement Systems, are members of the Tier 2 Retirement System.

The Utah Retirement Systems (Systems) are established and governed by the respective sections of Title 49 of the Utah Code Annotated 1953, as amended. The Systems' defined benefit plans are amended statutorily by the State Legislature. The Utah State Retirement Office Act in Title 49 provides for the administration of the System under the direction of the Board, whose members are appointed by the Governor. The Systems are fiduciary funds defined as pension (and other employee benefit) trust funds. URS is a component unit of the State of Utah. Title 49 of the Utah Code grants the authority to establish and amend the benefit terms.

URS issues a publicly available financial report that can be obtained by writing Utah Retirement Systems, 560 E. 200 S., Salt Lake City, Utah 84102 or visiting the website: www.urs.org.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

Benefits provided - URS provides retirement, disability, and death benefits. Retirement benefits are as follows:

System	Final Average Salary	and/or Age Eligible for Benefit	Benefit Percent Per Year of Service	COLA**
Noncontributory System	Highest 3 years	30 years any age 25 years any age* 20 years age 60* 10 years age 62* 4 years age 65	2.0% per year all years	Up to 4%
Public Safety System	Highest 3 years	20 years any age 10 years age 60 4 years age 65	2.5% per year up to 20 years; 2.0% per year over 20 years	Up to 2.5% or 4% depending upon employer
Firefighter System	Highest 3 years	20 years any age 10 years age 60 4 years age 65	2.5% per year up to 20 years; 2.0% per year over 20 years	Up to 4%
Tier 2 Public Employees Syster	Highest 5 years	35 years any age 20 years age 60* 10 years age 62* 4 years age 65	1.50% per year all years	Up to 2.50%
Tier 2 Public Safety and Firefighters System	Highest 5 years	25 years any age 20 years age 60* 10 years age 62* 4 years age 65	1.50% per year to June 2020 2.00% per year July 2020 to present	Up to 2.50%

*Actuarial reductions are applied.

**All post-retirement cost-of-living adjustments are non-compounding and are based on the original benefit except for Judges, which is a compounding benefit. The cost-of-living adjustments are also limited to the actual Consumer Price Index (CPI) increase for the year, although unused CPI increases not met may be carried forward to subsequent years.

Contribution Rate Summary - As a condition of participation in the Systems, employers and/or employees are required to contribute certain percentages of salary and wages as authorized by statute and specified by the URS Board. Contributions are actuarially determined as an amount that, when combined with employee contributions (where applicable) is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded actuarial accrued liability. Contribution rates as of June 30, 2023, are as follows:

	Employee	Employer	Employer 401(k)
Contributory System			
11- Local Governmental Division Tier 1	6.00%	13.96%	N/A
111- Local Governmental Division Tier 2	N/A	16.01%	0.18%
Noncontributory System			
15- Local Governmental Division Tier 1	N/A	17.97%	N/A
Public Safety System			
Contributory			
122- Tier 2 DB Hybrid Public Safety	2.59%	26.99%	N/A
Noncontributory			
43- Other Div A with 4% COLA	N/A	35.71%	N/A
Firefighters Retirement System			
31- Other Division A	15.05%	3.61%	N/A
132- Tier 2 DB Hybrid Firefighers	2.59%	14.08%	N/A
Tier 2 DC Only			
211- Local Government	N/A	6.19%	10.00%
222- Public Safety	N/A	12.99%	14.00%
232- Firefighters	N/A	0.08%	14.00%

***Tier 2 rates include a statutory required contribution to finance the unfunded actuarial accrued liability of the Tier 1 plans.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

For fiscal year ended June 30, 2023, the employer and employee contributions to the System were as follows:

System	Employer Contributions	Employee Contributions
Noncontributory System	\$ 599,954	\$ -
Public Safety System	481,979	-
Firefighters System	12,560	52,363
Tier 2 Public Employees System	331,516	-
Tier 2 Public Safety and Firefighter	439,798	50,862
Tier 2 DC Only System	56,583	-
Tier 2 DC Public Safety and Firefighter System	25,180	-
Total Contributions	<u>\$ 1,947,570</u>	<u>\$ 103,225</u>

Contributions reported are the URS Board approved required contributions by System. Contributions in the Tier 2 Systems are used to finance the unfunded liabilities in the Tier 1 Systems.

Combined Pension Assets, Liabilities, Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

As of June 30, 2023, we reported a net pension asset of \$224,731 and a net pension liability of \$2,164,368.

	Measurement Date: December 31, 2022				
	Net Pension Asset	Net Pension Liability	Proportionate Share	Proportionate Share December 31, 2021	Change (Decrease)
Noncontributory System	\$ -	\$ 676,913	0.3952201%	0.3968416%	-0.0016215%
Public Safety System	\$ -	\$ 1,344,820	1.0400172%	0.9661640%	0.0738532%
Firefighters System	\$ 224,731	\$ -	0.8653352%	0.7162923%	0.1490429%
Tier 2 Public Employees System	\$ -	\$ 94,766	0.0870296%	0.0817099%	0.0053197%
Tier 2 Public Safety and Firefighter	\$ -	\$ 47,869	0.5737985%	0.5761312%	-0.0023327%
Total Net Pension Asset / Liability	<u>\$ 224,731</u>	<u>\$ 2,164,368</u>			

The net pension asset and liability were measured as of December 31, 2022, and the total pension liability used to calculate the net pension asset and liability was determined by an actuarial valuation as of January 1, 2022, and roll-forward using generally accepted actuarial procedures. The proportion of the net pension asset and liability is equal to the ratio of the employer's actual contributions to the System during the plan year the total of all employer contributions to the System during the plan year.

For the year ended June 30, 2023, the City recognized pension expense of \$1,171,119.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 330,306	\$ 20,783
Changes in assumptions	235,979	7,739
Net difference between projected and actual earnings on pension plan investments	906,205	-
Changes in proportion and differences between contributions and proportionate share of contributions	104,194	53,929
Contributions subsequent to the measurement date	975,120	-
Total	<u>\$ 2,551,804</u>	<u>\$ 82,451</u>

\$975,120 was reported as deferred outflows of resources related to pension results from contributions made by the City prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pension will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ (268,537)
2024	(6,376)
2025	370,406
2026	1,330,851
2027	11,244
Thereafter	56,646

Noncontributory System Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, we recognized pension expense of \$339,286.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, we reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 229,599	\$ -
Changes in assumptions	110,937	2,703
Net difference between projected and actual earnings on pension plan investments	446,498	-
Changes in proportion and differences between contributions and proportionate share of contributions	4,095	745
Contributions subsequent to the measurement date	296,187	-
Total	<u>\$ 1,087,316</u>	<u>\$ 3,448</u>

\$296,187 reported as deferred outflows of resources related to pensions results from contributions made by us prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions, will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ (97,451)
2024	20,107
2025	179,342
2026	685,686
2027	-
Thereafter	-

Public Safety System Pension Expense, and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, we recognized pension expense of \$521,743.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, we reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 5,954	\$ -
Changes in assumptions	36,069	-
Net difference between projected and actual earnings on pension plan investments	311,709	-
Changes in proportion and differences between contributions and proportionate share of contributions	65,804	-
Contributions subsequent to the measurement date	238,021	-
Total	<u>\$ 657,557</u>	<u>\$ -</u>

\$238,021 reported as deferred outflows of resources related to pension results from contributions made by us prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions, will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ (165,261)
2024	(53,592)
2025	129,941
2026	508,448
2027	-
Thereafter	-

Firefighters System Pension Expense, and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, we recognized pension expense of (\$79,409).

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, we reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 39,654	\$ 1,149
Changes in assumptions	27,933	-
Net difference between projected and actual earnings on pension plan investments	60,125	-
Changes in proportion and differences between contributions and proportionate share of contributions	2,893	41,651
Contributions subsequent to the measurement date	6,231	-
Total	<u>\$ 136,836</u>	<u>\$ 42,800</u>

\$6,231 reported as deferred outflows of resources related to pensions results from contributions made by us prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions, will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ (15,829)
2024	5,860
2025	27,343
2026	70,431
2027	-
Thereafter	-

Tier 2 Public Employee System Pension Expense, and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, we recognized pension expense of \$181,687.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, we reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 32,008	\$ 3,760
Changes in assumptions	30,766	241
Net difference between projected and actual earnings on pension plan investments	38,207	-
Changes in proportion and differences between contributions and proportionate share of contributions	17,907	4,193
Contributions subsequent to the measurement date	198,609	-
Total	<u>\$ 317,497</u>	<u>\$ 8,194</u>

\$198,609 reported as deferred outflows of resources related to pensions results from contributions made by us prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions, will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ 5,449
2024	11,469
2025	18,215
2026	34,516
2027	8,243
Thereafter	32,803
<u>Tier 2 Public Safety and Firefighter Pension Expense, and Deferred Outflows and Inflow of Resources</u>	

For the year ended June 30, 2023, we recognized pension expense of \$207,812.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

As of June 30, 2023, we reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 23,091	\$ 15,874
Changes in assumptions	30,274	4,795
Net difference between projected and actual earnings on pension plan investments	49,666	-
Changes in proportion and differences between contributions and proportionate share of contributions	13,495	7,340
Contributions subsequent to the measurement date	236,072	-
Total	<u>\$ 352,598</u>	<u>\$ 28,009</u>

\$236,072 reported as deferred outflows of resources related to pension's results from contributions made by us prior to our fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions, will be recognized in pension expense as follows:

Year Ended December 31,	Deferred Outflows (Inflows) of Resources
2023	\$ 4,555
2024	9,780
2025	15,565
2026	31,770
2027	3,001
Thereafter	23,843

Actuarial Assumptions

The total pension liability in the December 31, 2022, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.50 percent
Salary Increases	3.25 – 9.25 percent, average, including inflation
Investment Rate Return	6.85 percent, net of pension plan investment expense, including inflation

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

Mortality rates were adopted from an actuarial experience study dated January 1, 2020. The retired mortality tables are developed using URS retiree experience and are based upon gender, occupation, and age as appropriate with projected improvement using 80% of the ultimate rates from the MP-2019 improvement assumption using a base year of 2020. The mortality assumption for active members is the PUB-2010 Employees Mortality Table for public employees, teachers, and public safety members, respectively.

The actuarial assumptions used in the January 1, 2022, valuation were based on an experience study of the demographic assumptions as of January 1, 2020, and a review of economic assumptions as of January 1, 2021.

The long-term expected rate of return on pension plan investments was determined using a building-block method, in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class and is applied consistently to each defined benefit pension plan. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Expected Return Arithmetic Basis		
	Target Asset Allocation	Real Return Arithmetic Basis	Long-Term Expected Portfolio Real Rate of Return
Equity securities	35.00%	6.58%	2.30%
Debt securities	20.00%	1.08%	0.22%
Real assets	18.00%	5.72%	1.03%
Private equity	12.00%	9.80%	1.18%
Absolute return	15.00%	2.91%	0.44%
Cash and cash equivalents	0.00%	-0.11%	0.00%
Totals	100.00%		5.17%
	Inflation		2.50%
	Expected arithmetic nominal return		7.67%

The 6.85% assumed investment rate of return is comprised of an inflation rate of 2.50%, and a real return of 4.35% that is net of investment expense.

Discount rate – The discount rate used to measure the total pension liability was 6.85 percent. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate, and that contributions from all participating employers will be made at contractually required rates that are actuarially determined and certified by the URS Board. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current, active, and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments, to determine the total pension liability. The discount rate does not use the Municipal Bond Index Rate. The discount rate was reduced from 6.95% to 6.85% from the prior measurement date.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

8. RETIREMENT SYSTEMS (CONTINUED)

Sensitivity of the proportionate share of the net pension asset and liability to changes in the discount rate: The following presents the proportionate share of the net pension liability calculated using the discount rate of 6.85 percent, as well as what the proportionate share of the net pension liability (asset) would be if it were calculated using a discount rate that is 1 percentage point lower (5.85 percent) or 1 percentage point higher (7.85 percent) than the current rate:

System	1% Decrease (5.85%)	Discount Rate (6.85%)	1% Increase (7.85%)
Noncontributory System	\$ 4,266,131	\$ 676,913	\$(2,322,068)
Public Safety System	4,331,000	1,344,820	(1,083,648)
Firefighters System	179,115	(224,731)	(552,464)
Tier 2 Public Employees System	414,075	94,766	(151,221)
Tier 2 Public Safety and Firefighter	383,176	47,869	(218,621)
Total	\$ 9,573,497	\$ 1,939,637	\$(4,328,022)

***Pension plan fiduciary net position: Detailed information about the fiduciary net position of the pension plans is available in the separately issued URS financial report.

Defined Contribution Savings Plans – The Defined Contribution Saving Plans are administered by the Utah Retirement System Board and are generally supplemental plans to the basic retirement benefits of the Retirement Systems but may also be used as a primary retirement plan. These plans are voluntary tax-advantaged retirement savings programs authorized under section 401(k), 457(b) and 408 of the Internal Revenue Code. Detailed information regarding plan provisions is available in the separately issued URS financial report.

Kaysville City participates in the 401(k), 457(b), Roth IRA, and Traditional IRA Defined Contribution Savings Plans with the Utah Retirement Systems.

Employees and employer contributions to the Utah Retirement Defined Contribution Savings Plans for fiscal year ended June 30, were as follows:

401(k) Plan	2023	2022	2021
Employer Contributions	\$ 315,949	\$ 261,981	\$ 226,404
Employee Contributions	134,555	96,713	84,875
457 Plan	2023	2023	2022
Employer Contributions	\$ -	\$ -	\$ 1,794
Employee Contributions	65,786	47,281	40,343
Roth IRA Plan	2023	2023	2022
Employer Contributions	N/A	N/A	N/A
Employee Contributions	\$ 38,528	\$ 27,099	\$ 22,885
Traditional IRA	2023	2023	2022
Employer Contributions	N/A	N/A	N/A
Employee Contributions	\$ 3,880	\$ 6,211	\$ 3,680

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

9. RISK MANAGEMENT - CLAIMS AND JUDGEMENTS

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters.

The City maintains commercial insurance for all major programs. There have been no significant reductions in insurance coverage. Settlement amounts have not exceeded insurance coverage for the current year or the three prior years.

10. PROPERTY TAXES

No revenue is recognized for delinquent taxes as corresponding entries are made to taxes receivable and deferred revenue. Due to the collection process, which is a county function, delinquent property taxes are reported as revenue when received. The County handles the accounting for property tax collections and the collection of delinquencies can take up to five years, at which time property is sold at tax auctions to collect on property tax liens.

11. INVESTMENTS IN POWER PROJECTS AND RELATED CONTRACTS

The power department is a member of Utah Associated Municipal Power Systems (UAMPS). UAMPS, a joint agency and political subdivision of the State of Utah was formed pursuant to the provisions of the Utah Interlocal Cooperation Act. UAMPS is a separate legal entity. No other governmental units exercise significant control over UAMPS and therefore is not considered a component unit. Separate financial statements for UAMPS may be obtained directly from UAMPS.

UAMPS' purpose includes planning, financing, developing, acquiring, constructing, improving, operating and maintaining projects. As a member of UAMPS, Kaysville City participates in various projects through power service contracts as discussed below:

Colorado River Storage Project (CRSP). CRSP is managed by Western Area Power Authority, which is a division of the U.S. Department of Energy. Kaysville City is a preference customer of CRSP. Kaysville's entitlement share is 2.036% (2,573 kW) in the winter season and 1.94% (1,661 kW) in the summer season. The generation is primarily based on hydroelectric from various sources. Plans are in progress to extend the contracts.

Firm Power Project. The Firm Power Project was established to provide for the acquisition of firm power supplies from third parties. UAMPS currently has one long term transaction with Iberdrola Renewables to purchase power from wind generation from the Pleasant Valley Wind Energy Facility in Uintah County, Wyoming, plus multiple forward market purchases. The contract terminates in 2028 and Kaysville's entitlement share is 19.1384%, or 3,000 kW.

Payson Project (Nebo Plant). In March 2003, the City entered into a power sales contract with UAMPS that expires on the later of (1) the date the principal of, premium, if any, and interest on all of the UAMPS Payson Revenue Bonds have been paid, or (2) the date of the final payment of all obligations under the Project Agreements, or (3) April 1, 2026. The energy supplied is produced by natural gas and varies based on need up to Kaysville's Entitlement Share of 16.24%.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

11. INVESTMENTS IN POWER PROJECTS AND RELATED CONTRACTS (CONTINUED)

Horse Butte Wind Project. The Horse Butte Project is energy produced by a wind generation facility in Bonneville County, Idaho, Kaysville's entitlement share is 10.52%, or 6,062 kW.

Veyo Heat Recovery Project. The Veyo Project is a heat recovery system that uses waste heat from the Kern River gas turbine compressors to heat thermal oil that serves as the heat source for the energy converter. The project is carbon free, renewable energy. Kaysville's entitlement share is 10.78%, or 841 kW.

Intermountain Power Project. The City has entered into a power sales contract that expires in June 2027. The coal fire plant is scheduled to be powered by natural gas in 2027. Kaysville City's entitled share is .739% of 1800 MWs. As the plant is re-powered to natural gas, the City's entitled share is .746% of 840 MW's. This resource is not a take or pay contract and is available as needed.

UAMPS Hunter II Project. In June 1985, the City entered into a power sales contract with UAMPS that expires on the later of (1) the date the principal of, premium, if any, and interest on all of the UAMPS Hunter Project Revenue and Refunding Bonds have been paid, or (2) the final shut down date of the Hunter Steam Electric Generating Unit No. 2 (Hunter II), or (3) June 1, 2032. The contract entitles the City to approximately 5.4 percent of the output of the project.

All-In Cost Pool. UAMPS Pool Project Participants formed the "All-In" Pool in a desire to manage member load and resource situations more cooperatively and efficiently. The pool provides an environment that encourages participants to jointly acquire resources as needed, thus taking advantage of economies of scale. Each of the participants in the pool has agreed to sell their excess power to, and purchase additional power needs from, the pool at cost. Any additional power needs for the group may be purchased in one large block at market prices. In addition, any excess power to be sold may be sold in a similar manner.

12. LIBRARY ENDOWMENT

In 1993, the Alan Blood family donated property to the City to be sold, and the proceeds used, to fund an endowment for the Kaysville City Library. The proceeds from this money are to be spent by the Library Endowment Board (LEB) on books for the library. As of June 30, 2023, the non-spendable portion is \$692,141 and the spendable portion is \$35,362. The funds that are spendable can be requested by the Davis County Library. Once funds are requested, they must be approved by the LEB, which is currently the City Council.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Basic Financial Statements (Continued)
For the Year Ended June 30, 2023

13. FEDERAL GRANTS – ECONOMIC RECOVERY

As of June 30, 2023, the City had received a total of \$4,878,378 related to the American Rescue Plan Act (ARPA) of 2021. The City has designated these funds for the fiber infrastructure, public works, and public safety operations. As of June 30, 2023, \$4,309,175 remains unspent.

ARPA mandates that the State distribute these funds, as received from the U.S. Department of Treasury to non-entitlement local governments in Utah. The City is not a subrecipient of the State; the City is responsible for understanding and adhering to all Treasury guidance and regulations, as well as any other applicable federal, state and local regulations governing the use of these funds.

The period of performance for this award ends on December 31, 2026. As set forth in Treasury's implementing regulations, the City may use award funds to cover eligible costs incurred during the period from March 3, 2021 through December 31, 2026.

14. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

Budgetary Compliance

The City is required to have its governing body adopt a budget every fiscal year. Management is required to monitor this budget and propose any necessary amendments to the budget for approval. See *Schedule of Findings in the Utah State Audit Compliance* Section.

15. TAX ABATEMENT

The City does not currently offer any Tax Abatements as of June 30, 2023. The City's Redevelopment Agency (RDA), however, collects property tax revenue for the Flint Street Project Area, as approved by executed Interlocal Agreements with other taxing entities. The RDA collected \$127,165 during the fiscal year.

16. SUBSEQUENT EVENTS

Subsequent events have been evaluated through November 20, 2023, the date that the financial statements were available to be issued.

REQUIRED SUPPLEMENTARY INFORMATION

Budget to Actual Schedules:

General Fund

Redevelopment Agency of Kaysville City (RDA) - Special
Revenue Fund

Municipal Building Authority of Kaysville City (MBA) -
Special Revenue Fund

RAMP Fund - Special Revenue Fund

Road Projects Fund - Special Revenue Fund

Pension Related Schedules:

Schedule of the Proportionate Share of the
Net Pension Liability

Schedule of Contributions

Notes to Required Supplementary Information

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – General Fund
For the Year Ended June 30, 2023

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
REVENUES				
Taxes:				
Property, current	\$ 4,460,345	\$ 4,460,345	\$ 4,456,376	\$ (3,969)
Property, redemptions	125,000	125,000	156,530	31,530
Sales and use tax	7,495,000	7,495,000	7,755,116	260,116
Energy tax	1,325,000	1,325,000	1,872,916	547,916
Telecommunications tax	585,000	585,000	555,862	(29,138)
Other taxes	315,000	315,000	256,360	(58,640)
Total taxes	14,305,345	14,305,345	15,053,160	747,815
Licenses and permits:				
Building permits	600,000	600,000	443,136	(156,864)
Business licenses	65,000	65,000	73,470	8,470
Forfeited construction bonds	-	-	86,200	86,200
Total licenses and permits	665,000	665,000	602,806	(62,194)
Intergovernmental:				
Federal VAWA grant	53,000	53,000	88,805	35,805
Federal VOCA grant	90,000	90,000	81,516	(8,484)
Federal FEMA grant	-	-	14,039	14,039
State liquor allotment	20,000	20,000	28,822	8,822
Other state and local grants	25,000	25,000	10,415	(14,585)
Total intergovernmental	188,000	188,000	223,597	35,597
Charges for services:				
Administrative charges	1,020,881	1,020,881	1,020,881	-
Parks, recreation, and culture	589,000	589,000	671,199	82,199
Ambulance fees	565,000	565,000	617,647	52,647
Fire protection	65,000	65,000	75,032	10,032
GIS/Information system services	310,000	310,000	310,000	-
Law enforcement	285,000	285,000	377,294	92,294
Plan check and zoning fees	165,000	165,000	169,758	4,758
Burial fees	195,000	195,000	195,675	675
Cemetery lots	135,000	135,000	123,750	(11,250)
Fleet mgmt services	86,000	86,000	104,000	18,000
Construction inspection fees	-	-	7,000	7,000
Community events	35,000	35,000	33,912	(1,088)
Excavation permit fees	-	-	36,902	36,902
Transaction service charges	-	-	24,600	24,600
Streets	2,500	2,500	1,500	(1,000)
Miscellaneous charges	5,000	5,000	6,345	1,345
Maps and publications	500	500	-	(500)
Total charges for services	3,458,881	3,458,881	3,775,495	316,614
Fines and forfeitures:				
Court Fines	136,500	136,500	218,320	81,820
Leases and rents:				
Cellular Tower	14,896	14,896	24,883	9,987
Building and Equipment Use	3,104	3,104	5,185	2,081
Total leases and rents	18,000	18,000	30,068	12,068
Interest and dividends	95,000	95,000	427,954	332,954
Payments in lieu of taxes	25,000	25,000	22,337	(2,663)
Donations:				
Community events	2,500	2,500	2,675	175
Miscellaneous:				
Proceeds from auction sales	25,000	25,000	5,570	(19,430)
Proceeds from scrap metal	-	-	22,558	22,558
Other	20,000	20,000	85,346	65,346
Total miscellaneous	45,000	45,000	113,474	68,474
Total revenues	18,914,226	18,914,226	20,469,886	1,533,322

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – General Fund
For the Year Ended June 30, 2023

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
<u>EXPENDITURES</u>				
Current:				
General government:				
City Council	145,625	169,625	161,720	7,905
City Manager	250,606	250,606	210,187	40,419
Administrative Services	1,191,465	1,191,465	1,137,409	54,056
Information Services	784,932	784,932	804,718	(19,786)
Elections	-	-	64	(64)
Legal Services	358,777	358,777	336,234	22,543
Fleet Maintenance	325,898	325,898	290,895	35,003
MBA lease payment (City Hall)	337,000	337,000	337,000	
Nonreciprocal utility payments	-	-	100,561	(100,561)
Total general government	3,394,303	3,418,303	3,378,788	39,515
Public safety:				
Police	6,371,454	6,371,454	6,122,932	248,522
MBA lease payment (Police Station)	371,000	371,000	371,000	-
Fire and emergency response	3,698,634	3,698,634	3,487,708	210,926
Animal control	95,000	95,000	45,477	49,523
Nonreciprocal utility payments	-	-	47,937	(47,937)
Total public safety	10,536,088	10,536,088	10,075,054	461,034
Community development:				
Planning and zoning	486,367	486,367	440,432	45,935
Building inspection	626,636	626,636	596,816	29,820
Nonreciprocal utility payments	-	-	67,040	(67,040)
Total community development	1,113,003	1,113,003	1,104,288	8,715
Streets and public works:				
General projects	984,746	1,184,746	1,069,907	114,839
Nonreciprocal utility payments	-	-	20,868	(20,868)
Total public works	984,746	1,184,746	1,069,907	114,839
Parks, recreation, and culture:				
Buildings	244,683	244,683	246,614	(1,931)
Parks	1,231,810	1,231,810	1,223,830	7,980
Recreation	1,048,137	1,048,137	1,069,335	(21,198)
Community events	195,618	195,618	181,047	14,571
Cemetery	416,651	416,651	409,165	7,486
Nonreciprocal utility payments	-	-	176,246	(176,246)
Total parks, recreation, and culture	3,136,899	3,136,899	3,306,237	(169,338)
Capital outlay				
General government	437,100	437,100	75,848	361,252
Public safety	227,000	1,293,000	1,387,725	(94,725)
Community development	6,000	6,000	-	6,000
Streets and public works	55,000	361,000	555,970	(194,970)
Parks, recreation, and culture	109,500	109,500	178,361	(68,861)
Total capital outlay	834,600	2,206,600	2,197,904	8,696
Total expenditures	19,999,639	21,595,639	21,132,178	463,461
Excess of revenues over expenditures	(1,085,413)	(2,681,413)	(662,292)	2,019,121
<u>OTHER FINANCING SOURCES (USES)</u>				
Transfers in (nonreciprocal utility fees)	-	-	412,652	412,652
Transfers out	(263,850)	(263,850)	(263,850)	-
Sale of capital assets	-	-	161,571	161,571
Total other financing sources (uses)	(263,850)	(263,850)	310,373	574,223
Net change in fund balance	(1,349,263)	(2,945,263)	(351,919)	2,593,344
Fund balance, beginning of year	7,593,373	7,593,373	7,593,373	-
Fund balance, end of year	\$ 6,244,110	\$ 4,648,110	\$ 7,241,454	\$ 2,593,344

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Redevelopment Agency
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<u>REVENUES</u>				
Property taxes	\$ 135,000	\$ 135,000	\$ 127,165	\$ (7,835)
Interest	-	-	21,537	21,537
Total revenues	135,000	135,000	148,702	13,702
<u>EXPENDITURES</u>				
Community Development	135,000	135,000	8,951	126,049
Total expenditures	135,000	135,000	8,951	126,049
Net change in fund balance	-	-	139,751	139,751
Fund balance, beginning of year	811,806	811,806	811,806	-
Fund balance, end of year	<u>\$ 811,806</u>	<u>\$ 811,806</u>	<u>\$ 951,557</u>	<u>\$ 139,751</u>

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Municipal Building Authority
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<u>REVENUES</u>				
Lease revenue	\$ 708,000	\$ 708,000	\$ 708,000	\$ -
Interest	-	-	24,595	24,595
Miscellaneous	-	-	30,683	30,683
Total revenues	708,000	708,000	763,278	55,278
<u>EXPENDITURES</u>				
Community development	-	-	10	(10)
Debt service:				
Principal	578,000	578,000	578,000	-
Interest and fiscal charges	130,000	130,000	130,123	(123)
Total expenditures	708,000	708,000	708,133	(133)
Deficiency of revenues under expenditures	-	-	55,145	55,145
Net change in fund balance	-	-	55,145	55,145
Fund balance, beginning of year	477,772	477,772	477,772	-
Fund balance, end of year	\$ 477,772	\$ 477,772	\$ 532,917	\$ 55,145

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – RAMP Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<u>REVENUES</u>				
Parks and recreation (RAMP) tax	\$ 300,000	\$ 300,000	\$ 523,811	\$ 223,811
Investment earnings, net	-	-	7,541	7,541
Total revenues	300,000	300,000	531,352	231,352
<u>EXPENDITURES</u>				
Current:				
Parks, recreation and culture	86,000	86,000	17,488	68,512
Capital outlay:				
Parks, recreation and culture	214,000	214,000	259,070	(45,070)
Total expenditures	300,000	300,000	276,558	23,442
Excess of revenues over expenditures	-	-	254,794	254,794
Fund balance, beginning of year	146,440	146,440	146,440	-
Fund balance, end of year	\$ 146,440	\$ 146,440	\$ 401,234	\$ 254,794

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Road Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
<u>REVENUES</u>				
Sales taxes	\$ 660,000	\$ 660,000	\$ 710,095	\$ 50,095
Intergovernmental	1,350,000	10,050,000	10,916,934	866,934
Charges for services	1,175,000	1,175,000	1,180,885	5,885
Investment earnings, net	-	-	138,888	138,888
Special assessments - impact fees	-	-	478,301	478,301
Miscellaneous	60,000	60,000	662	(59,338)
Total revenues	3,245,000	11,945,000	13,425,765	1,480,765
<u>EXPENDITURES</u>				
Current:				
Streets and public works	577,807	577,807	262,730	315,077
Capital outlay:				
Streets and public works	2,910,000	6,910,000	6,479,478	430,522
Total expenditures	3,487,807	7,487,807	6,742,208	745,599
Excess of revenues over expenditures	(242,807)	4,457,193	6,683,557	2,226,364
<u>OTHER FINANCING SOURCES (USES)</u>				
Transfers in	242,807	242,807	-	(242,807)
Sale of general capital assets	-	-	6,650	6,650
Net other financing sources (uses)	242,807	242,807	6,650	(236,157)
Net change in fund balance	-	4,700,000	6,690,207	1,990,207
Fund balance, beginning of year	3,353,491	3,353,491	3,353,491	-
Fund balance, end of year	\$ 3,353,491	\$ 8,053,491	\$ 10,043,698	\$ 1,990,207

KAYSVILLE CITY CORPORATION, UTAH
Schedule of the Proportionate Share of the
Net Pension Liability
(Provided by Utah Retirement Systems)
Last 10 Fiscal Years*

	Noncontributory Retirement System	Public Safety System	Firefighters Retirement System	Tier 2 Public Employees Retirement System	Tier 2 Public Safety and Firefighters Retirement
2023					
Proportion of the net pension liability (asset)	0.3952201%	1.0400172%	0.8653352%	0.0870296%	0.5737985%
Proportionate share of the net pension liability (asset)	\$ 676,913	\$ 1,344,820	\$ (224,731)	\$ 94,766	\$ 47,869
Covered payroll	\$ 3,398,727	\$ 1,335,720	\$ 419,057	\$ 1,897,907	\$ 1,765,452
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	19.92%	100.68%	-53.63%	4.99%	2.71%
Plan fiduciary net position as a percentage of its covered payroll	97.50%	93.60%	108.40%	92.30%	96.40%
2022					
Proportion of the net pension liability (asset)	0.3968416%	0.9661640%	0.7162923%	0.0817099%	0.5761312%
Proportionate share of the net pension liability (asset)	\$ (2,272,754)	\$ (784,663)	\$ (417,753)	\$ (34,583)	\$ (29,119)
Covered payroll	\$ 3,301,776	\$ 1,154,304	\$ 332,305	\$ 1,515,199	\$ 1,377,749
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	-68.83%	-67.98%	-125.71%	-2.28%	-2.11%
Plan fiduciary net position as a percentage of its covered payroll	108.70%	104.20%	120.10%	103.80%	102.80%
2021					
Proportion of the net pension liability (asset)	0.3973498%	0.8917801%	0.6868830%	0.0643880%	0.5388504%
Proportionate share of the net pension liability (asset)	\$ 203,818	\$ 740,393	\$ (192,066)	\$ 9,261	\$ 48,332
Covered payroll	\$ 3,413,781	\$ 1,114,673	\$ 308,461	\$ 1,029,240	\$ 1,070,263
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	5.97%	66.42%	-62.27%	0.90%	4.52%
Plan fiduciary net position as a percentage of its covered payroll	99.20%	95.50%	110.50%	98.30%	93.10%
2020					
Proportion of the net pension liability (asset)	0.3894917%	0.8455728%	0.7505180%	0.0735046%	0.4635401%
Proportionate share of the net pension liability (asset)	\$ 1,467,943	\$ 1,357,667	\$ (93,079)	\$ 16,532	\$ 43,603
Covered payroll	\$ 3,276,220	\$ 1,118,008	\$ 319,402	\$ 1,021,651	\$ 763,958
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	44.81%	121.44%	-29.14%	1.62%	5.71%
Plan fiduciary net position as a percentage of its covered payroll	93.70%	90.90%	105.00%	96.50%	89.60%
2019					
Proportion of the net pension liability (asset)	0.3727471%	0.9242781%	0.6664376%	0.0659779%	0.4408629%
Proportionate share of the net pension liability (asset)	\$ 2,744,807	\$ 2,377,784	\$ 86,535	\$ 28,257	\$ 11,046
Covered payroll	\$ 3,121,968	\$ 1,232,867	\$ 280,439	\$ 769,193	\$ 588,935
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	87.92%	192.87%	30.86%	3.67%	1.88%
Plan fiduciary net position as a percentage of its covered payroll	87.00%	84.70%	94.30%	90.80%	95.60%
2018					
Proportion of the net pension liability (asset)	0.3632073%	0.8932410%	0.4995134%	0.0798652%	0.2911591%
Proportionate share of the net pension liability (asset)	\$ 1,591,320	\$ 1,401,190	\$ (31,197)	\$ 7,041	\$ (3,369)
Covered payroll	\$ 3,145,224	\$ 1,222,119	\$ 213,250	\$ 782,125	\$ 307,168
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	50.59%	114.65%	N/A	0.90%	-1.10%
Plan fiduciary net position as a percentage of its covered payroll	91.90%	90.20%	103.00%	97.40%	103.00%
2017					
Proportion of the net pension liability (asset)	0.3782228%	0.9570199%	0.4728736%	0.0695979%	0.3341964%
Proportionate share of the net pension liability (asset)	\$ 2,428,653	\$ 1,942,058	\$ (3,728)	\$ 7,764	\$ (2,901)
Covered payroll	\$ 3,368,213	\$ 1,299,724	\$ 138,720	\$ 570,760	\$ 276,122
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	72.11%	149.42%	N/A	1.36%	-1.05%
Plan fiduciary net position as a percentage of its covered payroll	87.30%	86.50%	100.40%	95.10%	103.60%
2016					
Proportion of the net pension liability (asset)	0.3712689%	0.9028963%	N/A	0.6231040%	0.3267187%
Proportionate share of the net pension liability (asset)	\$ 2,100,820	\$ 1,617,314	N/A	\$ (136)	\$ (4,773)
Covered payroll	\$ 3,142,903	\$ 1,230,772	N/A	\$ 402,584	\$ 194,444
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	66.84%	131.41%	N/A	-0.03%	-2.45%
Plan fiduciary net position as a percentage of its covered payroll	87.80%	87.10%	N/A	100.20%	110.70%
2015					
Proportion of the net pension liability (asset)	0.3498119%	0.8693386%	N/A	0.5576570%	0.1876971%
Proportionate share of the net pension liability (asset)	\$ 1,518,966	\$ 1,093,265	N/A	\$ (1,690)	\$ (2,777)
Covered payroll	\$ 2,975,806	\$ 1,197,771	N/A	\$ 274,011	\$ 77,767
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	51.04%	91.27%	N/A	-0.62%	-3.57%
Plan fiduciary net position as a percentage of its covered payroll	90.20%	90.50%	N/A	103.50%	120.50%

Note:

This schedule usually covers the 10 most recent fiscal years; however, only 8 years have passed since the implementation year of GASB 68. Contributions in Tier 2 include an amortization rate to help fund unfunded liabilities in the Tier 1 systems.

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Contributions
(Provided by Utah Retirement Systems)
Last 10 Fiscal Years*

	As of fiscal year ended June 30,	Actuarial Determined Contributions	Contributions In relation to the contractually required contribution	Contribution deficiency (excess)	Covered payroll	Contributions as a percentage of covered employee payroll
Noncontributory System						
	2014	\$ 514,845	\$ 514,845	\$ -	\$ 2,978,314	17.29%
	2015	558,516	558,516	-	3,022,674	18.48%
	2016	590,639	590,639	-	3,255,577	18.14%
	2017	582,359	582,359	-	3,252,924	17.90%
	2018	564,975	564,975	-	3,108,701	18.17%
	2019	592,483	592,483	-	3,213,037	18.44%
	2020	613,369	613,369	-	3,337,600	18.38%
	2021	627,435	627,435	-	3,399,099	18.46%
	2022	607,206	607,206	-	3,323,348	18.27%
	2023	599,954	599,954	-	3,407,171	17.61%
Contributory System						
	2014	\$ 10,886	\$ 10,886	\$ -	\$ 79,263	13.73%
	2015	11,560	11,560	-	79,946	14.46%
	2016	12,194	12,194	-	84,327	14.46%
	2017	12,794	12,794	-	88,481	14.46%
	2018	12,463	12,463	-	86,189	14.46%
	2019	8,918	8,918	-	61,674	14.46%
	2020	-	-	-	-	0.00%
	2021	-	-	-	-	0.00%
	2022	-	-	-	-	0.00%
	2023	-	-	-	-	0.00%
Public Safety System						
	2014	\$ 401,881	\$ 401,881	\$ -	\$ 1,176,123	34.17%
	2015	435,849	435,849	-	1,220,524	35.71%
	2016	438,678	438,678	-	1,228,445	35.71%
	2017	461,398	461,398	-	1,302,057	35.44%
	2018	439,655	439,655	-	1,231,180	35.71%
	2019	404,912	404,912	-	1,165,896	34.73%
	2020	377,148	377,148	-	1,100,965	34.26%
	2021	393,546	393,546	-	1,135,872	34.65%
	2022	441,945	441,945	-	1,238,687	35.68%
	2023	481,979	481,979	-	1,377,611	34.99%
Firefighters System						
	2014	\$ -	\$ -	\$ -	\$ -	0.00%
	2015	-	-	-	-	0.00%
	2016	1,279	1,279	-	4,933	25.93%
	2017	6,506	6,506	-	177,237	3.67%
	2018	6,910	6,910	-	246,693	2.80%
	2019	10,601	10,601	-	306,835	3.45%
	2020	10,081	10,081	-	299,356	3.37%
	2021	10,564	10,564	-	315,853	3.34%
	2022	11,979	11,979	-	351,008	3.41%
	2023	12,560	12,560	-	456,835	2.75%
Tier 2 Public Employees System*						
	2014	\$ 24,454	\$ 24,454	\$ -	\$ 174,798	13.99%
	2015	56,172	56,172	-	373,937	15.02%
	2016	65,140	65,140	-	436,858	14.91%
	2017	110,196	110,196	-	740,427	14.88%
	2018	114,957	114,957	-	759,923	15.13%
	2019	143,216	143,216	-	923,194	15.51%
	2020	160,708	160,708	-	1,028,286	15.63%
	2021	192,752	192,752	-	1,219,949	15.80%
	2022	284,873	284,873	-	1,776,910	16.03%
	2023	331,516	331,516	-	2,070,683	16.01%
Tier 2 Public Safety and Firefighter System*						
	2014	\$ 10,538	\$ 10,538	\$ -	\$ 47,108	22.37%
	2015	32,028	32,028	-	134,654	23.79%
	2016	56,360	56,360	-	239,685	23.51%
	2017	63,148	63,148	-	266,989	23.65%
	2018	92,454	92,454	-	427,577	21.62%
	2019	136,806	136,806	-	667,211	20.50%
	2020	196,835	196,835	-	933,988	21.07%
	2021	290,058	290,058	-	1,245,290	23.29%
	2022	340,376	340,376	-	1,501,345	22.67%
	2023	439,798	439,798	-	1,968,003	22.35%
Tier 2 Public Employees DC Only System*						
	2014	\$ -	\$ -	\$ -	\$ -	0.00%
	2015	2,239	2,239	-	148,986	1.50%
	2016	5,391	5,391	-	66,098	8.16%
	2017	4,580	4,580	-	79,437	5.77%
	2018	16,825	16,825	-	251,478	6.69%
	2019	26,520	26,520	-	396,407	6.69%
	2020	30,795	30,795	-	460,297	6.69%
	2021	35,746	35,746	-	534,297	6.69%
	2022	43,146	43,146	-	644,812	6.69%
	2023	56,583	56,583	-	914,095	6.19%
Tier 2 Public Safety and Firefighter DC Only System*						
	2014	\$ -	\$ -	\$ -	\$ -	0.00%
	2015	-	-	-	-	0.00%
	2016	-	-	-	-	0.00%
	2017	-	-	-	-	0.00%
	2018	5,483	5,483	-	61,885	8.86%
	2019	6,040	6,040	-	138,334	4.37%
	2020	8,445	8,445	-	181,337	4.66%
	2021	17,518	17,518	-	295,992	5.92%
	2022	16,848	16,848	-	347,506	4.85%
	2023	25,180	25,180	-	474,832	5.30%

*Contributions in Tier 2 include an amortization rate to help fund the unfunded liabilities in the Tier 1 systems.
Tier 2 systems were created effective July 1, 2011.

Paragraph 81.b of GASB 68 requires employers to disclose a 10-year history of contributions in RSI. Contributions as a percentage of covered-payroll may be different than the board certified rate due to rounding and other administrative practices.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Required Supplementary Information
For the Year Ended June 30, 2023

1. **BUDGET INFORMATION**

Annual budgets are prepared and adopted in accordance with the “Uniform Fiscal Procedures Act for Utah Cities” by the Kaysville City Council on or before June 22nd for the following fiscal year which begins on July 1 for all the funds. Budgets may be increased by resolution of the City Council at any time during the year, following a public hearing. Budgets are adopted at subdepartment levels; however, budget amendments by resolution are generally required only if the department desires to exceed its total budget appropriation.

Budgets for all funds are legally adopted annually on a basis consistent with generally accepted accounting principles.

The City adheres to the following procedures in establishing the budgetary data reflected in the financial statements:

1. On or before the first regular scheduled meeting in May, the City Manager submits to the City Council a proposed operating budget for the fiscal year commencing the following July 1. The operating budget includes proposed expenditures and the means to finance those expenditures.
2. Prior to the formal adoption of the budget, the City Council will hold budget workshop meetings which are open to the public.
3. Prior to budget adoption the City Council sets a date for a public budget hearing at which time taxpayers’ comments are heard. Copies of the proposed budget are made available for public inspection 10 days prior to the budget hearing. At the conclusion of the budget hearing, the budget, as amended, is legally enacted through passage of a resolution or ordinance.
4. Formal budgetary integration is employed as a management control device during the year for all funds.
5. Budgets for the General Fund, Debt Service Fund, the Capital Projects Fund, Redevelopment Agency Fund, Municipal Building Authority Fund, RAMP Fund, ARPA Fund, and Road Fund are adopted on a basis consistent with Generally Accepted Accounting Principles in the United States of America (GAAP). Budgets for the proprietary fund types are prepared using the accrual basis of accounting except that depreciation for all proprietary fund types is not budgeted. Budgeted amounts are as originally adopted, or as amended by the City Council during the 2023 fiscal year.
6. Unencumbered budget appropriations lapse at the end of the fiscal year.
7. Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of resources are recorded for the applicable appropriation, is utilized in the General Fund. For budgetary purposes appropriations lapse at fiscal year end and except for that portion related to encumbered amounts.

KAYSVILLE CITY CORPORATION, UTAH
Notes to the Required Supplementary Information (Continued)
For the Year Ended June 30, 2023

1. BUDGET INFORMATION (CONTINUED)

Summary of Action Required for Budget Changes

1. Transfers of unexpended appropriations from one expenditure account to another in the same department can be made with the consent of the Budget Officer.
2. The Council may, by resolution, transfer unexpended appropriations from one department to another department within the same fund. The budget appropriation for any department may be reduced by resolution.
3. Fund budgets may be increased by resolution after a public hearing. Final amendments to budgets in the current year shall be adopted by the Council by the last day of the fiscal year. Budgets of Enterprise Funds may be increased by resolution of the governing body (public hearing not required).

2. CHANGES IN ASSUMPTIONS FOR INFORMATION PROVIDED BY URS

No changes were made in actuarial assumptions from the prior year's valuation.

OTHER SUPPLEMENTARY INFORMATION

Nonmajor Governmental Funds:

Combining Balance Sheet

Combining Statement of Revenues, Expenditures, and
Changes in Fund Balance

Budget to Actual Schedules

Nonmajor Enterprise Funds:

Combining Statement of Net Position

Combining Statement of Revenues, Expenditures, and
Changes in Net Position

Combining Statement of Cash Flows

KAYSVILLE CITY CORPORATION, UTAH
Combining Balance Sheet –
Nonmajor Governmental Funds
For the Year Ended June 30, 2023

	Debt Service Fund	ARPA	Permanent		Total Nonmajor Governmental Funds
			Cemetery Peptual Fund	Library Endowment Fund	
ASSETS					
Cash and cash equivalents	\$ 95,472	\$ 1,838,738	\$ -	\$ -	\$ 1,934,210
Cash and cash equivalents, restricted	-	-	2,313,160	586,762	2,899,922
Investments, restricted	-	-	-	140,741	140,741
Due from other funds	-	2,470,437	-	-	2,470,437
Total assets	<u>\$ 95,472</u>	<u>\$ 4,309,175</u>	<u>\$ 2,313,160</u>	<u>\$ 727,503</u>	<u>\$ 7,445,310</u>
LIABILITIES					
Accounts payable	\$ -	\$ -	\$ 3,298	\$ -	\$ 3,298
FUND BALANCES					
Non-Spendable:					
Library endowment	-	-	-	692,141	692,141
Cemetery perpetual care	-	-	1,711,785	-	1,711,785
Restricted:					
Library endowment	-	-	-	35,362	35,362
Cemetery perpetual care	-	-	598,077	-	598,077
Assigned:					
Debt Service	95,472	-	-	-	95,472
Operational and capital projects	-	4,309,175	-	-	4,309,175
Total fund balances	<u>95,472</u>	<u>4,309,175</u>	<u>2,309,862</u>	<u>727,503</u>	<u>7,442,012</u>
Total liabilities and fund balances	<u>\$ 95,472</u>	<u>\$ 4,309,175</u>	<u>\$ 2,313,160</u>	<u>\$ 727,503</u>	<u>\$ 7,445,310</u>

KAYSVILLE CITY CORPORATION, UTAH
Combining Statement of Revenues, Expenditures, and Changes in Fund Balance –
Nonmajor Governmental Funds
For the Year Ended June 30, 2023

	Debt Service Fund	ARPA	Permanent Cemetery Peperual Fund	Library Endowment Fund	Total Nonmajor Governmental Funds
REVENUES					
Charges for services	\$ -	\$ -	\$ 112,430	\$ -	\$ 112,430
Investment earnings	3,692	108,730	58,269	14,830	185,521
Total revenues	3,692	108,730	170,699	14,830	297,951
EXPENDITURES					
Current:					
Public safety	-	125,374	-	-	125,374
Streets and public Works	-	7,088	-	-	7,088
Parks, recreation and culture	-	-	-	20,000	20,000
Debt service:					
Principal	438,253	-	-	-	438,253
Interest and fiscal charges	29,132	-	-	-	29,132
Capital Outlay	-	157,180	138,769	-	295,949
Total expenditures	467,385	289,642	138,769	20,000	915,796
Excess (deficiency) of revenues over expenditures	(463,693)	(180,912)	31,930	(5,170)	(617,845)
OTHER FINANCING SOURCES (USES)					
Transfers In	473,850	-	-	-	473,850
Net change in fund balances	10,157	(180,912)	31,930	(5,170)	(143,995)
Fund balances, beginning	85,315	4,490,087	2,277,932	732,673	7,586,007
Fund balances, ending	\$ 95,472	\$ 4,309,175	\$ 2,309,862	\$ 727,503	\$ 7,442,012

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Capital Projects Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
<u>REVENUES</u>				
Impact Fees:				
Parks, recreation, and culture	\$ 210,000	\$ 210,000	\$ 349,440	\$ 139,440
Public safety	-	-	152,071	152,071
Interest Income	-	-	66,323	66,323
Total revenues	210,000	210,000	567,834	357,834
<u>EXPENDITURES</u>				
Capital outlay:				
Streets and public works	215,000	215,000	170,198	44,802
Parks, recreation, and culture	320,000	320,000	274,286	45,714
Excess of revenues over expenditures	(325,000)	(325,000)	123,350	448,350
<u>OTHER FINANCING SOURCES (USES)</u>				
Transfers out	(210,000)	(210,000)	(210,000)	-
Net change in fund balance	(535,000)	(535,000)	(86,650)	448,350
Fund balance, beginning of year	3,290,605	3,290,605	3,290,605	-
Fund balance, end of year	<u>\$ 2,755,605</u>	<u>\$ 2,755,605</u>	<u>\$ 3,203,955</u>	<u>\$ 448,350</u>

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Debt Service Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
<u>REVENUES</u>				
Interest	\$ -	\$ -	\$ 3,692	\$ 3,692
<u>EXPENDITURES</u>				
Debt Service:				
Principal, bonds payable	195,000	195,000	193,000	2,000
Principal, notes payable	252,850	252,850	245,253	7,597
Interest and fiscal charges	26,000	26,000	29,132	(3,132)
Total expenditures	473,850	473,850	467,385	6,465
Excess (deficiency) of revenues over expenditures	(473,850)	(473,850)	(463,693)	10,157
<u>OTHER FINANCING SOURCES</u>				
Transfers in	473,850	473,850	473,850	-
Net change in fund balance	-	-	10,157	10,157
Fund balance, beginning of year	85,315	85,315	85,315	-
Fund balance, end of year	\$ 85,315	\$ 85,315	\$ 95,472	\$ 10,157

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – ARPA Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<u>REVENUES</u>				
Intergovernmental	\$ 3,300,000	\$ 3,300,000	\$ -	\$ (3,300,000)
Interest Income	-	-	108,730	108,730
Total revenues	3,300,000	3,300,000	108,730	(3,191,270)
<u>EXPENDITURES</u>				
Current:				
Public safety	154,577	154,577	125,374	29,203
Streets and public Works	-	-	7,088	(7,088)
Capital outlay	3,300,000	3,300,000	157,180	3,142,820
Total expenditures	3,454,577	3,454,577	289,642	3,164,935
Net change in fund balance	(154,577)	(154,577)	(180,912)	(26,335)
Fund balance, beginning of year	4,490,087	4,490,087	4,490,087	-
Fund balance, end of year	\$ 4,335,510	\$ 4,335,510	\$ 4,309,175	\$ (26,335)

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Perpetual Cemetery Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
<u>REVENUES</u>				
Charges for Services	\$ 90,000	\$ 90,000	\$ 112,430	\$ 22,430
Interest Income	50,000	50,000	58,269	8,269
Total revenues	140,000	140,000	170,699	30,699
<u>EXPENDITURES</u>				
Administrative	-	-	-	-
Capital outlay	200,000	200,000	138,769	61,231
Total expenditures	200,000	200,000	138,769	61,231
Net change in fund balance	(60,000)	(60,000)	31,930	91,930
Fund balance, beginning of year	2,277,932	2,277,932	2,277,932	-
Fund balance, end of year	<u>\$ 2,217,932</u>	<u>\$ 2,217,932</u>	<u>\$ 2,309,862</u>	<u>\$ 91,930</u>

KAYSVILLE CITY CORPORATION, UTAH
Comparative Schedule of Revenues, Expenditures, and Changes in Fund Balance –
Budget to Actual – Library Endowment Fund
For the Year Ended June 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
<u>REVENUES</u>				
Interest	\$ 10,000	\$ 10,000	\$ 14,830	\$ 4,830
<u>EXPENDITURES</u>				
Noncapital improvements	20,000	20,000	20,000	-
Net change in fund balance	(10,000)	(10,000)	(5,170)	4,830
Fund balance, beginning of year	732,673	732,673	732,673	-
Fund balance, end of year	<u>\$ 722,673</u>	<u>\$ 722,673</u>	<u>\$ 727,503</u>	<u>\$ 4,830</u>

KAYSVILLE CITY CORPORATION, UTAH
Combining Statement of Net Position –
Nonmajor Enterprise Funds
June 30, 2023

	Business-type Activities - Enterprise Funds			
	Sewer	Pressure Irrigation	Sanitation	Total Nonmajor Funds
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 959,988	\$ 50,874	\$ 1,685,669	\$ 2,696,531
Accounts receivable, net				
Utility	247,645	146,667	229,955	624,267
Total current assets	1,207,633	197,541	1,915,624	3,320,798
Noncurrent assets:				
Capital assets:				
Land	-	16,322	-	16,322
Water shares	-	3,721,850	-	3,721,850
Buildings and improvements	41,289	-	-	41,289
Automobiles, machinery and equipment	-	-	1,842,834	1,842,834
Less: accumulated depreciation	(25,461)	-	(1,420,357)	(1,445,818)
Total noncurrent assets	15,828	3,738,172	422,477	4,176,477
Total assets	1,223,461	3,935,713	2,338,101	7,497,275
LIABILITIES				
Current liabilities:				
Accounts payable	328,856	131,556	177,947	638,359
Total current liabilities	328,856	131,556	177,947	638,359
Noncurrent liabilities:	-	-	-	-
Total liabilities	328,856	131,556	177,947	638,359
NET POSITION				
Net investment in capital assets	15,828	3,738,172	422,477	4,176,477
Unrestricted	878,777	65,985	1,737,677	2,682,439
Total net position	894,605	3,804,157	2,160,154	6,858,916
Total liabilities and net position	\$ 1,223,461	\$ 3,935,713	\$ 2,338,101	\$ 7,497,275

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Combining Statement of Revenues, Expenses and Changes in Net Position –
Nonmajor Enterprise Funds
For the Year Ended June 30, 2023

	Business-type Activities - Enterprise Funds			Total Nonmajor Funds
	Sewer	Pressure Irrigation	Sanitation	
OPERATING REVENUES				
Charges for services:				
Treatment and service charges	\$ 2,770,886	\$ 1,477,720	\$ 2,545,360	\$ 6,793,966
Other user fee and charges	5,023	-	8,267	13,290
Total operating revenues	2,775,909	1,477,720	2,553,627	6,807,256
OPERATING EXPENSES				
Personnel services	5,800	92	25,679	31,571
Contractual services	2,670,774	1,418,886	2,146,721	6,236,381
Administrative charges from General Fund	92,807	92,807	139,211	324,825
Interfund services	-	-	5,000	5,000
Supplies, maintenance, and miscellaneous operating	9,931	5,599	106,078	121,608
Depreciation	688	-	44,998	45,686
Total operating expenses	2,780,000	1,517,384	2,467,687	6,765,071
Operating income (loss)	(4,091)	(39,664)	85,940	42,185
NONOPERATING REVENUES				
Investment earnings	22,748	1,757	40,178	64,683
Gain on sale of assets	-	-	72,200	72,200
Total nonoperating revenues	22,748	1,757	112,378	136,883
Income (loss)	18,657	(37,907)	198,318	179,068
Transfers out	(5,023)	-	(8,267)	(13,290)
Change in net position	13,634	(37,907)	190,051	165,778
Total net position, beginning	880,971	3,842,064	1,970,103	6,693,138
Total net position, ending	\$ 894,605	\$ 3,804,157	\$ 2,160,154	\$ 6,858,916

The accompanying notes are an integral part of these financial statements.

KAYSVILLE CITY CORPORATION, UTAH
Combining Statement of Cash Flows –
Nonmajor Enterprise Funds
For the Year Ended June 30, 2023

	Business-type Activities - Enterprise Funds			Total Nonmajor Enterprise Funds
	Sewer	Pressure Irrigation	Sanitation	
Cash flows from operating activities				
Receipts from customers and users	\$ 2,762,570	\$ 1,444,130	\$ 2,541,012	\$ 6,747,712
Payments to suppliers	(2,664,545)	(1,398,423)	(2,254,715)	(6,317,683)
Payments to employees	(5,800)	(92)	(25,679)	(31,571)
Payments for interfund services	(92,807)	(92,807)	(144,211)	(329,825)
Net cash provided (used) by operating activities	(582)	(47,192)	116,407	68,633
Cash flows from noncapital financing activities				
Cash received from other funds	(5,023)	-	(8,267)	(13,290)
Cash flows from capital and related financing activities				
Aquisition of capital assets	-	-	(232,842)	(232,842)
Cash flows from investing activities				
Interest received	22,748	1,757	40,178	64,683
Net cash provided by investing activities	22,748	1,757	40,178	64,683
Net increase (decrease) in cash and cash equivalents	17,143	(45,435)	(84,524)	(112,816)
Cash and cash equivalents, beginning of year	942,845	96,309	1,770,193	2,809,347
Cash and cash equivalents, end of year	\$ 959,988	\$ 50,874	\$ 1,685,669	\$ 2,696,531
Reconciliation of operating income (loss) to net cash provided (used) by operating activities				
Operating income (loss)	\$ (4,091)	\$ (39,664)	\$ 85,940	\$ 42,185
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:				
Depreciation	688	-	44,998	45,686
Changes in assets and liabilities:				
Accounts receivable	(13,339)	(33,590)	(12,615)	(59,544)
Accounts payable	16,160	26,062	(1,916)	40,306
Net cash provided (used) by operating activities	\$ (582)	\$ (47,192)	\$ 116,407	\$ 68,633

The accompanying notes are an integral part of these financial statements.

STATISTICAL SECTION

KAYSVILLE CITY CORPORATION

Statistical Section

This part of the City's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

	<u>Page</u>
Financial Trends	108-113
<i>These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.</i>	
Revenue Capacity	114-121
<i>These schedules contain information to help the reader assess a primary city revenue source, property tax.</i>	
Debt Capacity	122-124
<i>These schedules present information to help the reader assess the affordability of the government's current levels of outstanding debt and the City's ability to issue additional debt in the future.</i>	
Demographic and Economic Information	125-126
<i>These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.</i>	
Operating Information	127-129
<i>These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services it provides and the actives it performs.</i>	

KAYSVILLE CITY CORPORATION
Net Position by Component
June 30,

	(*Restated) 2014	2015	(*Restated) 2016	2017	2018	2019	2020	2021	2022	2023
Governmental Activities:										
Net Investment of Capital Assets										
Restricted	\$ 68,417,942	\$ 73,170,909	\$ 72,688,598	\$ 74,851,196	\$ 76,597,865	\$ 15,859,194	\$ 15,418,558	\$ 17,839,025	\$ 82,245,257	\$ 88,425,980
Unrestricted	5,351,824	5,604,329	5,966,992	5,923,558	7,188,243	4,391,242	7,623,341	6,608,290	8,816,743	15,500,575
Total Governmental Activities Net Position	<u>\$ 73,961,188</u>	<u>\$ 77,688,529</u>	<u>\$ 78,651,742</u>	<u>\$ 81,773,428</u>	<u>\$ 86,791,022</u>	<u>\$ 23,101,753</u>	<u>\$ 25,361,463</u>	<u>\$ 27,828,493</u>	<u>\$ 104,266,662</u>	<u>\$ 117,792,424</u>
Business-type Activities:										
Net Investment of Capital Assets										
Restricted	\$ 48,131,444	\$ 48,431,735	\$ 49,482,868	\$ 49,544,446	\$ 48,944,148	\$ 110,935,762	\$ 110,178,187	\$ 115,852,151	\$ 52,385,553	\$ 55,945,528
Unrestricted	-	202,157	688,524	1,029,394	1,543,974	2,777,780	2,311,185	2,990,640	3,797,899	4,093,778
Total Business-type Activities Net Position	<u>10,400,263</u>	<u>11,071,837</u>	<u>12,406,511</u>	<u>14,579,974</u>	<u>13,864,038</u>	<u>16,721,454</u>	<u>15,793,785</u>	<u>17,192,612</u>	<u>18,998,651</u>	<u>14,948,476</u>
	<u>\$ 58,531,707</u>	<u>\$ 59,705,729</u>	<u>\$ 62,557,903</u>	<u>\$ 65,153,814</u>	<u>\$ 64,352,160</u>	<u>\$ 130,434,996</u>	<u>\$ 128,283,157</u>	<u>\$ 136,035,403</u>	<u>\$ 75,182,103</u>	<u>\$ 74,987,782</u>
Primary Government										
Net Investment in Capital Assets	\$ 116,549,386	\$ 121,602,644	\$ 122,171,466	\$ 124,395,642	\$ 125,542,013	\$ 126,794,956	\$ 125,596,745	\$ 133,691,176	\$ 134,630,810	\$ 144,371,508
Restricted	5,351,824	5,806,486	6,635,516	6,952,952	8,732,217	7,169,022	9,934,526	9,598,930	12,614,642	19,594,353
Unrestricted	10,591,685	9,985,128	12,402,663	15,578,648	16,868,952	19,572,771	18,113,349	20,573,790	32,203,313	28,814,345
Total Primary Government Net Position	<u>\$ 132,492,895</u>	<u>\$ 137,394,258</u>	<u>\$ 141,209,645</u>	<u>\$ 146,927,242</u>	<u>\$ 151,143,182</u>	<u>\$ 153,536,749</u>	<u>\$ 153,644,620</u>	<u>\$ 163,863,896</u>	<u>\$ 179,448,765</u>	<u>\$ 192,780,206</u>

(Accrual Basis of Accounting)

* In FY2019, the Road Utility Fund was formed. During this year the road assets were transferred to the Road Utility Fund from the General Fund

** In FY2022, the City determined that the Road Utility Enterprise Fund and the Ambulance Enterprise Fund were best reported as governmental funds

KAYSVILLE CITY CORPORATION
Changes in Net Position
For the Year Ended June 30,

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Expenses										
Government Activities:										
General Government	\$ 2,383,664	\$ 2,380,314	\$ 2,490,055	\$ 2,446,401	\$ 2,567,656	\$ 3,132,685	\$ 2,504,558	\$ 3,811,104	\$ 3,273,057	\$ 3,614,898
Public Safety - Police	3,064,397	3,496,435	3,817,732	3,874,551	3,695,913	4,643,415	4,942,482	5,623,367	5,421,876	7,172,053
Public Safety - Fire	863,892	833,769	964,668	913,103	849,282	1,076,170	1,365,305	1,897,410	2,557,632	3,533,055
Public Safety - Animal Control	-	-	-	-	-	-	-	95,123	919,241	45,477
Community Development	700,293	686,765	722,417	792,510	724,185	875,965	1,035,615	1,698,458	906,871	3,639,288
Public Works	3,916,960	2,937,745	4,135,628	3,985,500	5,563,214	1,214,306	962,291	992,643	4,511,879	1,319,398
Parks, Recreation and Culture	2,157,669	2,640,781	2,490,851	2,457,360	2,446,321	3,004,775	2,610,749	2,742,405	3,004,995	3,754,035
Perpetual Cemetery	35,347	23,641	23,654	-	-	-	-	-	-	-
Library Endowment	-	-	-	100,000	-	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	1,113,823	-	-	-
Interest on Long-Term Debt	149,543	235,218	199,427	162,298	203,870	239,382	334,175	217,269	174,335	152,815
Total Governmental Activities Expenses	13,271,765	13,234,668	14,844,432	14,731,723	16,050,441	14,186,698	14,868,998	17,077,779	20,769,886	23,231,019
Business-type Activities:										
Water	2,599,457	2,443,152	2,371,766	2,256,288	3,515,650	4,169,497	3,520,163	3,178,987	3,360,773	3,617,720
Electric	13,137,151	13,814,577	14,006,885	14,698,768	15,888,033	14,734,493	15,489,395	15,689,771	17,010,050	20,973,427
Storm Water	1,044,438	1,418,881	1,610,691	1,214,987	1,643,631	1,739,308	1,866,836	1,521,681	1,553,978	2,004,543
Road Utility	-	-	-	-	-	4,106,071	6,538,721	3,682,801	63,640,648	-
Ambulance	422,391	483,772	541,755	776,868	926,154	980,363	874,406	1,066,837	200,091	-
Sewer	1,822,954	1,876,862	2,195,339	2,193,175	2,251,223	2,293,722	2,674,245	2,686,746	2,690,713	2,780,000
Pressure Irrigation	1,121,653	1,143,314	1,211,994	1,205,904	1,237,799	1,262,153	1,284,053	1,314,563	1,333,155	1,517,384
Sanitation	1,765,134	1,751,666	1,859,482	1,739,010	1,857,858	1,958,416	2,257,050	2,365,716	2,330,173	2,467,687
Total Business-Type Activities Expenses	21,913,178	22,932,224	23,797,912	24,085,000	27,320,348	31,244,023	34,504,869	31,507,102	92,119,581	33,360,761
Total Primary Government Expenses	\$ 35,184,943	\$ 36,166,892	\$ 38,642,344	\$ 38,816,723	\$ 43,370,789	\$ 45,430,721	\$ 49,373,867	\$ 48,584,881	\$ 112,889,467	\$ 56,591,780

KAYSVILLE CITY CORPORATION
Changes in Net Position (Continued)
For the Year Ended June 30,

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Program Revenues										
Government Activities:										
Charges for Services:										
General Government	\$ 770,059	\$ 827,020	\$ 908,174	\$ 945,100	\$ 1,023,800	\$ 1,391,042	\$ 1,125,000	\$ 1,855,515	\$ 1,716,883	\$ 1,951,630
Public Safety	347,003	461,120	474,244	565,839	630,020	633,868	558,874	1,015,021	1,627,832	1,436,256
Community Development	770,321	759,540	750,378	719,877	771,196	748,293	696,268	937,490	1,088,738	841,066
Public Works	1,097,082	1,295,257	1,043,907	1,554,383	1,531,636	1,18,057	23,546	3,609	1,220,154	1,225,673
Parks, Recreation and Culture	1,043,769	1,017,174	784,962	848,275	802,896	838,745	641,542	1,019,316	1,178,379	1,173,379
Perpetual Cemetery	63,850	58,925	57,125	52,785	75,933	122,775	135,941	-	-	-
Nondepartmental	-	-	-	-	-	-	1,036,053	-	-	-
Operating Grants and Contributions	19,807	17,363	495,115	19,458	21,528	19,079	1,100,618	1,491,398	430,002	225,822
Capital Grants and Contributions	906,199	3,734,313	2,044,012	3,564,061	4,938,082	555,668	513,257	904,007	71,551,127	11,897,196
Total Governmental Activities Program Revenues	5,018,090	8,170,712	6,557,917	8,269,778	9,795,091	4,427,527	5,831,099	7,226,356	78,812,915	18,751,022
Business-type Activities:										
Charges for Services:										
Water	2,566,353	2,789,065	2,813,194	2,893,746	2,932,922	3,049,993	3,057,567	3,255,067	3,296,041	3,603,584
Electric	14,967,518	14,004,518	14,560,483	14,684,800	14,695,678	15,413,704	15,516,030	16,435,150	17,959,400	19,578,721
Storm Water	1,091,871	1,073,364	1,129,187	1,152,990	1,159,769	1,210,737	1,221,139	1,232,626	1,219,978	1,258,207
Road Utility	-	-	-	-	-	2,909,937	1,150,366	1,155,886	-	-
Ambulance	434,899	486,656	413,301	483,113	455,685	403,381	554,439	506,606	-	-
Sewer	1,880,801	1,875,927	2,177,025	2,219,400	2,234,779	2,329,583	2,678,918	2,694,301	2,718,369	2,775,909
Pressure Irrigation	1,124,747	1,121,755	1,187,426	1,209,698	1,219,522	1,274,415	1,279,859	1,300,429	1,320,699	1,477,720
Sanitation	1,784,714	1,767,879	1,851,658	1,890,425	1,916,031	2,005,253	2,270,433	2,466,404	2,501,393	2,553,627
Grants and Contributions	940,771	905,801	462,803	-	-	-	-	-	-	-
Capital Grants and Contributions	-	-	1,956,069	1,832,732	1,459,122	4,024,933	3,844,368	9,375,244	3,156,232	1,542,116
Total Business-Type Activities Program Revenues	24,791,674	24,024,965	26,551,146	26,366,904	26,073,508	32,621,936	31,573,119	38,421,713	32,172,112	32,789,884
Total Primary Government Program Revenues	\$ 29,809,764	\$ 32,195,677	\$ 33,109,063	\$ 34,636,682	\$ 35,868,599	\$ 37,049,463	\$ 37,404,218	\$ 45,648,069	\$ 110,985,027	\$ 51,540,906
Net (Expense) Revenue										
Governmental Activities	\$ (8,253,675)	\$ (5,063,956)	\$ (8,286,515)	\$ (6,461,945)	\$ (6,255,350)	\$ (9,759,171)	\$ (9,037,899)	\$ (9,851,423)	\$ 58,043,029	\$ (4,479,997)
Business-type Activities	2,878,496	1,092,741	2,753,234	2,281,904	(1,246,840)	1,377,913	(2,931,750)	6,914,611	(59,947,469)	(570,877)
Total Primary Government Net Expense	\$ (5,375,179)	\$ (3,971,215)	\$ (5,533,281)	\$ (4,180,041)	\$ (7,502,190)	\$ (8,381,258)	\$ (11,969,649)	\$ (2,936,812)	\$ (1,904,440)	\$ (5,050,874)

KAYSVILLE CITY CORPORATION
Changes in Net Position (Continued)
For the Year Ended June 30,

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
General Revenues										
Governmental activities:										
Taxes										
Sales Taxes	\$ 3,471,892	\$ 3,665,634	\$ 4,098,274	\$ 4,483,613	\$ 4,819,011	\$ 4,873,747	\$ 5,581,445	\$ 6,571,051	\$ 7,555,446	\$ 7,755,116
Property Taxes	1,484,074	3,263,780	2,948,599	3,237,023	3,322,726	3,536,836	3,709,251	4,026,569	4,735,065	4,740,071
Energy Sales and Use Charge	1,227,956	1,156,028	1,240,883	1,247,116	1,274,019	1,134,227	1,140,205	1,353,682	1,546,886	1,872,916
Franchise Taxes	592,786	537,744	536,596	551,817	483,614	657,389	579,668	538,149	593,121	555,862
RAMP Taxes	-	-	-	-	-	-	-	-	-	523,811
Motor Vehicle and Other Taxes	-	-	-	-	-	-	265,765	243,207	1,104,305	988,792
Interest on Investments	41,085	69,172	137,272	105,279	179,540	226,397	289,555	82,217	97,144	872,359
Gain on Sale of Assets	-	-	185,713	-	64,423	33,166	44,655	9,376	924,471	139,361
Miscellaneous	124,467	121,289	148,027	153,379	115,047	52,041	58,065	31,752	86,578	144,819
Special Item, Net Insurance Proceeds	-	-	-	-	1,182,870	-	-	-	-	-
Transfers In (Out)	(3,640)	(22,350)	(45,636)	(194,596)	(169,304)	(64,443,901)	(371,000)	(537,550)	1,752,324	412,652
Total governmental activities	6,938,620	8,791,297	9,249,728	9,583,631	11,271,946	(53,930,098)	11,297,609	12,318,453	18,395,140	18,005,759
Business-type Activities:										
Interest on Investments	27,026	58,931	36,733	68,970	76,103	183,185	300,618	95,032	72,149	464,934
Gain on sale of capital assets	-	-	-	-	7,749	-	13,653	34,980	734,575	278,628
Miscellaneous	-	-	16,571	50,441	192,030	77,837	94,640	170,073	39,769	45,646
Transfers In (Out)	3,640	22,350	45,636	194,596	169,304	64,443,901	371,000	537,550	(1,752,324)	(412,652)
Total business-type activities	30,666	81,281	98,940	314,007	445,186	64,704,923	779,911	837,635	(905,831)	376,556
Total primary government	\$ 6,969,286	\$ 8,872,578	\$ 9,348,668	\$ 9,897,638	\$ 11,717,132	\$ 10,774,825	\$ 12,077,520	\$ 13,156,088	\$ 17,489,309	\$ 18,382,315
Change in Net Position										
Governmental activities	\$ (1,315,055)	\$ 3,727,341	\$ 963,213	\$ 3,121,686	\$ 5,016,596	\$ (63,689,269)	\$ 2,259,710	\$ 2,487,030	\$ 76,438,169	\$ 13,525,762
Business-type activities	2,909,162	1,174,022	2,852,174	2,595,911	(801,654)	66,082,836	(2,151,839)	7,752,246	(60,853,300)	(194,321)
Total primary government	\$ 1,594,107	\$ 4,901,363	\$ 3,815,387	\$ 5,717,597	\$ 4,214,942	\$ 2,393,567	\$ 107,871	\$ 10,219,276	\$ 15,584,869	\$ 13,331,441
(Accrual Basis of Accounting)										

Information from Basic Financial Statements, Government-wide Financial Statement of Activities

KAYSVILLE CITY CORPORATION
Balance Sheet Fund Balances of Governmental Funds
June 30,

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
General Fund										
Nonspendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,470	\$ 5,500
Restricted	538,944	691,853	468,737	878,006	1,143,522	7,660	710,114	54,514	178,170	55,082
Unassigned	1,800,497	1,767,732	2,233,349	3,459,744	4,924,356	4,664,867	4,662,914	5,453,109	7,556,173	7,180,872
Total General Fund	\$ 2,339,441	\$ 2,459,585	\$ 2,702,086	\$ 4,337,750	\$ 6,067,878	\$ 4,672,527	\$ 5,373,028	\$ 5,507,623	\$ 7,739,813	\$ 7,241,454
Capital Projects Fund										
Restricted	\$ 1,172,747	\$ 1,518,347	\$ 1,964,659	\$ 1,677,481	\$ 766,758	\$ 53,305	\$ 1,697,717	\$ 2,426,205	\$ 1,711,390	\$ 1,831,513
Assigned	951,857	696,209	680,083	444,954	2,184,485	1,897,031	-	-	1,579,215	1,372,442
Total Capital Projects Fund	\$ 2,124,604	\$ 2,214,556	\$ 2,644,742	\$ 2,122,435	\$ 2,951,243	\$ 1,950,336	\$ 1,697,717	\$ 2,426,205	\$ 3,290,605	\$ 3,203,955
Redevelopment Agency										
Nonspendable	\$ 723,956	\$ 723,956	\$ 251,931	\$ 251,931	\$ 251,931	\$ -	\$ -	\$ -	\$ -	\$ -
Assigned	379,189	(665,041)	(81,696)	19,570	134,182	465,238	536,263	681,324	811,806	951,557
Total Redevelopment Agency Fund	\$ 1,103,145	\$ 58,915	\$ 170,235	\$ 271,501	\$ 386,113	\$ 465,238	\$ 536,263	\$ 681,324	\$ 811,806	\$ 951,557
Municipal Building Authority										
Restricted	\$ 4,322,483	\$ 35,877	\$ 19,914	\$ 13,600	\$ 96	\$ 4,677	\$ 1,840,672	\$ 475,468	\$ 477,772	\$ 532,917
Total Municipal Building Authority Fund	\$ 4,322,483	\$ 35,877	\$ 19,914	\$ 13,600	\$ 96	\$ 4,677	\$ 1,840,672	\$ 475,468	\$ 477,772	\$ 532,917
RAMP Fund										
Restricted	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 401,234
Assigned	-	-	-	-	-	-	-	-	-	-
Total ARPA Grant Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 401,234
ARPA Grant Fund										
Restricted	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assigned	-	-	-	-	-	-	-	-	4,490,087	4,309,175
Total ARPA Grant Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,490,087	\$ 4,309,175
Road Projects Fund										
Nonspendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted	-	-	-	-	-	-	-	-	3,353,491	10,043,698
Total Road Projects Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,353,491	\$ 10,043,698
Debt Service Fund										
Restricted	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assigned	\$ 62,483	\$ 65,837	\$ 49,279	\$ 50,661	\$ 39,110	\$ 61,706	\$ 72,455	\$ 78,094	\$ 85,315	\$ 95,472
Total Debt Service Fund	\$ 62,483	\$ 65,837	\$ 49,279	\$ 50,661	\$ 39,110	\$ 61,706	\$ 72,455	\$ 78,094	\$ 85,315	\$ 95,472
Cemetery Perpetual Care										
Nonspendable	\$ 990,976	\$ 1,049,901	\$ 1,107,026	\$ 1,159,811	\$ 1,223,021	\$ 1,301,306	\$ 1,382,081	\$ 1,492,356	\$ 1,599,355	\$ 1,711,785
Restricted	623,864	618,476	634,363	650,005	662,728	642,206	667,651	675,348	678,577	598,077
Total Cemetery Perpetual Care Fund	\$ 1,614,840	\$ 1,668,377	\$ 1,741,389	\$ 1,809,816	\$ 1,885,749	\$ 1,943,512	\$ 2,049,732	\$ 2,167,704	\$ 2,277,932	\$ 2,309,862
Library Endowment Fund										
Nonspendable	\$ 686,483	\$ 686,950	\$ 687,416	\$ 687,812	\$ 688,299	\$ 689,021	\$ 689,888	\$ 689,888	\$ 689,120	\$ 692,141
Restricted	227,765	181,964	185,280	89,727	94,111	50,608	26,500	35,093	43,553	35,362
Total Library Endowment Fund	\$ 914,248	\$ 868,914	\$ 872,696	\$ 777,539	\$ 782,410	\$ 739,629	\$ 716,388	\$ 724,981	\$ 732,673	\$ 727,503

KAYSVILLE CITY CORPORATION
Changes in Fund Balance of Governmental Funds
For the Year Ended June 30,

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Revenues:										
Taxes	\$ 6,776,708	\$ 8,623,186	\$ 8,824,352	\$ 9,519,569	\$ 9,899,370	\$ 10,202,199	\$ 11,276,334	\$ 12,732,658	\$ 15,534,623	\$ 16,414,231
Licenses and Permits	601,533	592,227	577,459	513,410	616,293	570,617	552,403	703,531	786,158	602,806
Impact Fees	520,451	665,904	464,765	358,295	463,404	282,380	375,470	900,022	1,529,603	979,812
Intergovernmental	856,993	903,604	1,004,923	1,542,995	4,045,043	163,929	1,138,263	1,495,383	6,617,808	11,140,531
Charges for Services	2,065,694	2,146,183	2,313,642	2,444,173	2,543,223	2,803,833	2,475,919	2,974,405	5,135,342	5,068,810
Donations	150,850	20,000	13,032	126,214	350	-	100,142	-	5,537	2,675
Fines and Forefeitures	58,212	111,532	121,083	146,470	160,234	161,715	127,474	124,188	175,867	218,320
Leases and Rent Revenue	-	-	-	-	-	-	775,375	730,312	734,419	738,068
Community Development Block Grant	-	7,452	-	-	-	-	-	-	58,008	-
Interest Income	41,085	69,172	137,272	105,279	179,540	226,397	289,555	82,217	(107,373)	872,359
Miscellaneous	133,475	133,707	169,022	216,548	199,390	113,402	58,065	31,752	28,570	167,156
Total Revenues	11,205,001	13,272,967	13,625,550	14,972,953	18,106,847	14,524,472	17,169,000	19,774,468	30,498,562	36,204,768
Expenditures:										
General Government	2,353,025	2,692,131	2,472,042	2,292,182	2,520,633	2,613,447	2,386,208	3,903,287	3,208,803	3,378,798
Public Safety	3,702,599	4,230,409	4,506,959	4,408,837	4,528,970	5,139,543	6,041,744	7,492,982	8,673,252	10,200,428
Community Development	677,278	719,025	738,445	743,733	764,506	834,123	1,010,627	1,746,832	981,489	1,113,249
Public Works	2,148,751	1,827,115	2,085,285	1,948,902	2,103,879	973,433	884,481	748,608	2,307,347	1,339,725
Parks, Recreation, and Culture	2,078,976	2,511,420	2,350,488	2,240,657	2,253,277	2,597,636	2,321,302	2,441,251	2,730,057	3,343,725
Nondepartmental	-	-	-	-	-	-	1,113,823	-	-	-
Debt service:										
Principal	428,035	1,386,188	738,384	744,274	406,032	616,376	4,659,303	890,237	995,014	1,016,253
Interest and Fiscal Charges	129,156	257,174	224,241	187,168	226,200	231,325	330,771	221,804	177,803	159,255
Capital Projects	1,673,607	4,820,844	75,468	1,029,641	5,014,148	1,919,107	4,166,130	2,402,798	3,306,810	9,676,885
Total Expenditures	13,191,427	18,444,306	13,191,312	13,595,394	17,817,645	14,924,990	22,914,389	19,847,799	22,380,575	30,228,308
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,986,426)	(5,171,339)	434,238	1,377,559	289,202	(400,518)	(5,745,389)	(73,331)	8,117,987	5,976,460
Other Financing Sources (Uses):										
Sale of Capital Assets	5,711,753	84,506	439,678	-	1,330,000	-	44,655	87,510	1,089,009	168,221
Cash Contributions	-	-	-	-	96,529	86,613	-	-	-	-
Non-reciprocal Utility Transfers	-	-	-	-	-	297,079	286,053	298,515	-	-
Proceeds from debt	-	-	-	-	-	837,865	-	-	238,775	-
Special Item - Insurance Proceeds	-	-	-	-	1,182,870	48,149	8,234,311	-	-	-
Transfers In	1,437,729	967,650	654,864	1,038,904	924,196	991,000	1,386,000	1,236,000	2,269,167	886,502
Transfers Out	(489,463)	(990,000)	(700,500)	(1,233,500)	(1,093,500)	(4,135,162)	(1,757,000)	(1,773,550)	(516,843)	(473,850)
Total Other Financing Sources (Uses)	6,660,019	62,156	394,042	(194,596)	2,440,095	(1,874,456)	8,194,019	(151,525)	3,080,108	580,873
Net change in fund balances	\$ 4,673,593	\$ (5,109,183)	\$ 828,280	\$ 1,182,963	\$ 2,729,297	\$ (2,274,974)	\$ 2,448,630	\$ (224,856)	\$ 11,198,095	\$ 6,557,333
Debt service as a percentage of noncapital expenditures	5.07%	13.63%	7.52%	7.51%	4.48%	6.43%	27.17%	6.37%	6.15%	4.07%

(Modified Accrual Basis of Accounting)

KAYSVILLE CITY CORPORATION
Taxable and Estimated Market Value of Property
Last Ten Years

Calendar Year Ended December 31,	Estimated Market Value	Taxable Value	Ratio of Total Taxable Value to Market Value
2022	\$6,184,446,833	\$3,658,221,127	59.15%
2021	\$4,629,363,355	\$2,760,533,613	59.63%
2020	\$4,017,055,396	\$2,408,680,121	59.96%
2019	\$3,761,209,288	\$1,950,468,715	51.86%
2018	\$3,385,665,809	\$1,784,393,761	52.70%
2017	\$3,088,696,237	\$1,666,973,343	53.97%
2016	\$2,779,008,134	\$1,540,915,428	55.45%
2015	\$2,561,662,045	\$1,477,768,259	57.69%
2014	\$2,459,642,177	\$1,293,450,467	52.59%
2013	\$2,196,793,574	\$1,293,450,467	58.88%

Notes:

- (1) Information is based on a calendar year - 2022 is the most recent year
- (2) Does not include fee-in-lieu property

Source:

Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Property Tax Rates - Direct and Overlapping Governments
Last Ten Years

Calendar Year Ended	Direct Rate	Overlapping Rates							Total Direct & Overlapping	
	State & Davis School District	Davis County	Weber Basin Water District	Mosquito Abatement	Davis County Library	State A&C	County A&C	Central Davis Sewer District		
December 31,	Kaysville City									
2022	0.001281	0.006424	0.001089	0.000167	0.000099	0.000229	0.000015	0.000129	0.000147	0.009580
2021	0.001663	0.007642	0.001435	0.000132	0.000099	0.000289	0.000012	0.000161	0.000147	0.011580
2020	0.001589	0.007642	0.001435	0.000132	0.000099	0.000289	0.000012	0.000161	0.000147	0.011506
2019	0.001589	0.007670	0.001707	0.000146	0.000110	0.000319	0.000012	0.000177	0.000161	0.011891
2018	0.001589	0.007701	0.001844	0.000164	0.000119	0.000349	0.000009	0.000193	0.000178	0.012146
2017	0.001589	0.007701	0.001844	0.000174	0.000107	0.000376	0.000010	0.000207	0.000191	0.012199
2016	0.001717	0.008125	0.002014	0.000187	0.000116	0.000342	0.000011	0.000224	0.000208	0.012944
2015	0.001782	0.008125	0.002014	0.000196	0.000122	0.000361	0.000012	0.000236	0.000216	0.013064
2014	0.001826	0.008555	0.002153	0.000199	0.000124	0.000361	0.000013	0.000237	0.000217	0.013685
2013	0.000999	0.008710	0.002331	0.000210	0.000103	0.000389	0.000158	0.000112	0.000237	0.013249

Notes: (1) Information is based on a calendar year - 2022 is the most recent year

(2) Overlapping rates are those of local and county governments that apply to property owners within Kaysville City.

Source: Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Property Tax Levies and Collections
Last Ten Years

Calendar Year	Total Taxable Value	City Tax Rate	Total Taxes Assessed	Current Year Taxes Collected	Percent of Current Tax Collections to Tax Levy	Delinquent Taxes & Interest Collected in Current Year	Total Tax Collections
2022	\$3,658,221,127	0.001281	\$4,706,742	\$4,516,688	95.96%	\$462,349	\$4,979,037
2021	\$2,760,574,308	0.001663	\$4,587,219	\$4,369,721	95.30%	\$470,582	\$4,840,303
2020	\$2,408,680,121	0.001589	\$3,827,392	\$3,638,993	95.08%	\$411,117	\$4,030,772
2019	\$2,169,066,423	0.001589	\$3,577,482	\$3,419,961	95.60%	\$414,778	\$3,834,739
2018	\$1,950,468,715	0.001589	\$3,225,039	\$3,095,969	96.00%	\$339,748	\$3,435,717
2017	\$1,784,393,761	0.001589	\$2,952,493	\$2,842,886	96.29%	\$283,640	\$3,126,526
2016	\$1,666,973,343	0.001717	\$2,864,378	\$2,746,871	95.90%	\$360,072	\$3,106,943
2015	\$1,540,915,428	0.001782	\$2,747,330	\$2,605,079	94.82%	\$330,624	\$2,935,703
2014	\$1,477,768,259	0.001826	\$2,672,007	\$2,777,056	103.93%	\$361,797	\$3,138,853
2013	\$1,293,450,467	0.000999	\$1,327,613	\$1,314,904	99.04%	\$37,778	\$1,352,682

Notes:

- (1) Information is based on a calendar year - 2022 is the most recent year
- (2) All taxable property is assessed and taxed on the basis of its fair market value. Utah law requires that the fair market value of property is assessed by the County Assessor, using a comparable sales or a cost appraisal method, excluding expenses related to property sales transactions. For tax purposes, the fair market value of primary residential property is reduced by 45% under present law. Taxable value is net of Redevelopment Agency value.
- (3) Delinquent taxes & interest collected in current year is not broken out by year collected. This detailed information is not easily accessible from the County.

Source:

Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Governmental Tax Revenues by Source
Last Ten Fiscal Years

Fiscal Year Ended June 30,	(1) General Property Tax	Sales Tax	Utility License & Excise Tax	Energy Sales and Use Tax	(2) Parks & Recreation (RAMP) Tax	Total Tax Revenue
2023	\$4,740,071	\$7,755,116	\$966,455	\$1,872,916	\$523,811	\$15,858,369
2022	\$4,735,065	\$7,555,446	\$593,121	\$1,546,686	\$146,440	\$14,576,758
2021	\$4,127,455	\$6,571,051	\$538,149	\$1,353,682		\$12,590,337
2020	\$3,709,251	\$5,581,445	\$845,433	\$1,140,205		\$11,276,334
2019	\$3,536,836	\$4,959,025	\$657,389	\$1,134,227		\$10,287,477
2018	\$3,322,726	\$4,819,011	\$483,614	\$1,274,019		\$9,899,370
2017	\$3,237,023	\$4,483,613	\$551,817	\$1,247,116		\$9,519,569
2016	\$2,948,599	\$4,098,274	\$536,596	\$1,240,883		\$8,824,352
2015	\$3,263,780	\$3,665,634	\$537,744	\$1,156,028		\$8,623,186
2014	\$1,484,074	\$3,471,892	\$592,786	\$1,227,956		\$6,776,708

Notes: (1) General Property tax includes: property taxes current and delinquent, and motor vehicle in-lieu tax
(2) Recreation, Arts, Museum and Parks Tax approved by voters in FY2022

Source: Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Sales Tax Revenue Trends
Last Ten Fiscal Years

Fiscal Year Ended June 30,	Population Distribution	Point of Sale	Administrative Fees	Total Distribution
2023	\$4,951,710	\$3,002,513	(\$199,107)	\$7,755,116
2022	\$4,782,994	\$2,911,665	(\$139,213)	\$7,555,446
2021	\$4,193,199	\$2,507,379	(\$129,532)	\$6,571,046
2020	\$3,570,835	\$2,127,945	(\$117,335)	\$5,581,445
2019	\$3,354,839	\$1,691,143	(\$86,957)	\$4,959,025
2018	\$3,206,689	\$1,667,794	(\$55,472)	\$4,819,011
2017	\$2,971,161	\$1,576,799	(\$64,484)	\$4,483,476
2016	\$2,752,757	\$1,414,314	(\$68,798)	\$4,098,273
2015	\$2,620,126	\$1,119,260	(\$73,752)	\$3,665,634
2014	\$2,471,594	\$1,074,550	(\$74,252)	\$3,471,892

Note: Administrative Fees are charged by the Utah State Tax Commission for the collection and distribution of Sales Tax.

KAYSVILLE CITY CORPORATION
Sales Tax Rates and Overlapping Governments
Last Ten Fiscal Years

Fiscal Year Ended June 30,	Local Sales & Use	State Sales & Use	Supplemental State Sales & Use	County Option Transit	Mass Transit	Additional Mass Transit	Transportation Infrastructure *	Recreation, Arts, Museum and Parks **	County Option Sales	Total Sales Tax Rate
2023	1.0%	4.85%	0.05%	0.25%	0.25%	0.25%	0.25%	0.10%	0.25%	7.25%
2022	1.0%	4.85%	0.05%	0.25%	0.25%	0.25%	0.25%	0.10%	0.25%	7.25%
2021	1.0%	4.85%	0.05%	0.25%	0.25%	0.25%	0.25%		0.25%	7.15%
2020	1.0%	4.85%	0.05%	0.25%	0.25%	0.25%	0.25%		0.25%	7.15%
2019	1.0%	4.85%	0.05%	0.00%	0.25%	0.25%	0.25%		0.25%	6.90%
2018	1.0%	4.70%	0.05%	0.00%	0.25%	0.25%	0.25%		0.25%	6.75%
2017	1.0%	4.70%	0.05%	0.00%	0.25%	0.25%	0.25%		0.25%	6.75%
2016	1.0%	4.70%	0.05%	0.00%	0.25%	0.25%	0.25%		0.25%	6.75%
2015	1.0%	4.70%	0.05%	0.00%	0.25%	0.25%	0.25%		0.25%	6.50%
2014	1.0%	4.70%	0.05%	0.00%	0.25%	0.25%			0.25%	6.50%

Note: Rates are given as of the second quarter of each year.

Source: Utah State Tax Commission- Sales Tax Division

* Transportation Infrastructure tax implemented FY2016, as part of house bill 362

** Kaysville City voters approved a Recreation, Arts, Museum and Parks Tax in FY2021

KAYSVILLE CITY CORPORATION
Estimated Market Value of Taxable Property
June 30, 2022

Calendar Year Ended December 31,	Estimated Market Value	Residential	Commercial	Agricultural	State	Personal Property
2022	\$ 6,184,446,832	\$ 5,760,337,497	\$ 318,950,550	\$ 1,629,288	\$ 47,444,213	\$ 56,085,284
2021	\$ 4,629,363,355	\$ 4,246,010,195	\$ 283,420,059	\$ 2,072,132	\$ 47,228,231	\$ 50,632,738
2020	\$ 4,017,055,396	\$ 3,655,979,766	\$ 264,990,507	\$ 2,291,823	\$ 47,745,542	\$ 46,047,758
2019	\$ 3,761,209,288	\$ 3,424,458,154	\$ 250,872,366	\$ 2,319,582	\$ 39,014,316	\$ 44,544,870
2018	\$ 3,385,665,809	\$ 3,087,865,112	\$ 215,310,270	\$ 2,375,652	\$ 38,687,302	\$ 41,427,473
2017	\$ 3,088,696,236	\$ 2,817,369,311	\$ 198,262,778	\$ 2,109,589	\$ 32,064,001	\$ 38,890,557
2016	\$ 2,779,008,134	\$ 2,529,123,157	\$ 183,037,905	\$ 2,013,734	\$ 30,211,726	\$ 34,621,612
2015	\$ 2,561,662,044	\$ 2,328,463,676	\$ 169,462,144	\$ 2,012,395	\$ 28,545,295	\$ 33,178,534
2014	\$ 2,459,642,176	\$ 2,237,093,465	\$ 162,733,524	\$ 1,136,191	\$ 25,807,805	\$ 32,871,191
2013	\$ 2,196,793,575	\$ 1,979,360,952	\$ 156,423,648	\$ 1,260,221	\$ 24,360,045	\$ 35,388,709

Notes: (1) Information is based on a calendar year - 2022 is the most recent year
(2) Does not include fee-in-lieu property

Source: Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Property Value of Construction in Kaysville
Last Ten Fiscal Years

Fiscal Year Ended June 30,	Commercial Construction Number of Permits	Estimated Value	Residential Construction Number of Permits	Estimated Value	Estimated Increase of Property Value
2022	25	\$ 24,729,726	351	\$ 71,398,709	\$ 96,128,435
2021	19	\$ 5,498,801	343	\$ 70,738,899	\$ 82,764,511
2020	20	\$ 7,777,003	263	\$ 43,332,278	\$ 51,109,281
2019	29	\$ 9,010,300	273	\$ 52,363,299	\$ 61,373,599
2018	25	\$ 22,112,458	333	\$ 69,353,896	\$ 91,466,354
2017	30	\$ 9,866,065	290	\$ 53,715,858	\$ 63,581,923
2016	28	\$ 9,520,056	346	\$ 62,867,836	\$ 72,387,892
2015	14	\$ 4,776,742	310	\$ 58,424,952	\$ 63,201,694
2014	13	\$ 15,810,021	296	\$ 57,098,737	\$ 72,908,758
2013	17	\$ 9,165,906	242	\$ 51,374,918	\$ 60,540,824

Notes: (1) Number of Permits includes all permits including remodels and additions
Based on Calendar Year - 2022 - 143 Single Family Homes

Source: Davis County Department of Community and Economic Development
2022 Construction Monitor

KAYSVILLE CITY CORPORATION
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

Fiscal Year Ended June 30,	Governmental Activities				Business-Type Activities				Total Primary Government	Percentage of Personal Income	Personal Income (AGI)	Per Capita
	General Obligation Bonds	Revenue Bonds	Notes Payable	Capital Leases	Revenue Bonds	Notes Payable	Capital Leases					
2023	\$ -	\$ 6,552,000	\$ 323,606	\$ -	\$ -	\$ -	\$ -	\$ 6,875,606	0.5704%	\$ 1,205,307,161	\$ 201	
2022	\$ -	\$ 7,293,000	\$ 568,859	\$ -	\$ -	\$ -	\$ -	\$ 7,861,859	0.6812%	\$ 1,154,113,646	\$ 237	
2021	\$ -	\$ 8,046,000	\$ 559,533	\$ -	\$ -	\$ 12,565	\$ -	\$ 8,618,098	0.7075%	\$ 1,218,137,355	\$ 260	
2020	\$ -	\$ 8,784,000	\$ 711,770	\$ -	\$ -	\$ -	\$ -	\$ 9,495,770	0.7795%	\$ 1,133,919,201	\$ 288	
2019	\$ -	\$ 5,152,000	\$ 768,762	\$ -	\$ -	\$ -	\$ 172,733	\$ 6,093,495	0.5374%	\$ 1,110,622,475	\$ 183	
2018	\$ -	\$ 5,581,000	\$ -	\$ 88,273	\$ -	\$ -	\$ 173,864	\$ 5,843,137	0.5261%	\$ 1,029,344,241	\$ 180	
2017	\$ -	\$ 4,557,000	\$ -	\$ 246,196	\$ -	\$ -	\$ 325,593	\$ 5,128,789	0.4983%	\$ 975,777,428	\$ 162	
2016	\$ -	\$ 4,829,000	\$ 317,302	\$ 401,168	\$ -	\$ -	\$ 501,428	\$ 6,048,898	0.6199%	\$ 919,409,210	\$ 201	
2015	\$ -	\$ 5,098,000	\$ 634,604	\$ 553,252	\$ -	\$ -	\$ 297,244	\$ 6,583,100	0.7160%	\$ 874,581,542	\$ 224	
2014	\$ -	\$ 5,750,000	\$ 1,216,659	\$ 627,154	\$ -	\$ -	\$ 573,529	\$ 8,167,342	0.9339%	\$ 833,105,779	\$ 285	

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

KAYSVILLE CITY CORPORATION
Computation of Direct and Overlapping Debt
June 30, 2023

Entity	2022 Taxable Valuation	Kaysville City's Portion of Valuation	Kaysville City's Percentage	Entity's Outstanding Debt	Kaysville City Overlapping Debt
Direct:					
Kaysville City	\$ 3,658,221,127	\$ 3,658,221,127	100.00%	\$ 6,845,606	\$ 6,845,606
Overlapping:					
Davis County	\$ 41,327,830,264	\$ 3,658,221,127	8.85%	\$ 89,189,866	\$ 7,894,831
Davis County School District	\$ 41,327,830,264	\$ 3,658,221,127	8.85%	\$ 463,417,000	\$ 41,020,345
State of Utah	\$ 489,246,347,582	\$ 3,658,221,127	0.75%	\$ 2,162,715,000	\$ 16,171,178
Weber Basin Water District	\$ 110,482,114,177	\$ 3,658,221,127	3.31%	\$ 9,300,000	\$ 307,936
				Total - Overlapping Debt \$	65,394,291
				Total - Direct and Overlapping Debt \$	72,239,897

Note: The percentage of overlapping debt (bonds payable only) applicable is estimated using taxable assessed property values. Applicable percentages were estimated by taking Kaysville's taxable property value and dividing by the governmental unit's taxable property value.

Source: Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Computation of Legal Debt Margin
June 30, 2023

Taxable Value	\$3,658,221,127
Estimated Market Value	\$6,184,446,832
Debt Limit - Four Percent of Market Value	\$247,377,873
Less: Outstanding General Obligation Bonds	\$0
Revenue Bonded Debt	\$6,845,606
Legal Debt Margin - Additional Debt Capacity	\$241,257,873

Notes: The general obligation bonded debt of the City is limited by the Utah Constitution (Section 14, Paragraph 4) to 12% of the the "reasonable fair cash value" of property. Of this percent, a maximum of 4% may be used for general purposes. The remaining 8% and any unused portion of the 4% available for general purposes up to the maximum 12% may be use for water and/or sewer purposes.

Source: Davis County Auditor's Office / Kaysville City Finance Department

KAYSVILLE CITY CORPORATION
Demographic & Economic Statistics
Last Ten Fiscal Years

Calendar Year Ended December 31,	Population	Personal Income	Per Capita Personal Income	Unemployment Rate
2022	33,940	\$1,205,307,161	\$ 35,513	2.0%
2021	33,439	\$1,154,113,646	\$ 34,514	2.0%
2020	32,945	\$1,218,137,355	\$ 36,975	2.7%
2019	33,263	\$1,133,919,201	\$ 34,090	2.8%
2018	32,452	\$1,110,622,475	\$ 34,224	3.0%
2017	31,660	\$1,029,344,241	\$ 32,512	3.4%
2016	30,888	\$975,777,428	\$ 31,591	4.0%
2015	30,135	\$919,409,210	\$ 30,510	3.6%
2014	29,400	\$874,581,542	\$ 29,748	3.6%
2013	28,683	\$833,105,779	\$ 29,045	4.6%

KAYSVILLE CITY CORPORATION

2012

Source: Davis County Auditor
(Excludes Public Utilities)

KAYSVILLE CITY CORPORATION
Miscellaneous Statistical Data - Insurance Summary
June 30, 2022

Coverage	Company	Term	Limits	Deductible
Property	The Utah Local Government Trust	07/01/2023 - 06/30/2024	\$ 10,000,000	\$ 5,000
General Liability	The Utah Local Government Trust	07/01/2023 - 06/30/2024	\$ 10,000,000	\$ -
Worker's Compensation	The Utah Local Government Trust	07/01/2023 - 06/30/2024	\$ 10,000,000	\$ -
Automobile Physical & Liability	The Utah Local Government Trust	07/01/2023 - 06/30/2024	\$ 10,000,000	\$ 1,000
Treasurer Bond/ Deputy Treasurer Bond	The Utah Local Government Trust	07/01/2023 - 06/30/2024	Included with General Liability Coverage	

KAYSVILLE CITY CORPORATION
Population Growth
Since 1970

Fiscal Year	Population	Change	Percentage Increase
2023	34,279	339	1.00%
2022	33,940	501	1.50%
2021	33,439	494	1.50%
2020**	32,945	(318)	-0.96%
2019	33,263	811	2.50%
2018	32,452	792	2.50%
2017	31,660	772	2.50%
2016	30,888	753	2.50%
2015	30,135	735	2.50%
2014	29,400	717	2.50%
2013	28,683	700	2.50%
2012	27,983	683	2.50%
2011	27,300	415	1.54%
2010**	26,885	783	3.00%
2009	26,102	760	3.00%
2008	25,342	738	3.00%
2007	24,604	716	3.00%
2006	23,888	695	3.00%
2005	23,193	730	3.25%
2004	22,463	548	2.50%
2003	21,915	535	2.50%
2002	21,380	521	2.50%
2001	20,859	508	2.50%
2000**	20,351	564	2.85%
1999	19,787	669	3.50%
1998	19,118	239	1.27%
1997	18,879	535	2.92%
1996	18,344	598	3.37%
1995	17,746	665	3.89%
1994	17,081	943	5.84%
1993	16,138	810	5.28%
1992	15,328	640	4.36%
1991	14,688	727	5.21%
1990**	13,961	1,047	8.11%
1989	12,914	343	2.73%
1988	12,571	352	3.41%
1980**	10,331	4,139	66.84%
1970**	6,192	2,584	71.62%

Notes: ** Census year population are from the US Bureau of the Census provided by the Utah State Office of Planning and Budget

Non-Census year population estimates are provided by Kaysville City and Wasatch Front Regional (

KAYSVILLE CITY CORPORATION
Miscellaneous Statistical Data
Last Ten Fiscal Years, as of June 30

Date of Incorporation:	March 15, 1868									
Form of Government:	Council - Manager									
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Area in Square Miles	11	11	11	11	11	11	11	11	11	11
Miles of Streets	142	140	140	137	137	137	135	135	135	118
Fire Protection:										
Number of stations	1	1	1	1	1	1	1	1	1	1
Number of full time	23	23	12	11	11	10	5	5	2	2
Number of PTVolunteer firefighters	16	16	10	25	25	28	33	33	38	32
Police Protection:										
Number of sworn officers	32	32	32	31	28	28	27	26	25	23
Number of other employees	4	3	3	3	3	3	3	3	3	3
Parks and Recreation:										
Number of Parks	12	12	12	12	12	11	11	11	11	11
Number of Acres Available	373	373	373	373	373	370	370	370	370	370
Number of Acres Developed	159	159	159	159	159	137	137	137	137	137
Education:										
Number of high schools	1	1	1	1	1	1	1	1	1	1
Number of junior high schools	3	3	3	3	3	3	3	3	3	3
Number of elementaries	9	9	9	9	9	8	8	8	8	8
Public Utilities:										
Number of water customers	9,338	9,044	9,006	8,902	8,858	8,733	8,562	8,433	8,238	8,033
Annual water usage (gallons)	958,461,000	944,699,000	849,348,000	853,077,918	791,492,079	780,413,145	753,589,090	687,219,759	756,951,873	861,327,270
Miles of water Lines	167	166	164	162	160	157	155	145	124	138
Number of power customers	10,726	10,377	10,278	10,032	9,890	9,738	9,522	9,333	9,275	8,945
Annual kwh usage	170,228,338	157,049,006	156,122,050	147,174,222	148,487,431	149,581,186	146,859,559	140,574,780	138,681,528	138,670,161
Miles of power lines	166	165	163	161	158	157	155	147	147	145
Number of street lights	1089	1075	1043	1097	947	947	944	944	917	856
City Employees at June 30, :										
Elected	6	6	6	6	6	6	6	6	6	6
Full-time	140	136	115	113	108	108	97	95	90	81
General Governmental	18	16	14	14	14	14	13	13	13	11
Police	38	36	35	34	31	31	30	29	28	26
Fire/ Ambulance	23	23	12	11	11	11	5	5	2	2
Community Development	8	8	8	8	8	8	8	8	8	8
Public Works	24	24	21	21	19	19	16	16	16	15
Parks & Cemetery	13	13	9	9	9	9	9	8	7	4
Electrical	16	16	16	16	16	16	16	16	16	15
Part-time/Temporary/Seasonal	30-35	30-35	30-35	30-35	30-35	30-35	30-35	30-35	30-35	30-35

COMPLIANCE SECTION



COMMITTED. EXPERIENCED. TRUSTED.

MICHAEL L. SMITH, CPA
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ROBERT D. WOOD, CPA
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FOUNDERS

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Independent Auditor's Report

Honorable Mayor and Members of the City Council
Kaysville City, Utah

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Kaysville City (the City) as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated November 20, 2023.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance with the *State Audit Compliance Guide* that are required to be reported under *Government Auditing Standards*, as items 2022-1 through 2022-3.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

NBMC, LLC

November 20, 2023



COMMITTED. EXPERIENCED. TRUSTED.

MICHAEL L. SMITH, CPA
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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE AS REQUIRED BY THE *STATE COMPLIANCE AUDIT GUIDE*

Honorable Mayor and Members of the City Council
Kaysville City, Utah

Report on Compliance

We have audited Kaysville City's (the City) compliance with the applicable state compliance requirements described in the *Utah State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, for the year ended June 30, 2023.

State compliance requirements were tested for the year ended June 30, 2023, in the following areas:

Budgetary Compliance Fund
Balance
Justice Courts
Restricted Taxes and Related
Revenues Fraud Risk Assessment

Government Fees Impact Fees
Utah Retirement Systems Public
Treasurer's Bond

Management's Responsibility

Management is responsible for compliance with the general state requirements referred to above.

Auditor's Responsibility

Our responsibility is to express an opinion on the City's compliance based on our audit of the compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *Utah State Compliance Audit Guide*. Those standards and the *Utah State Compliance Audit Guide* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the state compliance requirements referred to above that could have a direct and material effect on a state compliance requirement occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion on compliance for each state compliance requirement listed above. However, our audit does not provide a legal determination of the City's compliance with those requirements.

Opinion on Compliance

In our opinion, Kaysville City complied, in all material respects, with the compliance requirements referred to above for the year ended June 30, 2023.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the State Compliance Audit Guide and which are described in the accompanying schedule of findings as items 2022-1 through 2022-3. Our opinion on compliance is not modified with respect to these matters.

The City's response to the noncompliance findings identified in our audit is described in the accompanying schedule of findings. The City's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the state compliance requirements referred to above to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance with those state compliance requirements and to test and report on internal control over compliance in accordance with the Utah State Compliance Audit Guide, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a state compliance requirement on a timely basis. A *material weakness* in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a state compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Purpose of This Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the Utah State Compliance Audit Guide. Accordingly, this report is not suitable for any other purpose.

HBMC, LLC

November 20, 2023

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Findings (Continued)
For the Year Ended June 30, 2023

State Compliance Audit Guide Findings

2023-1:

Budgetary Compliance

Statement of Condition

During testing procedures, the auditors noted that for the year ended June 30, 2023, the following funds had actual expenditures that exceeded final appropriated expenditures:

<u>Fund</u>	<u>Department</u>	<u>Amount</u>
General Fund	Parks, recreation, and culture	\$169,338
MBA Fund	Debt service – interest	\$123

Criteria

Utah State Code 10-6-123, *Expenditures or Encumbrances in Excess of Appropriations Prohibited -- Processing Claims*, stipulates that City officers and employees may not make or incur expenditures in excess of total appropriations for any fund or department, in the budget, as adopted or as subsequently amended.

Cause

These overages were a result of the City not sufficiently amending the adopted budgets during the fiscal year in the noted department and fund.

Effect

By not regularly monitoring and amending each fund's adopted budgets during the fiscal year, the City is out of compliance with state law.

Recommendation

The City should monitor the status of expenditures as compared to the budget throughout the year and amend the budget as necessary to ensure compliance with Utah State Code.

Management's Response

During the fiscal year, management made several changes to the accounting system and presentation of financial information. During this process, certain areas exceeded the appropriated expenditures. Management will continue to monitor the budgets and make necessary amendments.

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Findings (Continued)
For the Year Ended June 30, 2023

Prior Year State Compliance Audit Guide Findings

2022-1:

Fund Balance Compliance

Statement of Condition

For the year ended June 30, 2023, the calculated percentage of the General Fund was:

Unrestricted General Fund Balance:	\$7,556,173
Total General Fund Revenue:	\$21,028,330
Percentage of Total Revenue:	35.93%

Criteria

Utah Code 10-6-116-(2), as interpreted by the Utah State Auditor's Office, requires that the accumulation of unrestricted fund balance in the City's General Fund may not exceed 35% of the total operating revenue of the City's General Fund for the current fiscal period.

Cause

The overage was due to an unanticipated sale of property at the demand of UDOT, with proceeds of \$1,089,009. Without this transaction, the calculated percentage would be 32.4%.

Effect

By not regularly monitoring and amending each fund's adopted budgets during the fiscal year, the City is out of compliance with state law.

Recommendation

The City should monitor the status of the referenced calculation and amend the budget as necessary, to ensure this percentage stays below 35%, in accordance with state law.

Management's Response

The City considers this issue to be unusual and isolated. During the fiscal year, the City received unexpected revenues affecting total general fund revenues. The City intends to transfer funds in FY2023 to the Capital Projects Fund for ongoing planned projects.

Current Year Status

Condition fully satisfied.

KAYSVILLE CITY CORPORATION, UTAH
Schedule of Findings (Continued)
For the Year Ended June 30, 2023

2022-2:

Budgetary Compliance

Statement of Condition

During testing procedures, the auditors noted that for the year ended June 30, 2022, the following funds had actual expenditures that exceeded final appropriated expenditures:

<u>Fund</u>	<u>Department</u>	<u>Amount</u>
General Fund	Capital outlay (general government)	\$128,768
Road Fund	Streets and public works	\$90,565

Criteria

Utah State Code 10-6-123, *Expenditures or Encumbrances in Excess of Appropriations Prohibited -- Processing Claims*, stipulates that City officers and employees may not make or incur expenditures in excess of total appropriations for any fund or department, in the budget, as adopted or as subsequently amended.

Cause

These overages were a result of the City not sufficiently amending the adopted budgets during the fiscal year in the noted department and fund.

Effect

By not regularly monitoring and amending each fund's adopted budgets during the fiscal year, the City is out of compliance with state law.

Recommendation

The City should monitor the status of expenditures as compared to the budget throughout the year and amend the budget as necessary to ensure compliance with Utah State Code.

Management's Response

During the fiscal year, management made several changes to the accounting system and presentation of financial information, including the reclassification of enterprise funds to governmental funds. During this process, certain areas exceeded the appropriated expenditures. Management will continue to monitor the budgets and make necessary amendments.

Current Year Status

Similar finding was issued in the current year. See finding 2023-1.

KAYSVILLE CITY COUNCIL
November 16, 2023

Minutes of a regular Kaysville City Council meeting held on November 16, 2023 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson, and Council Member Perry Oaks (via phone)

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Technology Assistant Jordan Hansen, Parks and Recreation Director Cole Stephens, Power Department Director Brian Johnson, Public Works Director Josh Belnap, Nathan Rich, Darelene Schons, Jill Dredge, Kim Smith, Laurene Starkey, Chandler Read, Brad Walters, Alicia Christensen, Hailey Christensen, Lisa Von Bose, Randi Von Bose, Charles Von Bose, Julie Hendrickson, Jim Tadge, Hannah Pendergast, Hillary Coombs, Tiffany Gibbs, Hayley Dixon (Alberts), Dan Chase, Megan Sevy

OPENING

Council Member Hunt opened the meeting with a thought and led the audience in the Pledge of Allegiance.

CALL TO THE PUBLIC

Nothing was brought under this item.

PRESENTATIONS AND AWARDS

SWEARING-IN OF KAYSVILLE YOUTH COURT

Kim Smith, Kaysville Youth Court Advisor, explained the Kaysville Youth Court program and presented the Youth Court judges and advisors for 2023-2024.

Mayor Tran swore the Kaysville Youth Court into office.

SUPPORT FOR MERCY HOUSING

Hayley Dixon explained that she was part of an undergraduate program for social work with Weber State University that has collaborating on a project with Mercy Housing, located in Kaysville.

Hannah Pendergast said that she is the Senior Case Manager at Mercy Housing, known as the Francis Peak View Apartments, which consists of 119 units of affordable housing. They serve

only very low-income families, seniors and individuals with disabilities, currently accommodating 221 residents. Among them, 89 are children under the age of 18, and 27 are seniors over the age of 65. The majority of the children come from single-parent households and they have a very diverse community. Mercy Housing not only provides affordable housing but also provides resident services programs to help support its residents. The students from Weber State University have been working with her on their project throughout the last semester.

Hayley Dixon said that as part of their macro class they needed a project that would benefit the community and focus on helping those in need, as they are work towards becoming social workers in the future. They decided to direct their efforts towards Mercy Housing. The goal for their project was to bridge the gap in the demographics within Kaysville, as residents of Mercy Housing constitute a very diverse group compared to the general population of Kaysville. Their aim was to help Mercy Housing residents feel more integrated into the community by building unity within it. They sought to raise awareness about Mercy Housing its resources by sharing the stories and livelihood of its residents. To achieve this, they decided to collect stories and recipes from Mercy Housing residents and compile them into a cookbook. Some classmates have been translating recipes from English to Spanish and vice versa. The objective is to distribute these cookbooks to both the residents of Mercy Housing and Kaysville. Many Kaysville residents are unaware of the existence of Mercy Housing, and their group hopes the cookbook project will help address this. Ms. Dixon proposed that the city distribute the cookbooks for new residents or make a PDF version available online on the city's website. The group is present tonight to request the city's sponsorship for funds to cover the printing costs of the cookbooks.

Hillary Coombs, with the Weber State University program, said that it had been an incredible experience to work with the residents at Mercy Housing and feels that this cookbook could be a great benefit for the community.

Council Member Adams asked if their group anticipated selling the cookbooks.

Hayley Dixon responded that they felt it better to have them be complimentary. They only anticipate printing a small amount of books for now, just as a starting point.

Council Member Jackson said that he felt that the cookbook was a great idea and it would be a great way to show our support for Mercy Housing.

Mayor Tran asked how soon the cookbook would be ready to go to print.

Hayley Dixon responded that they are still in the process of collecting about fifteen more recipes, which will still need to be translated.

Hannah Pendergast said they had discussed potentially doing an unveiling event of the cookbook in February.

POWER DEPARTMENT ANNUAL REPORT

Power Department Director Brian Johnson presented a report of the Power Department,

highlighting significant changes, positive improvements and completed projects that they have been able to see completed over the last year. Mr. Johnson gave an overview of current services to customers, equipment, and employees, and noted an increase of power demand being seen in Kaysville. The city's power sources were discussed, including coal, natural gas, wind, hydro, heat recovery, and transactions with UAMPS. Mr. Johnson informed the council about the conversion of a coal plant to a gas plant through IPA Utah, which is currently under attack right now in the state legislation. It is likely that Kaysville Power will need the city council's support against a proposed bill that will be devastating to that resource. The city has already had representation at the Hill voicing concerns in regards to the negative impact this bill will have on the twenty-three municipalities invested in this resource. Mr. Johnson explained that Kaysville participates in the Smart Energy Program through UAMPS, which offers rebate programs to residents. Mr. Johnson reviewed ongoing and future projects, including rebuilding the main feeder for the DTC, addressing aging equipment, and new developments including providing power needs for the West Davis Corridor and connector road. The Power Department have focused on maintenance and rebuilds specifically in the King Clarion area to address low voltage concerns and enhance services. Several switches have been installed throughout the city to help with outages and to help be able to manipulate the direction of power feed. The city's substations have been neglected for a number of years, and a substation tech has been hired to help figure out what substation repairs and new construction needs to be completed, including creating a SCADA system. Efforts have been made to control vegetation around power lines in the city, helping to reduce the risk of potential outages. The department is working to implement an Outage Management System (OMS), expected to be deployed in January, which will provide improved outage information to residents. Mr. Johnson showed a demo of the OMS system to the council to show how it will work when an outage occurs, and said that they would like to do a test run of the system with the city council sometime in December. The Schick Substation is at the final stages of engineering. There are upgrades needed for certain lines in different areas of the city, and cables that have reached the end of its lifespan. There have been more concerns as more people are purchasing electric vehicles. Some sections of our main feeder lines are already underrated and will need to be upsized. Residents may be advised to charge electric vehicles during off-peak hours to manage demand effectively.

Council Member Jackson commented that he is excited the city is implementing the OMS system and asked if the program will be able to show equipment that is about to fail.

Brian Johnson responded that it would not be able to predict when equipment may fail. However, they will be able to see the history of an area to see where there are trouble spots.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Hunt made a motion to approve the following consent item:

- a) Approval of Minutes of October 5, 2023.
- b) Appointment of Planning Commissioner Megan Sevy.

Council Member Blackham seconded the motion.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Hunt, yea
Council Member Jackson, yea
Council Member Blackham, yea

The motion passed unanimously.

ACTION ITEMS

REQUEST TO REZONE 13.5 ACRES AT 1387 SOUTH SUNSET DRIVE FROM R-1-LD (RESIDENTIAL SINGLE FAMILY LOW DENSITY) TO R-1-LD WITH A PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) OVERLAY – BRAD WALTERS

Community Development Director Melinda Greenwood explained that this property located at 1387 South Sunset Drive was rezoned to R-1-LD in 2021. The property has been under construction installing improvements this last spring and summer, and it was recently discovered that the infrastructure that was constructed did not meet city street standard width as outlined in city ordinance. Due to the dimensions of the street width installed, the owner has chosen to rezone the property with a PRUD Overlay in order to provide a private street option. The street width installed meets a private street dimension, and it has been approved by the city engineer. As a private street, the responsibility of maintenance for the road will be through an HOA that will be set up by the owner. The city sent public notices to property owners within five-hundred feet of this subject property and only one comment was received, which was not relevant to the rezone application. The Planning Commission reviewed this request at their October 26, 2023 Planning Commission meeting. A public hearing was held but no comments were received. The Planning Commission recommended approval of the proposed rezone request as it will make the installed improvements in compliance with our private street ordinance.

Council Member Adams asked about how the street did not meet standards.

Melinda Greenwood explained that the city requires that the minimum asphalt width on a standard street be no less than thirty feet. For whatever reason, the asphalt was poured at less than that. Since the utilities had already been installed for the subdivision, rather than have to tear it all out, Staff and Mr. Walters felt it best to go through the subdivision process again with a PRUD overlay allowing for a private street. Had the road been poured at the correct width, the PRUD overlay would not be necessary. Our city engineer and our fire chief have already reviewed the plans for a private street, and saw no issues with changing this road to a private street. The owner plans to live on the five-acre parcel in this subdivision. It will be recorded with the subdivision that the road will not be the responsibility of the city, but rather will be the responsibility of the HOA. Those purchasing land here will be notified of the HOA through their title. As the subdivision process continues, Staff will make sure that public safety will still be able to respond to this area.

Mayor Tran commented that there are quite a few private roads within Kaysville City and they are very desirable roads to live on.

Council Member Jackson asked if the city is liable if private roads are not maintained or do not have snow removal done.

Melinda Greenwood responded that the HOA would be liable because private roads are privately owned.

Council Member Jackson asked if in the future, the HOA could request that the city take care of their private street.

Melinda Greenwood responded that the city does not accept streets that do not meet our street standards. They would have to reconstruct their street to meet city standards.

Council Member Jackson said that there have been other HOAs in the community that have not been able to maintain their privately-owned open space because they aren't charging adequate funds to maintain that space. Council Member Jackson expressed concern that creating a private street and HOA is an afterthought in order for the developer to make due of a poor situation and maybe the city needs to implement some kind of repercussion when mistakes like this happen in order to prevent them from happening again. Maybe the city needs to require that the road be widened in order to meet city standards.

Brad Walters said that he feels that there is a shared responsibility here between him and the city in regards to the width of the street being missed. Installation of all improvements and utilities is already complete. The road is twenty-three feet and all parties believed it was going to be thirty feet. Professional engineers from both sides reviewed the specifications and they were somehow missed. There is precedence for narrower roads across the city, and HOAs typically are very responsible with snow removal. The cost to widen the existing road would be astronomical because it is not just a matter of moving the curb and gutter. The infrastructure is already in, both above ground and below, and it would all have to be moved. Some might not be able to be moved at this point. Mr. Walters added that this will be a nice subdivision. He already has thirty-eight families interested in purchasing a lot in the subdivision and they are aware it could become a private street.

Council Member Blackham commented that he lives on a private street and enjoys it because parking is not allowed on the street. It is positive that the city has one less street to have to maintain. The fact is that the street was built smaller than what our street standards allow for public streets, and we need to figure out how to deal with it. What is being proposed will make the existing street in compliance for the subdivision and will make the lots more desirable. This will be a positive thing for the city.

Council Member Hunt asked about restricting parking on the street.

Brad Walters said that they may allow parking on Spur Lane, but otherwise would like to restrict parking along the main road.

Council Member Jackson commented that he would like to see the city do something to prevent this from occurring again with future developments.

Council Member Adams made a motion to approve the rezone of 13.5 acres of property at 1387 South Sunset Drive from R-1-LD (Residential Single Family Low Density) to R-1-LD with a Planned Residential Unit Development (PRUD) Overlay for Brad Walters. The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

Council Member Hunt, yea
Council Member Jackson, yea
Council Member Blackham, yea
Council Member Adams, yea

The motion passed unanimously.

AN ORDINANCE AMENDING PROVISIONS OF THE KAYSVILLE CITY CODE REGARDING ABANDONED, WRECKED, OR JUNK VEHICLES

City Attorney Nic Mills explained that currently city code requires that residents store unregistered or inoperative vehicles within a building or behind an opaque fence. City Staff has noticed that this code is somewhat onerous for citizens who are fixing or restoring cars. The proposed code amendment would allow citizens to store these vehicles in their driveways or beside their homes if an opaque screen covered them. Staff is concerned because the ordinance, as currently written, allows for very little flexibility for residents who are working on their cars.

Council Member Jackson made a motion to approve an Ordinance amending provisions of the Kaysville City Code regarding abandoned, wrecked, or junk vehicles. The motion was seconded by Council Member Hunt.

The vote on the motion was as follows:

Council Member Jackson, yea
Council Member Blackham, yea
Council Member Adams, yea
Council Member Hunt, yea

The motion passed unanimously.

WORK ITEMS

DISCUSSION ABOUT TRANSITIONING TO A BUNDLED RATE FOR RECYCLING AND WASTE DISPOSAL

Nathan Rich, with Wasatch Integrated Waste Management District, explained that their Board has been deliberating on the future of the Waste Management facilities. The Davis Landfill, a significant aspect of their operations, has a limited lifespan and we need to consider how to extend its duration and determine the amount of waste we are willing to transfer to help extend its life. Our Board feels it is important to support robust recycling programs throughout the district. Cities with strong recycling programs can divert thirty percent of generated waste from landfills, contributing to waste stream reduction and decreased waste transportation needs. Currently, about one-third of waste is transported one hundred miles to the Tekoi landfill on the Skull Valley Reservation, incurring substantial costs. Over the last year, the Board has been trying to figure out how to support robust recycling in the district and come up with some best practices. Meetings have been held with haulers and other stakeholders to obtain feedback. After doing so, the Board feels it best to implement a bundled service program. While recognizing that this approach will impact cities differently, participation in the program will not be mandatory for residents. Under a bundled service program, residents would see a single fee for one garbage can and one recycling can. Residents can choose not to have a recycling can, but the service fee would remain the same. Educational materials on recycling benefits and the bundled service will be created and sent to residents. The district has allowed ample time for implementation, with fee changes not expected until January 1, 2025. In about twenty months from now, if cities do not have a bundled service, the household-use fee paid to the district will increase by \$2 for each household per month. Due to Kaysville's existing strong recycling program, it is anticipated that there will be minimal pricing changes for Kaysville residents. Higher participation in cities could lead to lower costs for haulers, as closer stops and reduced garbage in case help improve efficiency. Representatives from the district are reaching out to city councils and are willing to attend city-sponsored meetings to convey their message. They are also collaborating with a recycling partnership that provides grants for such programs, and they plan to initiate educational outreach around April 2024.

Mayor Tran commented that seventy-three percent of Kaysville residents voluntarily participate in a recycling program already.

Council Member Blackham said that he likes that this program will be optional. It sounds like Kaysville residents are being very responsible.

Nathan Rich said that there is already one city in the county that bundles their service. Kaysville has a great program but the district feels that implementing a bundled service program would help to divert even more waste.

Council Member Jackson commented that he doesn't want to see the city require everyone to have a recycling can, or implement any fines for not having one or for putting wrong items into recycling cans.

Jaysen Christensen said that Kaysville City has been fortunate to have worked with Robinson Waste, who has held our rate at a flat rate for a number of years. Our contract with them ends June 30, 2024 and we have been working with them to see pricing proposals they can offer. They have been a great provider for Kaysville for many years.

CITY MANAGER REPORT

City Manager Jaysen Christensen said the DTC has planned to build a CDL driving range and relocate their sandbox for their heavy equipment training to a different area of campus. This has many of the nearby residents very concerned and many questions have come up. The DTC has scheduled a meeting to discuss their plans and answer any questions next Tuesday, November 21 at 5:30 p.m. They city does not have a lot of say of what the DTC does because this is a proper use for their zoning and is an allowed use. However, all are invited to attend the meeting and we appreciate the DTC reaching out to the residents to see if they can help mitigate some of their concerns. Mr. Christensen commented that city Building Inspector Duane Gordon recently passed his exams to become a fully licensed commercial inspector. Mr. Christensen added that in the past, the city council had held a dinner with the city's state legislators and they would like to do that again on December 7 at 5:30 p.m., prior to the city council meeting.

CLOSED SESSION

Council Member Adams made a motion to recess the city council meeting at 8:55 p.m. and convene into a closed session to discuss pending or reasonably imminent litigation, in conformance with Utah State Code §52-4-205. The motion was seconded by Council Member Jackson and passed unanimously.

Council Member Adams made a motion to adjourn the closed session at 9:56 p.m. and reconvene into the city council meeting, seconded by Council Member Jackson. The motion passed unanimously.

ADJOURNMENT

Council Member Adams made a motion to adjourn the city council meeting at 9:57 p.m. The motion was seconded by Council Member Hunt and passed unanimously.

KAYSVILLE CITY COUNCIL
December 6, 2023

Minutes of a special Kaysville City Council meeting held on December 6, 2023 at 5:30 p.m. in the Council Chambers in Kaysville City Hall, 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Abbigayle Hunt, and Council Member Nate Jackson

Excused: Council Member Mike Blackham and Council Member Perry Oaks

Others Present: City Manager Jaysen Christensen, City Recorder Annemarie Plaizier

OPENING

Mayor Tran opened the meeting.

CANVASS OF THE GENERAL ELECTION HELD ON NOVEMBER 21, 2023

Mayor Tran explained that the City Council acts as the Board of Canvassers and therefore must approve the results of the 2023 Municipal General Election. The results have been provided to the Council by the Davis County Elections Office.

Council Member Hunt made a motion to approve the election results of the General Election held on November 21, 2023, as prepared by the Davis County Clerk/Auditor's Office, seconded by Council Member Jackson.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Hunt, yea
Council Member Jackson, yea

The motion passed unanimously.

ADJOURNMENT

Council Member Hunt made a motion to adjourn the Board of Canvassers meeting at 5:33 p.m., seconded by Council Member Adams and passed unanimously.

CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Consent Items

PRESENTED BY: Cole Stephens

SUBJECT/AGENDA TITLE: West Davis Corridor UDOT/Kaysville City Cooperative Agreement for Landscaping

EXECUTIVE SUMMARY:

With the upcoming completion of the West Davis Corridor SR-177, UDOT is providing funds for the installation of landscape improvements. This cooperative agreement provides the details for the funding and maintenance of improvements that will be installed. UDOT will provide \$315,000 upfront and then an additional \$315,000 in reimbursement for expenses. The total amount would be \$630,000 for landscape improvements. Plans for landscape improvements are to be determined and would begin after the acceptance of this agreement. Funding must be used by September 1, 2025.

City Council Options:

1) Approve, 2) Approve with suggested changes, 3) Table

Staff Recommendation:

Approve

Fiscal Impact:

UDOT Funding and Reimbursement

ATTACHMENTS:

1. West Davis Corridor/UDOT Agreement



COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____ 2023, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, ("UDOT") and **KAYSVILLE CITY CORPORATION**, a Municipal Corporation in the State of Utah, hereinafter referred to as the ("**CITY**").

RECITALS

WHEREAS, **UDOT** is constructing the highway identified as West Davis Corridor, SR-177 (WDC), from connections to I-15 and Legacy parkway just south of Glover Lane, to Antelope Drive on the north; Project Number S-R199 (229) in Davis County, Utah ("Project"); and;

WHEREAS, **UDOT** and the **CITY** desire to enter into this Agreement for landscaping improvements and maintenance responsibilities associated with said Project within CITY boundaries; and

WHEREAS, **UDOT** has a policy designating what portion of project funds may be used toward aesthetics and landscaping; and

WHEREAS, **UDOT** has agreed to participate in the cost of the landscaping and maintenance according to the terms herein, and

WHEREAS, the Utah State Code Section 72-3-109(1)(c)(i) requires the local municipality to maintain the state right of way behind the curb and gutter; and

WHEREAS, the **CITY** will receive payment from the **UDOT** to be administered on the Project.

THIS COOPERATIVE AGREEMENT, is made to set out the terms and conditions where under said payment shall be made and maintenance responsibilities performed.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. **UDOT** will allow the **CITY** access on state right-of-way along SR-177 between **200 North (Schick Lane) and Weaver Lane on the north and 950 North on the south** for the sole purpose of maintaining roadside landscape, lighting, pedestrian underpasses, walls, and aesthetic features ("Improvements").
2. **UDOT** has included baseline aesthetics as defined by **UDOT's** Aesthetics Manual in the Design-Builder's contract.
3. The **CITY** will consult with the local Resident Working Groups in developing their landscaping and aesthetics plan. The **CITY** will submit their plan to **UDOT** for review prior to the start of their construction. The **CITY** will have final say on what landscape and aesthetic improvements are constructed.
4. The **CITY** will establish and maintain any and all landscaping and irrigation systems outside of the **UDOT** right of way. The **CITY** will assume all financial responsibility for the initial and ongoing utility billings for any and all irrigation facilities. The **CITY** accepts the responsibility to removed debris, weeds, trash and maintain drainage.
5. The **CITY** will maintain the non-right of way fencing located on the **CITY** side of trails. The **CITY** will be responsible to timely repair or restore loss and damage of fencing improvements resulting from



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Kaysville City
CID No. 72698 PIN 11268

vandalism, accident or other loss.

6. The **CITY** will be responsible for aesthetic appearance and graffiti removal from the noise wall within CITY boundaries.
7. CITY must complete expenditure and use of monies provided by this Agreement by September 1, 2025. CITY will use these monies for improvement within the Project construction limits.
8. UDOT will make a lump sum payment to **CITY** in the amount of Three-Hundred and Fifteen Thousand dollars and zero cents (\$315,000.00) upon approval of a submitted aesthetic plan to UDOT. City will be eligible for an additional amount not to exceed of Three-Hundred and Fifteen Thousand (\$315,000) with the submittal of verified expenditures towards work performed according to the submitted aesthetic plan to UDOT.

TOTAL TO KAYSVILLE IS \$315,000.00

9. The **CITY** agrees to keep all receipts, contracts, invoices, and documentation related to the expenditure of said funds for a period of three years. **UDOT** reserves the right to audit these records upon 10 days' notice to the **CITY** to ensure all funds have been utilized for the purposes outlined in this agreement. **UDOT** is entitled to reimbursement of any funds not shown to have been utilized for said purposes.
10. This Agreement may be terminated upon written approval by both parties. If such should occur, within 30 days from the date of termination and if required by **UDOT**, the **CITY** will restore the areas of landscape to **UDOT** standards or pay **UDOT** to do so. The **CITY** understands that the landscaping improvements on the **UDOT** right of way are installed at their own risk and if the landscaping is not maintained or if the right of way is needed for **UDOT's** purposes, the **UDOT** will remove any landscape facilities or plantings without reimbursement to the **CITY**.
11. **UDOT** and the **CITY** are governmental entities subject to the Utah Governmental Immunity Act. Each party agrees to indemnify, defend and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out the negligent acts, errors or omissions of the indemnifying party's officers, agents, contractors or employees in the performance of this Agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any provision of the Utah Governmental Immunity Act, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.
12. This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. This Agreement shall become effective when each Party hereto shall have received a counterpart hereof signed by the other Party hereto.
13. This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.
14. Nothing contained in this Agreement shall be deemed or construed, either by the parties hereto or by any third party, to create the relationship of principal and agent or create any partnership, joint venture or other association between the Parties.



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Kaysville City
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15. This Agreement contains the entire agreement between the Parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written Agreement shall be binding or valid.
16. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained, shall not affect the remaining portions hereof, or any part thereof.
17. Each party represents that it has the authority to enter into this Agreement.



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West Davis Corridor (SR-177)
Kaysville City
CID No. 72698 PIN 11268

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written:

ATTEST:

KAYSVILLE CITY CORPORATION, a Municipal Corporation of the State of Utah

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

(IMPRESS SEAL)

RECOMMENDED FOR APPROVAL:

UTAH DEPARTMENT OF TRANSPORTATION

By: _____

REGION LANDSCAPE ARCHITECT

By: _____

REGION DIRECTOR

Date: _____

Date: _____

APPROVED AS TO FORM:

UDOT COMPTROLLER'S OFFICE

The Utah State Attorney General's Office has previously approved all paragraphs in this Agreement as to form.

By: _____

CONTRACT ADMINISTRATOR

Date: _____

CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Action Item

PRESENTED BY:

SUBJECT/AGENDA TITLE: King Clarion Annexation Amendment

EXECUTIVE SUMMARY:

In March 2022, LPM Corporation submitted an annexation application for 1.14 acres of property at approximately 775 East Oxford Drive. The City Council subsequently approved the King Clarion Annexation on June 16, 2022. The annexation plat and certificate of annexation was recorded by Davis County in November of 2022.

At some point in 2023, Davis County notified Mr. Paul Kingston (a representative for LMP Corporation) that the legal description on the King Clarion Annexation plat was incorrect. If the Council wishes to correct the issue, the City Council must approve an amended annexation plat.

City Council Options:

1. Approve the amendment to the King Clarion Annexation.
2. Deny the amendment to the King Clarion Annexation.

Staff Recommendation:

Staff recommends approval of the King Clarion Annexation amendment.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Ordinance Amending King Clarion Annexation Plat
 2. King Clarion Annexation Plat_Updated 7.3.2023
-

ORDINANCE 24-XX-XX
(LPM Corporation Annexation)

**AN ORDINANCE ANNEXING REAL PROPERTY KNOWN AS PARCEL NUMBER 11-041-0026
AND LOCATED AT APPROXIMATELY 775 EAST OXFORD DRIVE INTO THE CITY AND
EXTENDING THE CORPORATE LIMITS OF THE CITY**

WHEREAS, LPM Corporation, the owners of certain real property described below, submitted an annexation application on March 23, 2022, and therefore desire to annex such real property to the corporate limits of Kaysville City, Utah; and

WHEREAS, the City has determined that the property known as Parcel Number 11-041-0026 and located at approximately 775 East Oxford Drive is part of an existing unincorporated property contiguous to Kaysville City; and

WHEREAS, this property is identified in the Kaysville City Annexation Policy Plan Expansion Area Map; and

WHEREAS, on April 14, 2022, the Kaysville City Council approved Resolution #22-04-02 accepting LPM Corporation's petition for annexation; and

WHEREAS, on May 19, 2022, the Kaysville City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

WHEREAS, the Kaysville City Council held a public hearing on the LPM Annexation application on June 16, 2022 at 6:15 p.m.; and

WHEREAS, the City Council determined in a public meeting on June 16, 2022, that in their judgment, this annexation meets the standards set forth in the Utah State Code, and the noticing requirements therein have been satisfied;

WHEREAS, the City and County later learned that some minor technical errors existed in the original legal description which need to be corrected; and

WHEREAS, the Kaysville City Council deems it to be in the best interest of the City and its citizens to adopt this ordinance to "clean-up" the annexation of the real property described herein to Kaysville City.

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

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

SECTION II: **Enactment.** That the following described real property is hereby annexed to Kaysville City, and the corporate limits of the City are hereby extended to include said real property:

Beginning at a point which is S 00°19' 30" E, a distance of 4.94 feet from the Northwest corner of lot 521, King Clarion Hills No. 5 Subdivision as recorded in Entry No. 307351 in the office of the

County Recorder of Davis County Utah, said point also being North 2490.98 feet and West 2717.58 feet from the Southeast corner of Section 26, Township 4 North, Range 1 West, Salt Lake Base and Meridian; Thence

Along lot 521 King Clarion Hills No. 5, S 0°19'30" E, a distance of 174.34 feet; Thence

Along Board of Education, Davis County S 64°00'00" W, a distance of 220.00 feet; Thence

N 13°04'30" W, a distance of 80.44 feet to a point; Thence

Along the located centerline of the North Fork of Holmes Creek the following seven (7) courses:

(1) N 08°43'57" E, a distance of 21.21 feet; Thence (2) N 49°36'51" W, a distance of 31.77 feet; Thence (3) N 74°14'31" W, a distance of 53.95 feet; Thence (4) N 78°44'18" W a distance of 34.68 feet; Thence (5) 66°19'36" W, a distance of 19.85 feet; Thence (6) s 79°16'41" W, a distance of 31.44 feet; Thence (7) N 84°49'53" W, a distance of 15.83 feet; Thence

Due North, a distance of 91.50 feet; Thence N 03°25'00" E, a distance of 53.84 feet; Thence

S 89°29'30" E, a distance of 383.50 feet to the Point of Beginning

Containing 73,008 S.F. or 1.68± Acres. To convert bearing to NAD83 Utah North Zone, rotate bearings by 00°20'33" Clockwise.

SECTION III: Zoning. Upon annexation, this property is assigned the R-1-8 land use zoning district as shown on the attached map.

SECTION IV: Recordation. That the City Recorder is directed to file a certified copy of the plat of said real property and a certified copy of this ordinance of annexation with the Davis County Recorder.

SECTION V: 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 the said ordinance.

SECTION VI: Effective date. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is more remote from the date of passage thereof and thereupon the annexation of this property shall be deemed complete and the said territory herein described shall be deemed and held to be a part of this City, and the inhabitants thereof shall thereafter enjoy the privileges of and be subject to the Ordinances and Regulations and taxing powers of Kaysville City.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this 4th day of January, 2024.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

PARCEL 11-046-0556 AND 11-041-0026

APPROVED ANNEXATION PLAT
LOCATED IN THE SW 1/4 OF SECTION 26,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Jonathan D. Behr, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 290669 as prescribed under the Laws of the State of Utah. I further certify that by the authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and that the same has been correctly surveyed and staked on the ground as shown on this plat.



6-09-2023
DATE

SURVEY NARRATIVE

This survey made at the request of Eiden Kingston of LPW Corp. for the purpose of an Annexation to Kayville City, the Basis of Bearings as shown are North 89°53'20" East (DAVIS COUNTY) as shown in Davis County Township Reference Plat for Township 4 North, Range 1 West and measured 2641.89 feet between the Davis County Survey monuments found marking the South Quarter Corner of Section 26 and the Southeast corner of Section 26, Township 4 North, Range 1 West, Salt Lake Base and Meridian.
To convert to NAD83 rotate bearings by 00°20'33" clockwise.



LEGEND

- FOUND REBAR & CAP
- STREET MONUMENT
- SECTION CORNER
- FENCE LINE
- BOUNDARY LINE
- STREAM LINE

KAYSVILLE CITY APPROVAL

I CERTIFY THAT I AM THE DULY APPROVED, QUALIFIED AND ACTING CITY RECORDER OF KAYSVILLE CITY, A MUNICIPAL CORPORATION OF UTAH, AND THAT THE FOREGOING PLAT OF LANDS SOUGHT TO BE ANNEXED TO SAID CITY, WITH A PETITION OF THE MAJORITY OF THE PROPERTY OWNERS OF THE REAL PROPERTY EMBRACED THEREIN FOR SUCH ANNEXATION WERE FILED IN MY OFFICE ON THE 23 DAY OF March, A.D. 2022, THAT THE QUESTION OF SUCH ANNEXATION WAS DULY SUBMITTED TO AND VOTED ON BY THE CITY COUNCIL OF KAYSVILLE CITY AT ITS MEETING DAILY CONVENED AND HELD ON THE 16 DAY OF June, A.D. 2022, THAT ON SUCH VOTE MORE THAN TWO THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTED IN FAVOR OF SAID ANNEXATION AND THAT THE FOREGOING PLAT IS THE PLAT REFERRED TO IN KAYSVILLE CITY ORDINANCE NO. 22-02-02 DULY ORDAINED BY SAID COUNCIL ON THE 16 DAY OF June, A.D. 2022, DECLARING SAID ANNEXATION.

WITNESS MY HAND AND SEAL THIS 3 DAY OF July, A.D. 2023

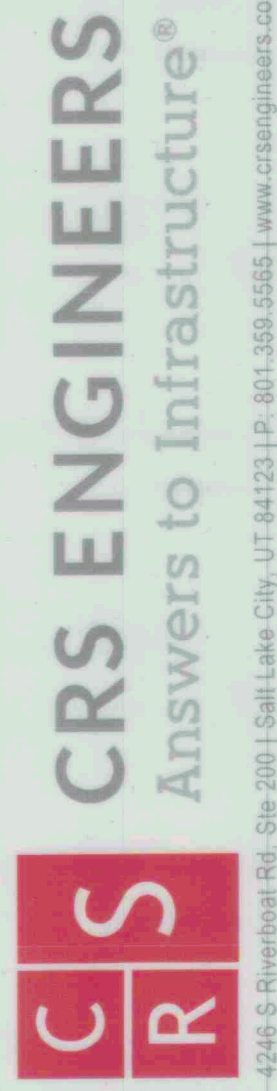
Jonathan D. Behr
KAYSVILLE CITY RECORDER

Jonathan D. Behr
KAYSVILLE CITY MAYOR

PAR. 110410026
LPW CORP.

NOTES:

- 1) SUBJECT PROPERTY IS LOCATED IN ZONE "X" AND "AE" PER FEMA FIRM MAP NUMBER 49011C0241E EFFECTIVE JUNE 18, 2007.
- 2) UTILITIES SHOWN HEREON WERE FROM ACTUAL PHYSICAL LOCATIONS. UNDERGROUND UTILITIES WOULD NEED TO BE MARKED AND LOCATED PRIOR TO ANY CONSTRUCTION.



SE COR. SEC. 26,
T-4 N., R-1 W.,
S. L. B. & M.
FOUND DCS MON

N 89°53'20" E 2641.89' (MEAS.)
(BASIS OF BEARINGS DAVIS COUNTY)

FINAL LOCAL ENTITY PLAT

DAVIS COUNTY SURVEYOR
Approved this 16th day of July
July 16, 2023 AD, 2023
by the Davis County Surveyor.

CITY ATTORNEY'S APPROVAL
Approved this 3 day of
July AD, 2023
by the Kayville City Attorney.

CITY ENGINEER'S APPROVAL
Approved this 3 day of
July AD, 2023
by the Kayville City Engineer.

KAYSVILLE CITY PLANNING
COMMISSION APPROVAL
Approved this 3 day of
July AD, 2023
by the Kayville City Planning
Commission.

Jonathan D. Behr
By: Community Development Director

DAVIS COUNTY RECORDER
State of Utah, County of Davis,
Recorded and filed at the request of:

Entry No. _____ Book No. 20 At _____ am/pm.
Filed this _____ Day of _____
By: _____ Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Text Amendments to Ordinances within Titles 17, 18 and 19 of the Kaysville City Code

EXECUTIVE SUMMARY:

The proposed text amendments for the subdivision process are before the City Council due to changes in State law that mandate we implement changes prior to February 1, 2024.

This item was presented at the December 14, 2023 Planning Commission meeting and a public hearing was held, however no comments have been received on this item.

A high-level overview of the proposed changes include:

Title 17

- a. Removal of the role of Planning Commission for taking action on subdivision applications.
- b. Referencing general KCC titles instead of specific sections.

Title 18

- a. Requirement of installation of infrastructure (curb, gutter, sidewalk, road) in all zones but the Old Kaysville Townsite Residential District.
- b. Requirement of connection to secondary water east of US 89 if the City Engineer finds it feasible.

Title 19

- a. Designation of City staff as the Administrative Land Use Authority for subdivisions.
- b. Inclusion of an optional concept review pre-application meeting.
- c. Inclusion of timeline and review cycle limits set by State.
- d. Requirement of 100-year storm detention requirement (is currently 10 years).
- e. Removal of allowance for deferral agreements.
- f. Addition of retaining wall inspection requirements.
- g. Updated bonding requirements to be consistent with state law.
- h. Inclusion of an appeal process now mandated by state code.
- i. Removal of the variance section as it is not appropriate to grant a variance for a subdivision.

During the December 14th meeting, the Planning Commission had considerable conversation about whether or not preliminary plat applications should be presented to the Planning Commission for action as part of the subdivision process. Their concluding position was that because the subdivision

process is a highly technical application and an administrative approval (meaning not discretionary and must be approved when the subdivision meets code), they do not recommend taking preliminary subdivisions to a public meeting. Additional factors into their recommendation included concerns about meeting the 15-day review period and having the public involved in a process where they do not have any practical ability to influence an outcome.

Minutes from the meeting are not completed, but if you would like to view this item from the Planning Commission meeting, [click here](#).

Findings for a recommendation of approval include:

- a. The Planning Commission has sent a 6-0 recommendation of approval of the proposed text amendments to the City Council.
- b. The proposed text amendments are required and will bring the city's ordinance into compliance with Utah State Code 10-9a-601 Subdivisions.

For the Council's convenience, we have included both a redlined and a clean copy of the proposed amendments.

City Council Options:

1. Approve the text amendments as presented.
2. Approve the text amendments with alternate or additional changes.
3. Deny the text amendment proposal.

Staff Recommendation:

Based on the findings outlined in the staff report and the Planning Commission's positive recommendation, staff recommends the City Council approve the proposed text amendments for Title 17, 18 and 19.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Title 17 CLEAN Copy CC 1.4.24
 2. Title 19 CLEAN Copy CC 1.4.24
 3. Title 18 CLEAN Copy CC 1.4.24
 4. PC Subdivision Amendments SB 174 PACKET 12.14.23
 5. Title 17 REDLINE CC 1.4.24
 6. Title 18 REDLINE CC 1.4.24
 7. Title 19 REDLINE 1.4.24
 8. Ordinance Title 17, 18, 19
-

**KAYSVILLE CITY
ORDINANCE XX-XX-XX**

WHEREAS,

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

SECTION 1: **AMENDMENT** “17-35-6 Standards And Requirements” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-35-6 Standards And Requirements

Approval of manufactured home park plans shall be subject to the following standards and any requirements imposed by the Planning Commission or City Council:

1. The manufactured home park shall contain not less than ten (10) acres.
2. The manufactured home park shall be located adjacent to an arterial or collector street.
3. The park will have at least thirty percent (30%) of the spaces completed and ready for occupancy before first occupancy is permitted.
4. The design shall meet all applicable standards and requirements of this Title and all other regulations of Kaysville City, Davis County and the State of Utah.
5. The park design shall have the written approval of the Davis County Health Department.
6. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by KCC Title 19-Subdivisions.
7. The area shall be in one ownership or if in several ownerships, the application for approval of the development shall be filed jointly by all the owners of the property included in the plan.
8. The plans for a manufactured home park shall be prepared by such qualified persons, and with such additional plans as the Planning Commission may require. It is recommended that professional design and other assistance be obtained early in the program, including, if needed, a geologist or soils engineer, an urban planner, a lawyer, a financial expert, or others. It is the intent of the City that the developer solve any problems before approval is given and construction begins.
9. The number of manufactured homes shall be limited to six and one half (6.5) units per gross acre. The manufactured homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads or parking shall be set aside and developed as parks, playgrounds and service areas for the common use and enjoyment of occupants of the development and visitors thereto.

10. No less than eight (8) percent of the gross land area shall be set aside for the joint recreational use of occupants. The land covered by vehicular roadways, sidewalk, and off-street parking shall not be construed as part of the area required for parks and playgrounds.
11. No manufactured home or add-on shall be located closer than fifteen feet (15') from the nearest portion of any other manufactured home or living space add-on. No non-living space add-on shall be closer than six feet (6') to any other non-living space add-on. All manufactured homes and add-ons, except carports enclosed on not more than one (1) side, shall be set back at least ten feet (10') from road curbs or walks. If the tongue of the manufactured home remains attached, it shall be set back a minimum of six feet (6') from road curbs or walks.
12. All areas not covered by manufactured homes, hard-surfacing, or buildings, shall be landscaped as approved by the City, and such landscaping shall be permanently maintained.
13. All off-street parking spaces and driveways shall be hard-surfaced before the adjacent manufactured homes spaces may be occupied.
14. Within 45 days of occupancy, each manufactured home shall be skirted, or shields may be used providing they are fireproof and well painted or otherwise preserved.
15. A strip of land at least fifteen feet (15') wide, measured from the public right-of-way line, surrounding the entire park shall be left unoccupied by manufactured homes and shall be planted and maintained in lawn, shrubs, and trees designed to afford privacy to the development.
16. All storage and solid waste receptacles outside the confines of any manufactured home must be housed in a closed structure compatible in design and construction to the manufactured homes and to any service buildings within the development; all patios, garages, carports, and other add-ons must be compatible in design and construction with the manufactured home. The service building shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
17. No manufactured home space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. Leases shall be made available to the officials of Kaysville City upon demand.
18. The roadways shall be of adequate width to accommodate anticipated traffic, but not less than the following:
 - a. For one-way traffic: Fifteen feet (15') in width plus extra width as necessary for maneuvering manufactured homes.
 - b. For two way traffic: Thirty feet (30') in width.
 - c. For entrance roadways: Minimum of thirty-six feet (36') in width.
19. All roadways shall be hard-surfaced and bordered by twenty four inch (24") rolled gutters or equivalent.
20. Sidewalks at least thirty-six inches (36") wide shall be installed on all main roadways within the development, adjoining and outside of the widths required by Subsections (18) and (19) above.
21. Each manufactured home park must have at least two (2) accesses to public streets.
22. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient

capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

23. An access shall be provided to each manufactured home stand for maneuvering manufactured homes into position. The access way shall be kept free from trees and other immovable obstructions.
24. Each manufactured home lot shall contain portland cement concrete pads, at least four inches (4") thick, three feet (3') wide, and the same length as the rails of the manufactured home, on which the manufactured home is placed. Every manufactured home shall have a vapor barrier under the entire manufactured home.
25. Off-street and off-roadway parking shall be provided at the rate of two (2) parking spaces on each manufactured home lot, and each such parking space shall have a minimum width of ten feet (10') and minimum depth of twenty feet (20'). Additional guest parking spaces shall be provided as determined by the Planning Commission.
26. An off-lot storage area shall be provided within a manufactured home park, equivalent to eight (8) square feet per manufactured home space. The area designated for said storage shall be improved, landscaped, or screened in such manner as is approved by the Planning Commission.
27. A minimum of six (6) tie-downs shall be provided for each manufactured home. Said tie-downs shall be sufficient for wind loading and installed according to the manufacturers specifications not later than fourteen (14) days after placement of each manufactured home.
28. In addition to meeting the above requirements and conforming to the other laws of the City, all manufactured home parks shall also conform to requirements as set forth in the current CODE OF CAMP-TRAILER COURT, HOTEL, MOTEL AND RESORT SANITATION REGULATIONS adopted by the Utah State Board of Health, and to the current INTERNATIONAL FIRE CODE, which Codes are hereby adopted by reference. All restrictions, regulations, and notations contained therein shall be made a part of this Title as fully as though set forth therein. In the event of any conflict between said Codes and this Chapter, this Chapter shall take precedence where its regulations are more strict, and the provisions of the Codes shall take precedence where their regulations are more strict.
29. At least two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways and central parking areas.
30. Every manufactured home must bear an appropriate label certifying compliance with the Federal Manufactured Housing Construction and Safety Standards.

SECTION 2: **AMENDMENT** "17-34-7 Common Open Space Subdivision"
of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-34-7 Common Open Space Subdivision

1. Development requirements. .

- a. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone as indicated in the following table. The number of units determined by this calculation cannot be exceeded.

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

2. The following development standards indicate the maximum extent to which variation from the normal development standards of the underlying zone may be altered.

- a. Block size, building height, and lot coverage regulations shall be determined by approval of the development plan and shall not vary from the normal standard of the underlying zone by more than 20%.
- b. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.

3. Common Open Space Requirements

- a. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be

provided and designated on the plat. Usable open space shall be considered improved space such as a garden, park, clubhouse, pool, trail, playground, or similar improvement determined acceptable by the City Council based on the size of the development.

- b. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. A maximum of 30% of the required common open space may include natural areas. The remaining common open space must be designed, improved or landscaped to quality as usable open space. Any open space that is not common open space cannot be used to fulfill the open space requirements.
- c. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
- d. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
- e. All common facilities shall be improved as set forth in KCC Title 19 Subdivisions.
- f. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The common facilities restrictions shall be permanent and not just for a period of years.
 - iii. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability

insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.

- g. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

Conceptual Plans. The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, showing amenities, fencing and screening which demonstrates how the common open space will benefit the development.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

Preliminary Subdivision Plat. The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.

5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:
 - a. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
 - b. The plant names, locations, qualities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
 - c. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
 - d. Existing and proposed fencing or screening and identification of the fencing material.
 - e. Any proposed tot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
 - f. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.
10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

Final Subdivision Plat. The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

SECTION 3: AMENDMENT “17-4-3 Powers And Duties” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-4-3 Powers And Duties

The Planning Commission shall:

1. Make a recommendation to the City Council for:
 - a. A general plan and amendments to the general plan,
 - b. Land use ordinances, zoning maps, official maps, and amendments,
 - c. An appropriate delegation of power to at least one designated land use authority to hear and act on a land use application,
 - d. An appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of the land use authority,
 - e. Application processes, and
 - f. Other matters as the City Council directs;
2. Hear and act on land use applications as specified in land use ordinances, including conditional use permits; and
3. Exercise other authority that is necessary to enable the Planning Commission to perform its duties or delegated to it by the City Council.

SECTION 4: AMENDMENT “17-31-24 Recreational Vehicle Parks” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-31-24 Recreational Vehicle Parks

1. Recreational vehicle parks are a conditional use in the GC - General Commercial District.
2. The development of a recreational vehicle park shall conform to the following standards and requirements:
 - a. No recreational vehicle park shall be used by one individual recreational vehicle for more than thirty (30) consecutive days, nor shall any space be rented or leased to any one individual for a period longer than thirty (30) days.
 - b. The design shall meet all applicable standards and requirements of this Title and other regulations of Kaysville City, Davis County, and the State of Utah.
 - c. The design has the written approval of the Davis County Health Department.
 - d. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by KCC Title 19 Subdivisions.
 - e. The site shall be in one ownership.
 - f. The site shall be adjacent to a major street.
 - g. All entrances and exits from the recreational vehicle park shall be by forward motion only.
 - h. No entrance or exit from a recreational vehicle park shall be through a residentially developed area.
 - i. All recreational vehicle spaces or pads shall be set back at least twenty feet (20') from any public street.

- j. All one-way roadways shall be at least twelve feet (12') in width and all two-way roadways at least twenty feet (20') in width, and all roadways shall be hard-surfaced.
 - k. All areas within the park which are not hard-surfaced, including the twenty foot (20') setback space, shall be landscaped and maintained with lawns, trees, and shrubs designed to provide privacy and noise containment, and shall be equipped with adequate sprinkling devices as determined by the City.
 - l. In a recreational vehicle park, the number of spaces shall be limited to twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development. The remaining land not contained in individual spaces, roads or parking shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the development and visitors thereto.
 - m. Each recreational vehicle space shall be at least twenty feet (20') in width and at least thirty feet (30') in length, for spaces planned to have the recreational vehicle and a towing vehicle park side-by-side; and at least fifteen feet (15') in width and at least forty-five feet (45') in length for spaces planned as drive-through spaces in which the towing vehicle parks in front of the recreational vehicle. Drive-through spaces are recommended whenever the size and shape of the property permits this design.
 - n. All storage and solid waste receptacles must be housed in a closed structure compatible in design and construction to the character of the park.
 - o. The service buildings shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
 - p. Off-street and off-roadway parking spaces shall be provided for visitors at the rate of one (1) such space for each two (2) recreational vehicle spaces in the recreational vehicle park; such spaces shall have a minimum width of ten feet (10') and a minimum length of twenty feet (20') and may be grouped in appropriate locations.
 - q. A minimum of two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all streets, sidewalks, and central parking areas.
 - r. Storm drainage facilities shall be so constructed as to protect those who will reside in the park as well as adjacent property owners by insuring rapid drainage and preventing accumulation of pools of water.
 - s. One manufactured home may be allowed in a recreational vehicle park if used as the residence of the park manager.
3. Every recreational vehicle park shall provide utility service to every recreational vehicle stand as required by Kaysville City ordinances and as required by the Planning Commission.
 4. For recreational vehicle parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission for permanent retention of open space and for the maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees may be in the form of a

- bond or a mortgage on real estate or in other form to be determined by the Planning Commission, which form must be approved by the City Council and City Attorney.
5. The owner shall establish and appoint a park manager. The manager shall be a resident of the park and shall be authorized to receive, process, and represent fully the interests of the owner in respect to management and maintenance of the park.
 6. No recreational vehicle park shall be operated in Kaysville City until an annual business license has been obtained from Kaysville City.
 7. The premises on which any recreational vehicle park is located shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, or other unsightly material thereon shall constitute a nuisance and a violation of this Title. The City Council may, after inspection by the Inspector, cancel the license to operate the park if the inspection reveals that maintenance does not conform to required standards.

SECTION 5: **AMENDMENT** “17-34-6 Planned Residential Unit Development” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-6 Planned Residential Unit Development

1. **Pre-application conference.** A meeting with City staff may be held in order to provide a preliminary understanding of issues, zone requirements, undevelopable areas, and infrastructure demands. If a pre-application conference is desired, conceptual designs shall be provided by the applicant including sufficient information to evaluate projects, areas to be preserved, and street and lot layout. Building elevation and landscape plans may be required as part of the review and approval process.
2. **Overlay zone and preliminary subdivision plat.** After the pre-application conference, an amendment to use the Planned Residential Unit Development overlay zone and a preliminary plat may be applied for in compliance with the standards and procedures found in this Title and the Subdivision Ordinance.
3. **Final subdivision plat.** After a preliminary plat is approved, a final plat may be applied for using the standards and procedures found in KCC Title 19 Subdivisions. The final plat, at the discretion of the City Council, may be accompanied by a development agreement that when approved by the City Council shall be recorded to run with the land. After the final plat is approved, the overlay zone may be approved.

SECTION 6: **AMENDMENT** “17-34-8 Private Street Subdivision” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-8 Private Street Subdivision

1. **Development requirements.**

- a. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
 - b. Private street improvements shall include curb, streets are defined as that area within the private street easement.
 - c. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
 - d.
 - e. All private streets shall be improved as set forth in KCC Title 19 Subdivisions.
 - f. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The private street restrictions shall be permanent and not just for a period of years.
 - iii. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. The following development standards indicate the maximum extent to which variation from the development standards of the underlying zone may be altered upon specific approval of the City Council.
 - a. No building shall be closer than twenty feet (20') to any street improvement.
 3. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted

in the zoning district in which the private street subdivision is located.

SECTION 7: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 8: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 9: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Hunt	_____	_____	_____	_____
Council Member Jackson	_____	_____	_____	_____
Council Member Oaks	_____	_____	_____	_____

Presiding Officer

Attest

Tamara Tran, Mayor, Kaysville City

Annemarie Plaizier, City Recorder,
Kaysville City

19-1-1 Public Welfare

Any proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area concerned; and the Subdivider shall present evidence to this effect when requested to do so by the City.

19-1-3 Scope And Applicability

1. No person shall subdivide for the purpose of transferring, selling, conveying, or assigning any tract or parcel of land which is located wholly or in part within Kaysville City, except in compliance with this Title.
2. A subdivision plat shall comply with the provisions of this Title and be approved by Kaysville City before it may be filed or recorded in the County Recorder's office and before lots may be sold.
3. All lots, plots, or tracts of land located within a subdivision shall be subject to this Title, regardless of whether or not the tract is owned by the Subdivider or a subsequent purchaser, transferor, or holder of the land.

19-1-4 Development Sequence

No person shall be issued a building permit, except a permit for improvements required by this Title, until the actual completion by the Subdivider and acceptance by the City of the improvements required by this Title or bonding has been provided for improvements as allowed in State code.

19-1-5 Enforcement And Responsibility

The City Building Inspectors and all administrative officials of Kaysville City shall not issue any permit for the proposed erection, construction, reconstruction, alteration, or use until proof of full compliance with all the provisions of this Title has been provided. No City officer shall issue any permit or license for the use of any building, structure, or land when such land is part of a subdivision, as defined herein, until such subdivision has been approved and recorded in the County Recorder's office. Any license or permit issued in conflict with this Title or as a result of inadvertence, error or mistake shall be null and void.

19-1-6 Violations And Penalties

1. It shall be a violation of this Title for any person to sell or transfer any land in a subdivision before recording a plat or to submit a subdivision plat to the County Recorder's Office for recording without complying with the provisions of Utah Code or being exempt from the provisions thereof.
2. Any person who violates any of the provisions of this Title shall be guilty of a Class C misdemeanor and, upon conviction of any such violation, shall be punished by a fine of not more than \$750.00 or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment, or a fine not to exceed \$1,000.00 for a corporation, association, partnership, or government instrumentality.
3. In addition to the penalties prescribed in Subsections (1) and (2), the City shall be entitled to exercise and enforce the remedies set forth in Utah Code including, but not limited to, withholding building permits and assessing attorney's fees and other costs of enforcement.

19-1-7 Definitions

The following words and phrases used in this Title shall have the respective meanings hereinafter set forth, unless a different meaning clearly appears from the context:

Adjacent Landowners - Any property owner of record, according to the records of the County Recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Administrative Land Use Authority – Kaysville City Staff

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

Block - The land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

City - Kaysville City.

City Council - The Kaysville City Council.

City Engineer - The Kaysville City Engineer.

Condominium Project - A real estate condominium project. A plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures or otherwise, are separately offered or proposed to be offered for sale. Condominium project shall also mean the property where the context so requires.

Dedication - Land set aside by an owner for any general and public uses, reserving for themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat showing the dedication thereof.

Developer - Any person, including a corporate person, who undertakes to develop land, including Subdividers.

Development - The improvement of any tract, lot, or parcel of land by construction thereon.

Easement - That portion of a lot or lots reserved or granted for the present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on the surface, or above said lot or lots.

Final Plat - The final drawing of the subdivision and dedication prepared for filing for record with the County Recorder and in compliance with all the requirements set forth in this Title and adopted pursuant thereto.

General Plan - The Kaysville City General Plan.

Improvement Completion Assurance - A cash deposit furnished and filed with Kaysville City in an amount equal to one hundred fifteen percent (115%) of the current cost of a Slurry Seal Type III on all asphalt pavement in streets, as determined by licensed contractor quote.

Improvement Warranty - Applicant's unconditional warranty that the accepted improvements comply with Kaysville City's written Standards for Design, Materials, and Workmanship and will not fail in any material respect, as a result of poor workmanship or materials, during the Improvement Warranty Period, and a cash deposit furnished and filed with Kaysville City in an amount often percent (10%) of the actual costs of the improvements less the Slurry Seal Type III on all asphalt pavement in streets.

Improvement Warranty Period - A period of one (1) year after the Applicant provides the Improvement Warranty and the City accepts the improvements unless the City determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare and has substantial evidence, on record, of prior poor performance by the Applicant or that the area upon which the improvements were constructed contains suspect soil and the Applicant has not mitigated the suspect soil.

Lot - A parcel of land comprising a unit within a subdivision or a unit of land for building development or transfer of Ownership, together with such yards, open spaces, lot width, and area as required by this Title and the Zoning Ordinance of Kaysville City.

Lot Line Adjustment - The adjustment of a mutual boundary between either multiple subdivided lots or multiple established lots of record where the property line is modified in compliance with yard, lot size, and frontage requirements for the applicable zoning district and where no new lot is created.

Lot Consolidation - The combination of two or more lots whether previously subdivided or established lots of record where the legal description of more than one contiguous parcel of property is revised into one legal description encompassing all such parcels of property and where no zoning violation is created.

Major Street Plan - A plan, labeled "Major Street Plan" approved by the City Council which identifies the major street network of Kaysville City and requirements thereof.

Off-site - Outside a specific parcel of land being developed or considered for development.

On-site - Within a parcel of land owned by a private citizen or by a private legal entity.

Parcel of Land - A contiguous quantity of land in the possession of, owned by, or recorded as the property of the same owner or person.

Person - An individual, corporation, partnership, organization, association, trust, governmental agency or any other legal entity.

Pioneer Developer - A Developer that acquires easements or rights-of-way or installs improvements that provide service for development of a site other than the Development of the pioneer developer and enters into a Pioneer Developer Agreement approved by the City.

Planned Residential Unit Development - 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.

Planning Commission - The Kaysville City Planning Commission.

Plat - A map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Protection Strip - A strip of land bordering both the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access of property owners abutting the subdivision to the street.

Streets:

1. Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.
2. Street, Arterial - A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated in the Major Street Plan.
3. Street, Collector - A street, existing or proposed, which collects and distributes traffic and is designated in the Major Street Plan.
4. Street, Significant Local - A street, existing or proposed, which is supplementary to a collector street and is designated in the Major Street Plan.
5. Street, Local - A street which is not otherwise classified.
6. 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.
7. Street, Cul-de-sac - A terminal street provided with a turnaround with a 100-foot minimum diameter. Cul-de-sac streets shall not be any longer than six hundred feet (600') from the centerline of the adjoining street to the center of the turnaround.

Subdivider - Any person, including a corporate person, who undertakes to create a subdivision.

Subdivision - Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and divisions of land for all residential and nonresidential uses. including land used or to be used for commercial, agricultural, and industrial purposes.

Suspect Soil - Soil that has a high susceptibility for volumetric change, typically clay rich, having more than a three percent (3%) swell potential; bedrock units with high shrink or swell susceptibility; or gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

Zoning Ordinance - The Planning and Zoning Ordinance of Kaysville City, as adopted by the City Council and as amended.

Other definitions as used in the Municipal Land Use Development and Management Act, Section 10-9a-103, may be used in applying and interpreting this Chapter, if applicable and not in conflict herewith.

19-1-8 Validity

If any provision of this Title or its application to any person or circumstances is for any reason held invalid, the remaining portion and/or portions of this Title or the application of the provision to other persons or circumstances shall not be affected.

19-1-9 Appeals

1. The applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal that decision applying this Title by alleging that there is error in any order, requirements, decision, or determination made by an official in the administration or interpretation of this Title.
2. Any officer, department, board, or bureau of the City affected by the grant or refusal of a building permit or by any other decisions of the administrative officer in the administration or interpretation of This Title may appeal any decision to the Administrative Law Judge.
3. Such appeal shall be taken within seven (7) calendar days from the date of the action appealed from by filing with the officer from whom the appeal is taken and with the City Recorder a notice of appeal specifying the ground thereof.
4. The officer from whom the appeal is taken shall transmit to the Administrative Law Judge all papers constituting the record upon which the action appealed from is taken.
5. The person or entity making the appeal has the burden of proving that an error has been made.
6. The Administrative Law Judge shall find whether there is substantial evidence that an error has been made. The Administrative Law Judge may affirm, reverse, or modify the action appealed from as it seems just and equitable and exercise all rights of any other officer or commission.
7. Only decisions applying this Title may be appealed to the Administrative Law Judge. Appeals may not be used to waive or modify the terms or requirements of this Title.
8. All appeals shall comply with the requirements of Utah Code.

19-2-1 Subdivision Development Process

The following steps are required:

1. The Subdivider contacts the City for information concerning the City subdivision requirements and compatibility with the General Plan, and discusses the proposed plan of development prior to preparing any plats, plans or charts.
 1. If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.
 2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 1. Copies of applicable land use regulations;
 2. A complete list of standards required for the project
 3. Preliminary and final application checklists; and
 4. Feedback on the concept plan
2. The Subdivider pays the preliminary plat fee at the City Office.
3. The Subdivider submits the following to the City for the preliminary plat:
 1. The preliminary plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-3-3](#).
 2. A copy of the preliminary plat fee receipt.
 3. The Owner's affidavit
 4. An electronic copy of all plans in PDF format
4. The Subdivider submits copies of the preliminary plat and any applicable utility load information to agencies and service providers as needed. If a State highway is involved, the Subdivider provides evidence of approval of access, curbs, gutters, and sidewalks by the Utah Department of Transportation to the City.
5. City staff will review the documents and make recommendations. Fifteen (15) working days are allowed for completion of staff review for each submittal or re-submittal.
6. Upon completion of the staff review, the City will notify the Subdivider and provide comments on any necessary modifications or required additional information.
7. The Subdivider pays the final plat fee at the City Office.
8. The Subdivider submits the tentative final plat to the City.
9. City Staff checks the tentative final plat for compliance with conditions and returns copy to the Subdivider.
10. The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
11. The Subdivider submits the following to the City:
 1. The final plat prepared by a registered engineer or land surveyor in accordance with [KCC 19-4-3](#).
 2. Cross sections and profiles of the streets and all other construction drawings related to all of the improvements to be constructed within the subdivision. All such drawings and materials must be signed and stamped by a registered professional engineer.
 3. Open space improvement drawings if applicable.
 4. Low Impact Development (LID) and/or storm water facility details. Depending on site conditions or complicating factors, the City may require a written geotechnical report supporting assumptions made when calculating the Water Quality Volume (WQV), as defined in the [City's LID manual](#), and any subsequent calculations on infiltration and LID facility sizing.
 5. Title report.
 6. Written results of a test for suspect soils in the area upon which public improvements will be constructed.
 7. Agreements if applicable
 8. Copy of final plat fee receipt.
12. City staff will review the documents and provide comments on any necessary modifications or require addition information. Twenty (20) working days are allowed for completion of staff review

for each submittal or re-submittal. No more than four (4) review cycle are permitted. The City may only add new relines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law.

1. If, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received;
 1. For a dispute arising from the subdivision improvements plans, assemble an appeal panel in accordance with Utah Code to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the municipality, the panel shall consist of the following three experts:
 1. One licensed engineer, designated by the City;
 2. One licensed engineer, designated by the land use applicant; and
 3. one licensed engineer, agreed upon and designated by the two designated engineers as appointed by the City and applicant
 2. A member of the panel assembled by the City may not have an interest in the application that is the subject of the appeal.
 3. The land use applicant shall pay:
 1. 50% of the cost of the panel; and
 2. the City's published appeal fee; or
 2. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.
13. Upon completion of staff review, the City will notify the Subdivider.
 14. The City Attorney will review the documents submitted to ensure adequacy and sign the plat when approved.
 15. The Subdivider must then pay the following fees at the City Office:
 1. Development fees.
 2. Recording fees.
 3. Inspection fees.
 4. Utility extension fees.
 16. The Subdivider submits the Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) for the subdivision to the Storm Water Manager or their designee.
 17. The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
 18. The Subdivider submits an Excavation Permit application for work within City streets and/or right of way ([KCC 9-2-9](#)) and pays the necessary cash deposit and fee amounts.
 19. The Subdivider constructs and installs all improvements, except the preventative maintenance surface treatment with inspection by the City. In the event the Subdivider desires to begin construction of residential buildings before improvements are installed in the subdivision phase, the City may accept building permit applications upon compliance with all other requirements, including recording the plat, plus the following:
 1. The Subdivider shall guarantee the proper installation of improvements in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ten percent (110%) of the cost of the installation of the improvements as determined by licensed contractor quote.
 2. Meet all requirements for the issuance of a building permit under the building and fire code.
 3. In accordance with building code, any retaining walls, or similar structures, in excess of four (4) feet from the bottom of the footing to the top of the wall, shall be designed by a licensed engineer. A report from, and stamped by the licensed engineer of record (or an agency approved by the City) shall certify the installed structure is compliant with the design.

4. No final building inspection will be scheduled nor conducted and no occupancy allowed until all subdivision phase improvements have been completed and certified.
20. The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City.
21. The Public Works Superintendent certifies that the improvements are completed.
22. The City Engineer addresses the lots on the plat and has the final plat recorded at the office of the Davis County Recorder and then building permit applications will be accepted.
23. The City accepts the improvements and the Improvement Warranty Period begins.
24. Near the end of the warranty period, the Subdivider requests a City Inspection of the improvements and the Subdivider corrects all deficiencies identified in the punch.list provided by the city inspector.
25. When the improvements comply with City standards as certified by the Public Works Superintendent, the Subdivider applies a preventative maintenance seal coat on all asphalt pavement in streets, then the Improvement Warranty Period ends and the Improvement Completion Assurance and Improvement Warranty are released.

19-2-2 Preventative Maintenance Assurance

The Subdivider shall guarantee the proper completion of a preventative maintenance surface treatment (type to be approved by the City) equivalent on all asphalt pavement in streets in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ten percent (110%) of the cost of a preventative maintenance surface treatment on all asphalt in streets as determined by licensed contractor quote.

19-2-3 Dedication Of Rights-Of-Way And Public Property

The Subdivider shall dedicate the rights-of-way, easements, and other public property to Kaysville City at the time the final plat is recorded.

19-2-4 Completion Assurance and Improvement Warranty Bond

1. Upon completing the installation of all improvements, the Subdivider shall request an inspection to determine if any improvements (not including private landscaping) have failed in any material respect. If the City determines that the improvements have failed, the City shall provide a list of the failures to the Subdivider. The Subdivider shall thereafter cause the improvements to comply with Kaysville City's Standards for Design, Materials, and Workmanship, as determined by the City. If the Subdivider refuses or neglects to do the listed work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the improvement completion assurance bond to defray expenses.
2. Following satisfactory completion of any remedies to the failures listed, the City will accept the improvements, subject to receiving the Improvement Warranty Bond. The Subdivider shall provide to the City an Improvement Warranty Bond in an amount of ten percent (10%) of the actual costs of the improvements less the preventative maintenance surface treatment on all asphalt pavement in streets. The Warranty Bond may be in form of a cash deposit or escrow account.
3. No sooner than 12 months after accepting the improvements, the subdivider shall again request an inspection, as previously detailed herein. If the Subdivider refuses or neglects to do the listed warranty work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the improvement warranty bond to defray expenses.

19-2-5 As-Built Drawings

The Subdivider shall provide as-built drawings of all subdivision improvements before building permits are issued. The as-built drawings shall be 24 inch by 36 inch Mylar and a digital copy in an AutoCAD*.dwg format. These as-built drawings shall show, but not be limited, to the following:

1. Location of water lines and laterals referenced to property corners.
2. Location of sewer lines and laterals referenced to property corners.
3. Storm drains, ground drains, drainage ditches, clean out boxes, and other fixtures.
4. Location of irrigation water lines and laterals referenced to property corners.
5. Location of electric system facilities referenced to property corners.
6. Other items as directed by the City Engineer.

19-2-6 Condominium Projects - Subdivision

1. A condominium project shall be considered to be a subdivision, and a Record of Survey Map or supplement thereto prepared pursuant to Utah Code, shall be considered to be a subdivision map or plat with respect to such real property or improvements that are to be dedicated to the use of the public, and to those units which are not contained in existing or proposed buildings.
2. Condominium projects shall comply with all the provisions of the Zoning Ordinance; the building, health, and similar development regulations and ordinances of Kaysville City; and with the Kaysville Subdivision Ordinance; and shall follow the procedure outlined in such regulations for processing subdivisions.
3. The standards and criteria for the geographical layout of a condominium project, the facilities of utility lines and roads, and the percentage of the project to be devoted to common or recreational use shall comply with the provisions of the above ordinances and regulations.
4. A copy of the preliminary Condominium Declaration prepared pursuant to Utah Code, shall be submitted to the City, along with the preliminary record of survey, for review and approval with respect to the standards for the maintenance, upkeep and operations of roads, utility facilities, recreational areas, and open spaces in the project.
5. The developer of a condominium project shall install the required improvements listed in [KCC 19-6](#), Subdivision Improvements Required, of this Title after final approval of the condominium by the City Council. Said installation of improvements shall be subject to all assurances detailed in [KCC 19-2-2](#) and [KCC 19-2-4](#).

19-2-7 Lot Line Adjustments And Lot Consolidations

Applications that meet the definition of a lot line adjustment or lot consolidation shall be processed in the following manner.

1. The applicant petitioning for approval of a lot line adjustment or lot consolidation contacts the City for information concerning the City's amended plat requirements and discusses the proposed plan prior to preparing any plats, plans or charts.
2. The applicant pays the lot line adjustment/lot consolidation fee at the City Office.
3. The applicant submits the following to the City:
 1. An amended plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-4-3](#) with the signature blocks for the following:
 1. City Engineer approval
 2. City Attorney approval
 2. A copy of the lot line adjustment/lot consolidation fee receipt.
 3. Preliminary Title Report.
 4. Agreements if applicable.

4. The applicant submits copies of the amended plat and any applicable utility load information to agencies and service providers as needed.
5. The applicant submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
6. The City staff will review the documents. Fifteen (15) working days are allowed for completion of staff review for each submittal or re-submittal.
7. Upon completion of the staff review, the City will notify the applicant of any necessary changes to comply with applicable standards and ordinances. Once the amended plat meets all applicable standards and ordinances, the City will assign addresses to each lot on the plat as needed and notify the applicant to submit a mylar copy of the approved plat.
8. Approval of the final plat shall be effective until the later of:
 1. One (1) year after the date of approval by the City; or
 2. The last day of extension period approved by the City.
 3. If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.
9. The City Attorney will review the documents submitted to insure adequacy and sign the plat when approved.
10. The City Engineer then signs the plat then has the final plat recorded at the office of the Davis County Recorder after which building permit applications will be accepted.
11. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City is responsible for recording all subdivision plats. The applicant shall be responsible for all recording and associated fees.
12. An amended plat is not required for adjusting a boundary line between a lot and a parcel located outside of a subdivision.

19-3-1 Preliminary Consultation

1. If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 1. Copies of applicable land use regulations;
 2. A complete list of standards required for the project
 3. Preliminary and final application checklists; and
 4. Feedback on the concept plan

19-3-2 Preliminary Plat Filing

A preliminary plat shall be prepared in conformance with the standards, rules, and regulations contained herein; and shall be submitted to the City for approval or disapproval by the Administrative Land Use Authority. The preliminary plat and accompanying information shall be submitted to the City for review.

19-3-3 Preliminary Plat Requirements

The preliminary plat shall be drawn to a scale not smaller than 100 feet to the inch. The plat and attached documentation shall show:

1. The proposed name of the subdivision (there shall be no duplication of subdivision names within Kaysville City).
2. The subdivision location as forming a part of a larger tract or parcel, where the plat submitted covers only a part of the Subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the part submitted shall be considered in light of adjustments and connections with the future street system of the larger area. The preliminary plat shall show all property owned or optioned by the Subdivider pertaining to the proposed subdivision at hand. This information may be required as a separate drawing.
3. Sufficient information to locate accurately the property shown on the plat, including a clearly defined basis of bearing for the survey as well as the date of the survey. The nearest section corner tie must be shown.
4. The names and addresses of the Subdivider, the engineer or surveyor of the subdivision, and the names of the owners of the land immediately adjoining the land to be subdivided shall be shown on the preliminary plat.
5. Contours at two-foot intervals to show the topography of the land shall be shown.
6. The boundary lines of the tract to be subdivided, including total acreage proposed for subdivision.
7. The locations, horizontal alignments, vertical alignments, widths, and other dimensions of all existing or platted streets and other important features such as easements, railroad lines, water courses (including irrigation canals and ditches), exceptional topography, bridges and buildings within and in the vicinity of the tract to be subdivided.
8. Existing power lines, sanitary sewer, storm drains, water supply mains, and culverts within the tract and immediately adjacent thereto.
9. The flood hazard boundaries, if applicable.
10. The locations, widths, and other dimensions of proposed public streets, private streets, utility easements, parks, other open spaces and lots, with proper labeling of spaces dedicated to the public, or designated as private streets.
11. Buffer zones where non-compatible uses adjoin a proposed subdivision.
12. North point, scale, and date.
13. The proposed layout, dimension, and number of each lot.
14. Proposed construction and permanent fencing along appropriate subdivision boundaries as determined by City code or any agreements. The fencing shall be as indicated in the Subdivision Standards.
15. A review copy of proposed protective covenants, if applicable.
16. A preliminary storm drainage study, with schematic solutions and the associated calculations.
17. Depending on site conditions or complicating factors, the City may require a written geotechnical report for the proposed development site that includes (but is not limited to) general soils classifications, assessment of the capability of the existing soils to allow infiltration and potential for geological hazards if water is infiltrated at the site.
18. Preliminary Plans or written statements regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, and any grading of individual lots.
19. Preliminary Plans and written statements regarding the proposed groundwater drainage facilities. The [City's LID Manual](#) will guide and/or dictate the approach if infiltration cannot be.

19-3-5 Preliminary Plat Approvals

1. The preliminary plat shall be reviewed by the City Staff. City Staff shall either approve or reject the subdivision preliminary plat design. If approved, the City shall express its approval with whatever conditions are attached. If the preliminary plat is disapproved, the City shall indicate its disapproval and reasons therefor. Upon the City's approval, the Subdivider is authorized to proceed

with the preparation of the final plat and detailed construction drawings and specifications for the improvements required in this Title.

2. Approval of the preliminary plat by the City shall be effective for a maximum period of one (1) year after approval unless, upon application of the Subdivider, the City grants an extension. If the final plat has not been submitted within one (1) year, or the approved extension period, the preliminary plat must again be submitted to the City for consideration. However, preliminary approval of a large tract shall not be voided, provided that the final plat of the first phase is submitted for final approval within a one (1) year period.
3. All approvals shall be in writing and oral statements or approvals by City staff are not authorized and shall not be binding on the City.

19-3-6 Grading Limitation

No excavation, grading, or regrading shall take place on any land for which a preliminary subdivision plat has been submitted until the final plat has been given final approval.

19-4-1 Tentative Final Plat Required

1. Prior to the submission of the final plat, the Subdivider shall submit a digital copy of the tentative final plat to the City who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plat.
2. The City shall return one (1) copy of the checked tentative final plat to the Subdivider indicating thereon any changes required.

19-4-2 Final Plat Required

After compliance with the provisions of this Title, the Subdivider shall submit a final plat thereof to the City. Such plat shall include a certificate by the Subdivider's engineer indicating that all lots meet the requirements of the Zoning Ordinance.

19-4-3 Final Plat Requirements

The final plat shall comply with the requirements of the Davis County Recorder. The plat shall be signed by all parties (mentioned in Subsection (7) of this section) duly authorized and required to sign. The final plat and attached documentation shall show:

1. A subdivision name approved by the County Recorder and the general location of the subdivision in bold letters at the top of the sheet.
2. Where a subdivision complies with the Planned Residential Unit Development (PRUD) provisions of the Zoning Ordinance and of the regulations, the final plat shall indicate underneath the subdivision name the words Planned Residential Unit Development. In addition, when a subdivision complies with the Condominium Project provisions of this Title, the Record of Survey Map shall indicate underneath the condominium name the words Condominium Project.
3. A north point, scale of the drawing, and the date.
4. Accurately drawn boundaries showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.
5. The widths, lengths, bearings, and curve data on centerlines of proposed streets, and easements; the boundaries, bearing the dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, minimum floor and crawl space elevations, and numbers of all lots, blocks, and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively by numbering approved by the City Engineer. The City shall provide an address number to each residential or business structure.

6. Parcels of land to be dedicated as public parks or to be permanently reserved for private common open space shall also be titled Public Park or Private Common Open Space, whichever is applicable.
7. The standard forms approved by the Planning Commission for all subdivision plats lettered for the following:
 1. Description of land to be included in the subdivision.
 2. Registered professional engineer and/or land surveyors Certificate of Survey.
 3. Owners Dedication Certificate.
 4. Notary Publics acknowledgment.
 5. Community Development Director approval.
 6. Utility approval as required.
 7. City Attorney approval.
 8. City Engineer approval.
 9. Mayor (as a non-discretionary and ministerial act for the acceptance of land and public improvements that may be proposed for dedication to the City) attested by the City Recorder.
 10. A three inch (3") by three inch (3") signature block in the lower right hand corner of the drawing for County recording information.
8. Copy of the Protective Covenants for approval by the City Council and recording if applicable.
9. Storm water quality infrastructure and facilities, including LID facilities and/or storm water treatment facilities as described in the City's LID manual with associated calculations. Calculations shall include a Water Quality Report (WQR), as described in the [City's LID Manual](#).
10. A storm water maintenance agreement for all conveyance/retention/treatment/detention facilities owned and maintained privately (outside of City right of way or City owned property) between the City and the facility owner(s). Said agreement shall be recorded with the plat and transfer to subsequent owners of said property and/or facilities.
11. Final construction drawings regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, utilities, any grading of individual lots and all required improvements as required by section KCC 19-6-3.

19-4-4 Amended Plats

When changes are made in a plat of a subdivision, approval of said subdivision shall be voided and an amended plat thereof shall be processed in accordance with this Title.

19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
2. If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City.
3. No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.
4. Approval of the final plat shall be effective until the later of:
 1. One (1) year after the date of approval Thirty (30) days after the last date on which construction of improvements was done; or

2. The last day of the extension period approved by the City

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

5. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

19-5-1 Arrangement Of Streets

The arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision and the continuation of streets in lands adjoining the subdivision, as determined by the City Engineer. The street arrangement shall not cause unnecessary hardship for maintenance crews or owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Half streets along the boundary of land proposed for subdivision or within any part of a subdivision will not be permitted.

19-5-2 Streets

1. **Major Streets.** Arterial, collector, and significant local streets shall conform to the width designated on the Major Street Plan wherever a subdivision falls in an area for which a Major Street Plan has been adopted. For areas where the street plan has not been completed at the time the preliminary plat is submitted to the City, arterial, collector, or significant local streets shall be provided as required by the City.
2. **Local Streets.** Local streets shall have a minimum width of fifty-five feet (55') with sixty-six feet (66') required for streets that will have greater use as determined by the City Engineer.
3. **Cul-de-sac Streets.** Cul-de-sacs shall not be longer than six hundred feet (600') from the centerline of the adjoining street to the center of the cul-de-sac. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter. If surface water drains into the turnaround due to the grade of the street, necessary catch basins and drainage systems and easements shall be provided.
4. **Temporary dead-ends and turning Area.** Where a street longer than one lot is designed to remain only temporarily as a dead-end street, the following shall apply:
 1. Where the street dead-ends into a subsequent phase of the same subdivision, a temporary, graveled 80-foot diameter turnaround and a permanent easement of right-of-way on the subsequent phase property shall be provided. However, if the subsequent subdivision phase is not recorded at the time of roadway paving in the preceding phase, an 80-foot diameter asphalt-surfaced turnaround shall be placed on the subsequent phase property.
 2. Where the street dead-ends against property which is not part of a subsequent subdivision phase, either a bubble inside the subdivision as shown in the Standard Drawings, or an asphalted 80-foot diameter turnaround, along with a permanent easement of right-of-way from the adjacent property owner, shall be placed. If a bubble inside the subdivision is provided, the Subdivider shall pay to the City an amount equal to 115% of the cost of removing the bubble and installing standard street improvements and landscaping.
5. **Intersections.** The intersection of more than two streets at one point shall not be allowed. Streets shall intersect at a ninety degree (90°) angle. Street intersections shall be rounded with a minimum radius of twenty-five feet (25') measured at the back of curbs.

6. **Standard Street Sections.** All streets, whether existing or proposed, shall be made to conform to the City Street Cross Section Standards as adopted by the City. Existing streets shall be profiled and redesigned to full street width far enough beyond the subdivision boundaries to drain and function properly.
7. **Street Grades.** Street grades shall not exceed the following percentages: on arterial streets eight percent (8%); on local and collector streets ten percent (10%). Street grades near intersections shall be designed for adequate stopping and starting by adjusting grades on both sides of the intersection. Grades on all cul-de-sac streets shall be a minimum of 1.0% and on all other streets shall be a minimum of 0.5% unless specifically authorized by the City Engineer. The cross slope of the street cross section is defined on the standard drawings. The maximum difference in curb elevations shall not exceed one foot (1'), and then only with the approval of the City Engineer.
8. **Alleys.** Alleys shall have a minimum width of twenty-six feet (26'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the City.
9. **Bridges.** Design and construction of new bridges, whether essential for the overall circulation plan of the City or required only to serve a subdivision, shall be approved in advance by the City.
10. **Excavations and Fills.** Subdivision development adjacent to the Great Salt Lake or its natural drainage channels, or within any marsh or wetlands which will result in any discharge of excavated or fill materials, may require obtaining a permit from the U.S. Army Corps of Engineers prior to the issuance of local permits for the deposition of fill material into any wetland or stream channel. This determination shall be made a part of the preliminary plat staff review.
11. **Names and Numbers.** Names of new streets shall not duplicate existing or planned street names unless a new street is a continuation of, or in the alignment with, the existing or platted street. House numbers shall be assigned in accordance with the House Numbering System in effect in the City. All new streets shall be numbered if they are in alignment with the grid. They shall be named if not in alignment with the grid.

19-5-3 Blocks

1. The maximum length of blocks shall be 1300 feet and the minimum length of blocks shall be 300 feet.
2. The width of blocks shall be sufficient to allow at least two tiers of lots, or as otherwise approved by the City because of design, terrain, or other unusual conditions.
3. Blocks intended for business or industrial use shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.

19-5-4 Lots

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography and to existing and probable future utilities, rights-of-way, and other requirements.
2. All lots shown on the subdivision plat must conform to the minimum area and width requirements of the Zoning Ordinance for the zone in which the subdivision is located, unless:
 1. A variance is granted; or
 2. It conforms to the Planned Residential Unit Development (PRUD) or Condominium Project provisions.
3. Each residential lot shall abut a paved street or common area of a Condominium Project that abuts a paved street. Interior lots having frontage on two streets shall be prohibited, except where unusual conditions make any other design undesirable.
4. Buildings constructed on corner lots shall comply with the minimum setback for both streets, or the setbacks of a Planned Residential Unit Development (PRUD), as provided in the Zoning Ordinance.

5. Side lines of lots shall be at approximately right angles to the street line, or radial to the street line unless in a Condominium Project.
6. Remnants of lots less than the minimum size required by the zoning after the subdividing of a larger tract shall be added to adjacent lots rather than allowed to remain as unusable parcels. In no event shall the subdivision of land create a lot which does not conform to the Zoning Ordinance requirements.
7. Where the land included in a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the City by the County Recorder.
8. Lots deemed by the Commission to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, but such land within the plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.

19-5-5 Easements

Easements for culinary water, sewer, power, irrigation water, drainage, telecommunications, cable television and other utilities shall be provided by the Subdivider and designated on the plat as required to accommodate the utility systems in the subdivision. Where natural drainage channels, interceptor systems, or flood hazard zones cross the subdivision, the Subdivider must obtain the necessary permits to modify such drainage facilities, and designate the channels, systems, or flood hazard zones, and any associated restrictions, on the plat.

19-5-6 Parks And Other Public Places

In subdividing property, the City shall give consideration to suitable sites for parks, playgrounds, and other areas for similar public use.

19-5-7 Technical Specifications And Drawings

Click to view the published version of the [Technical Specifications and Drawings Standards](#).

19-6-1 Application Of Improvements Required

This Title applies to all property owners located in any subdivision and owners of property serviced by easements or rights-of-way or improvements set forth in [KCC 19-6-3](#), which have been acquired or installed by a pioneer developer or the City. Its provisions shall apply to all transferees, assignees, or purchasers.

19-6-2 Improvements Made Prior To Recording Final Plat

The improvements required by the City, including the improvements in each and every open space in the subdivision, shall be constructed and installed by the Subdivider and thereafter maintained by the Subdivider until after the warranty period and acceptance by the City. Improvements shall not be installed or constructed until their location and specifications have been approved by the City Engineer. In cases where a pioneer developer or the City has already acquired easements or rights-of-way or installed improvements subject to the Fee for Project Improvements provisions of [KCC 19-6-4](#), no recording of the final plat or issuance of building permits shall be permitted or allowed until the Fee for Project Improvements provisions of said Section have been satisfied.

19-6-3 Improvements Required

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

1. Sewage Collection

1. Unless the applicable sewer district deems it to be unfeasible, the Subdivider shall connect to the sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and specifications of, and shall be approved by the applicable Sewer District and Kaysville City. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.

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

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

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

1. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, detention basins, LID facilities and other appurtenant structures, to adequately address the WQV and dispose of 100-year frequency storm runoff within the subdivision and from adjacent properties. Said disposal system shall include the retention or treatment of the WQV, as detailed in the [City's LID Manual](#). Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.
3. Providing for restriction of the runoff from the subdivision to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 1. Conveyance (including easements) of the runoff to a regional detention/retentions/treatment site and paying the subdivisions proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 2. Dedicating land and constructing regional detention/retention/treatment within the subdivision and conveyance to the main channel if said subdivision contains a proposed detention site. The Subdivider may be compensated for a portion of the cost of the regional detention and conveyance to the main channel for that which is not the proportional share for the subdivision.; or
 3. Conveyance of the runoff to a site within the subdivision dedicated and constructed for detention and/or retention.
4. If the subdivision is within one hundred feet (100') of a natural drainage , complying with all Davis County Flood Control standards and shall be approved by Davis County if the drainage is a recognized Davis County Flood Control channel.
5. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.

6. Unless otherwise directed or agreed to by the City Engineer, and infrastructure not located in a City right of way that is installed or used for the conveyance/treatment/detention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per [KCC 9-3d-8](#).
4. **Culinary Water.** The Subdivider shall install water lines to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The location and size of water mains shall be approved by the City Engineer. Unless otherwise directed by the City Engineer, subdivision water lines shall be a minimum of eight inches (8") in diameter and service laterals shall be a minimum of 3/4-inch in diameter. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
5. **Fire Hydrants.** Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as directed by the City Engineer, and installed in such locations as approved by the City. A fire hydrant shall also be placed at the end of every dead-end water line, including the end of cul-de-sacs.
6. **Irrigation Water.** In accordance with KCC 18-3-7, pressure irrigation shall be provided to each lot in residential subdivisions.
 1. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 2. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. In accordance with KCC 9-4-15, it shall be illegal for any person to connect together a culinary water system and a non-potable water system by any method.
 3. The Subdivider shall comply with all the requirements of the provider and furnish proof thereof to the City.
 4. Unless otherwise directed by the City, irrigation water and infrastructure shall remain isolated from and independent of storm water and infrastructure.
7. **Street Grading and Surfacing.** All streets whether existing or proposed, shall be graded and surfaced, including a preventative maintenance surface treatment applied on all new asphalt pavement in streets, in accordance with the standards and specifications of Kaysville City and the design for each street. Existing streets shall be modified to drain and function properly.
8. **Curbs and Gutters.** Curbs and gutters shall be installed by the Subdivider on existing and proposed streets in accordance with all the appropriate specifications of Kaysville City. Curb and gutter shall be thirty inches (30") wide standard high back style, and shall be placed in six inches (6") of compacted untreated base course as foundation materials.
9. **Street Drainage.** Street drainage and drainage structures shall be required where deemed necessary by the City Engineer. Drainage facilities and structures shall address storm water quality to comply with State and EPA regulations and requirements, as outlined in the [City's LID Manual](#).
10. **Sidewalks.** Sidewalks shall be installed according to the specifications of Kaysville City. Sidewalks shall be at least four feet (4') wide with four inches (4") of compacted untreated base course material as foundation materials. Depth of sidewalks shall be four inches (4"). except at driveways, which shall be six inches (6"). Sidewalks located less than five feet (5') from the top back of curb shall be six feet (6') wide.

11. **Active Transportation Improvements.** Subdivisions which include or are adjacent to an element of the Kaysville City Active Transportation Plan shall account for and install the applicable improvements including off street shared use paths and street improvements such as striping.

12. **Driveway Approaches.** All driveway approaches shall meet the following specifications:

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

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

14. **Electric Power System**

1. The Subdivider shall pay the cost of electric system extensions and street lights, installed by the City, to service the subdivision.
2. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 1. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 2. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 3. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
3. The Subdivider shall prepare the site for electrical distribution line installation before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:
 1. Installation of curb and gutter indicating permanent grade.
 2. Markers installed on curb indicating property lines.

3. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
4. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
4. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
5. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.
15. **Street Signs.** The Subdivider shall pay the cost of traffic control, street identification, and other street signs, installed by the City, in accordance with City standards. The cost will be charged to the Subdivider and shall be paid before the plat is recorded. The improvement assurance in the subdivision will not be released until after payment of the costs incurred to install the necessary street signs has been made.
16. **Fencing of Subdivision.** A permanent solid board, metal chain link (with opaque slats if required), masonry, or other similar fence not less than six feet (6') in height shall be installed prior to the start of building construction along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be non-compatible by the City. In addition, temporary construction fencing shall be installed along appropriate boundaries or where required to contain blowing refuse prior to the start of building construction, as recommended by the City. The construction fence shall remain in place until 90% of the lots are built on. The construction fence shall be type "D" field fence as given in the specifications. Upon installation of the permanent fence by the Subdivider, and approval by Kaysville City, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall not hold Kaysville City responsible for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a non-climbable permanent fence coincide, the non-climbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of construction within the subdivision.
17. **Marking of Lots.** Survey markers shall be placed at all lot corners and at lot boundary locations to completely identify the lot boundaries on the ground. Lot corners shall be identified with permanent plugs in the sidewalk or back of the curb or with a metal pipe or rod driven into the ground if sidewalks or curbs are not next to the lot boundary. All lot corners and lot boundaries shall be marked prior to the issuance of building permits, after the completion of all subdivision improvements and during building construction and inspections. It shall be the responsibility of the lot owner to insure that all lot corner and boundary markers are in place. The City is not responsible to replace survey stakes or markers.
18. **Highway Noise Abatement.** Highway noise abatement, as determined through environmental studies and engineering analysis and approved by the City, shall be provided in all residential subdivisions within three hundred feet (300') of a freeway or principal arterial. Noise abatement may include distance of noise sensitive uses from noise sources, landscaping, earth berms, and other mitigation. The Subdivider shall pay the entire cost of any noise abatement studies and noise abatement facilities.

19-6-4 Fee For Project Improvements

1. A pioneer developer, at its own expense, with the approval of the City, or the City, at its own expense, may acquire easements or rights-of-way or install any improvements referred to in [KCC 19-6-3](#).
2. In all instances where any such easements or rights-of-way have been acquired or improvements have been installed which are planned and designed to provide service for development of a site and are necessary for the use and convenience of the occupants or users of development of a site, the City may determine the portion of such easements, rights-of-way or improvements that are site

improvements and allocate to the site a pro rata cost of such easements or rights-of-way acquisition or improvements. Such pro rata cost shall be referred to as the "Fee for Project Improvements."

3. Notice of the Fee for Project Improvements shall be given to the affected property owners by certified mail, within ten (10) calendar days after receipt of such Notice, the affected property owners may file a written Notice of Appeal with the City Recorder. The City Council shall consider the appeal within thirty (30) calendar days thereafter.
4. Whenever development activity occurs on any such site, the owners thereof shall pay to the City the Fee for Project Improvements as a condition of development approval. The Fee for Project Improvements paid shall reimburse a portion of the cost incurred by the pioneer developer or City as applicable.

19-7-1 Preliminary Plat Application Fee

At the time of filing the preliminary plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such preliminary subdivision plats.

19-7-2 Final Plat Application Fee

At the time of filing the final plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

19-7-3 Recording Fee

At the time of recording the final plat, the Subdivider shall be responsible for the recording fee.

19-7-4 Inspection Fee

Prior to recording the final plat, the Subdivider shall deposit with the City a construction inspection fee. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of review and inspection of the subdivision improvements.

18-3-3 Roadway Improvements

1. The building site shall abut a paved street of adequate width, as determined by the City Engineer.
2. With the exception of properties within Residential Townsite zone, the Owner shall install curb, gutter, sidewalk, road base and asphalt surfacing concurrent with construction of the residence(s).
3. In accordance with the City's Public Street Improvement Policy, at the discretion of the City Council, improvements shall be installed by the Owner upon written notice from the City if a lien has been previously provided. If payment has been made, the City shall have the improvements installed at its discretion and pay for said installation with the payment and interest accrued thereon. In the event the Owner has executed a lien and the Owner refuses to construct said improvements, upon receiving written notice from the City, the City shall contract to have said improvements completed and the costs of said improvements shall be placed on the Owners annual tax bill. If the Owner still refuses to pay the annual tax bill, then the City will proceed with foreclosure on the Owners property to collect any and all expenditures that the City may have made in connection therewith.
4. The same specification as defined in the Kaysville City Subdivision Ordinance shall apply to the construction of street improvements. Detail plans and profile drawings and elevations prepared by a registered land surveyor or registered professional engineer are required for all improvements. Installation of improvements shall be accomplished before the final inspection is completed. The Owner shall provide an improvement warranty and cash deposit in an amount often percent (10%) of the actual cost of the improvements installed for all improvements as required by [KCC 19-2-4](#) of the Subdivision Ordinance.

18-3-6 Sanitary Sewerage

1. The owner shall install sanitary sewer facilities and provide a connection for the building site concurrent with the construction of the residence. The building site shall be served by a public sanitary sewer unless connection to the public sanitary sewer is not feasible, as determined by the Sewer District.
2. If the criteria in Subsection (1) above are met, the building site may be served by an individual wastewater disposal system upon compliance with the following:
 - a. The Utah Department of Health Regulations for Individual Wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department;
 - b. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains); and
 - c. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed

at the discretion of the Sewer District, including development fees and street repairs.

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, residential building sites shall be served by pressure irrigation. In order to avoid unnecessary overburden to the City's Culinary Water system, the City may, at its discretion, require connection to pressure irrigation east of U.S. 89 if it is determined by the City Engineer to be feasible.
2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

18-4-8 Storm Water

A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The developer shall implement the portion of that plan applicable to the development by:

1. Preparing a detailed drainage plan for the development which is acceptable to the City.
2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, and other appurtenance structures, to adequately dispose of 10-year frequency storm runoff within the development and from adjacent properties. Said disposal system shall include the retention of treatment of the WQV, as detailed in the [City's LID Manual](#). Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.
3. Providing for restriction of the runoff from the development to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 - a. Conveyance (including easements) of the runoff to a regional detention/retention/treatment site and paying the development's proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 - b. Dedicating land and constructing regional detention/retention/treatment within the development and conveyance to a main channel if said development contains a proposed detention/retention/treatment site. The developer may be compensated for the cost of the regional detention and conveyance to a main channel for that which is not the proportional share for the development; or
 - c. If the development is within a subdivision that has fulfilled the controlled release requirements, complying with the storm drainage requirements of the subdivision.
 - d. Conveyance of the runoff to a site within the development dedicated and constructed for detention/retention/ treatment.

4. If the development is within one hundred feet (100') of a main channel, complying with all Davis County Flood Control requirements and being approved by Davis County.
5. Unless otherwise directed or agreed to by the City Engineer, any infrastructure not located in a City right of way or on City owned property that is installed or used for the conveyance/treatment/detention/retention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per [KCC 9-3d-8](#).



PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Melinda Greenwood, Community Development Director

Date: December 8, 2023

Agenda Item #8: Public Hearing for Text Amendments for Title 17, Title 18, and Title 19

Meeting Date	December 14, 2023
Application Type	Text Amendment
Applicant	Kaysville City
Chapter Title Section	Title 17, 18, 19 Sections relating to subdivisions

1. BACKGROUND

During the 2023 State of Utah Legislative Session, Senate Bill 174 was passed and requires all cities to amend their subdivision code and process. Kaysville is in a class of cities which must have a new ordinance in place by February 1, 2024.

Staff has revised all sections in Kaysville City Code Title 17, 18 and 19 which relate to subdivisions and has summarized the major points of the proposed changes.

- A. Added a definition to designate an administrative land use authority. Currently we designated the Planning Commission.
- B. Updated our approval process to be a two-step administrative process.
 - a. Preliminary plat
 - i. Includes an optional (cannot be mandated) pre-application meeting
 - ii. 15 business day review period
 - iii. Included one public meeting for the preliminary plat to go to Planning Commission
 - b. Final plat
 - i. 20 business day review period
 - ii. Cannot go a public meeting
 - iii. Only 4 review cycles are allowed. We cannot add any new comments after our first review unless it pertains to health and safety or any changes that the applicant has made to the submittal.
 - iv. Added a mandatory appeal process that includes outside engineers which the City and applicant split the cost.
- C. Added retaining wall inspection requirements for engineers to provide letters of compliance to the City.

- D. Updated bonding language for recording a plat to be compliant with State code.
- E. Updated Improvements Required section
 - a. Changed from 10 year to 100 year detention requirement
 - b. Flood control facilities shall meet Davis County Standards
 - c. Sewer collection decisions will be made by the sewer district and not the City
- F. Added language for pressure irrigation water east of US 89.
- G. Removed section that allowed for the deferral of installing sidewalk, curb and gutter if certain requirements were satisfied.

There are several points of discussion staff would like the Planning Commission to address during the meeting next week:

- Merit and value of taking administrative approvals to the Planning Commission versus have them approved at staff level
- Timing of Planning Commission meetings and 15-day review deadlines
- Merit and value of allowing protection strips

2. PUBLIC NOTICING AND PUBLIC COMMENT

A Public Hearing Notice for this matter was posted on Friday, December 1, 2023 and no comments have been received since that posting.

3. RECOMMENDATION

Based on findings below, staff recommends the Planning Commission send a recommendation of approval to the City Council for the proposed text amendments for various sections regarding subdivisions in Kaysville City Code Title 17, 18 and 19.

Findings for a recommendation of approval include:

- a. The proposed text amendments are required and will bring the city's ordinance into compliance with Utah State Code 10-9a-601 Subdivisions.
- b. Any other findings identified by the Planning Commission.

ATTACHMENTS:

- 1. Draft Ordinance Amendments
 - a. Title 17
 - b. Title 18
 - c. Title 19
- 2. Utah State Code 10-9a-601 Subdivisions
- 3. Senate Bill 174

**KAYSVILLE CITY
ORDINANCE XX-XX-XX**

WHEREAS,

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

SECTION 1: **AMENDMENT** “17-35-6 Standards And Requirements” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-35-6 Standards And Requirements

Approval of manufactured home park plans shall be subject to the following standards and any requirements imposed by the Planning Commission or City Council:

1. The manufactured home park shall contain not less than ten (10) acres.
2. The manufactured home park shall be located adjacent to an arterial or collector street.
3. The park will have at least thirty percent (30%) of the spaces completed and ready for occupancy before first occupancy is permitted.
4. The design shall meet all applicable standards and requirements of this Title and all other regulations of Kaysville City, Davis County and the State of Utah.
5. The park design shall have the written approval of the Davis County Health Department.
6. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by ~~KCC 19-2-1~~ **KCC Title 19** of the Subdivisions Ordinance.
7. The area shall be in one ownership. or if in several ownerships, the application for approval of the development shall be filed jointly by all the owners of the property included in the plan.
8. The plans for a manufactured home park shall be prepared by such qualified persons, and with such additional plans as the Planning Commission may require. It is recommended that professional design and other assistance be obtained early in the program, including, if needed, a geologist or soils engineer, an urban planner, a lawyer, a financial expert, or others. It is the intent of the City that the developer solve any problems before approval is given and construction begins.
9. The number of manufactured homes shall be limited to six and one half (6.5) units per gross acre. The manufactured homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads or parking shall be set aside and developed as parks, playgrounds and service areas for the common use and enjoyment of occupants of the development and visitors thereto.

10. No less than eight (8) percent of the gross land area shall be set aside for the joint recreational use of occupants. The land covered by vehicular roadways, sidewalk, and off-street parking shall not be construed as part of the area required for parks and playgrounds.
11. No manufactured home or add-on shall be located closer than fifteen feet (15') from the nearest portion of any other manufactured home or living space add-on. No non-living space add-on shall be closer than six feet (6') to any other non-living space add-on. All manufactured homes and add-ons, except carports enclosed on not more than one (1) side, shall be set back at least ten feet (10') from road curbs or walks. If the tongue of the manufactured home remains attached, it shall be set back a minimum of six feet (6') from road curbs or walks.
12. All areas not covered by manufactured homes, hard-surfacing, or buildings, shall be landscaped as approved by the City, and such landscaping shall be permanently maintained.
13. All off-street parking spaces and driveways shall be hard-surfaced before the adjacent manufactured homes spaces may be occupied.
14. Within 45 days of occupancy, each manufactured home shall be skirted, or shields may be used providing they are fireproof and well painted or otherwise preserved.
15. A strip of land at least fifteen feet (15') wide, measured from the public right-of-way line, surrounding the entire park shall be left unoccupied by manufactured homes and shall be planted and maintained in lawn, shrubs, and trees designed to afford privacy to the development.
16. All storage and solid waste receptacles outside the confines of any manufactured home must be housed in a closed structure compatible in design and construction to the manufactured homes and to any service buildings within the development; all patios, garages, carports, and other add-ons must be compatible in design and construction with the manufactured home. The service building shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
17. No manufactured home space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. Leases shall be made available to the officials of Kaysville City upon demand.
18. The roadways shall be of adequate width to accommodate anticipated traffic, but not less than the following:
 - a. For one-way traffic: Fifteen feet (15') in width plus extra width as necessary for maneuvering manufactured homes.
 - b. For two way traffic: Thirty feet (30') in width.
 - c. For entrance roadways: Minimum of thirty-six feet (36') in width.
19. All roadways shall be hard-surfaced and bordered by twenty four inch (24") rolled gutters or equivalent.
20. Sidewalks at least thirty-six inches (36") wide shall be installed on all main roadways within the development, adjoining and outside of the widths required by Subsections (18) and (19) above.
21. Each manufactured home park must have at least two (2) accesses to public streets.
22. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient

capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

23. An access shall be provided to each manufactured home stand for maneuvering manufactured homes into position. The access way shall be kept free from trees and other immovable obstructions.
24. Each manufactured home lot shall contain portland cement concrete pads, at least four inches (4") thick, three feet (3') wide, and the same length as the rails of the manufactured home, on which the manufactured home is placed. Every manufactured home shall have a vapor barrier under the entire manufactured home.
25. Off-street and off-roadway parking shall be provided at the rate of two (2) parking spaces on each manufactured home lot, and each such parking space shall have a minimum width of ten feet (10') and minimum depth of twenty feet (20'). Additional guest parking spaces shall be provided as determined by the Planning Commission.
26. An off-lot storage area shall be provided within a manufactured home park, equivalent to eight (8) square feet per manufactured home space. The area designated for said storage shall be improved, landscaped, or screened in such manner as is approved by the Planning Commission.
27. A minimum of six (6) tie-downs shall be provided for each manufactured home. Said tie-downs shall be sufficient for wind loading and installed according to the manufacturers specifications not later than fourteen (14) days after placement of each manufactured home.
28. In addition to meeting the above requirements and conforming to the other laws of the City, all manufactured home parks shall also conform to requirements as set forth in the current CODE OF CAMP-TRAILER COURT, HOTEL, MOTEL AND RESORT SANITATION REGULATIONS adopted by the Utah State Board of Health, and to the current INTERNATIONAL FIRE CODE, which Codes are hereby adopted by reference. All restrictions, regulations, and notations contained therein shall be made a part of this Title as fully as though set forth therein. In the event of any conflict between said Codes and this Chapter, this Chapter shall take precedence where its regulations are more strict, and the provisions of the Codes shall take precedence where their regulations are more strict.
29. At least two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways and central parking areas.
30. Every manufactured home must bear an appropriate label certifying compliance with the Federal Manufactured Housing Construction and Safety Standards.

SECTION 2: **AMENDMENT** “17-34-7 Common Open Space Subdivision”
of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-7 Common Open Space Subdivision

1. Development requirements. .

- a. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone as indicated in the following table. The number of units determined by this calculation cannot be exceeded.

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

2. The following development standards indicate the maximum extent to which variation from the normal development standards of the underlying zone may be altered.
- a.
- b. Block size, building height, and lot coverage regulations shall be determined by approval of the development plan and shall not vary from the normal standard of the underlying zone by more than 20%.
- c. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.
- d.
3. Common Open Space Requirements
- a. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be

provided and designated on the plat. Usable open space shall be considered improved space such as a garden, park, clubhouse, pool, trail, playground, or similar improvement determined acceptable by the City Council based on the size of the development.

- b. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. A maximum of 30% of the required common open space may include natural areas. The remaining common open space must be designed, improved or landscaped to quality as usable open space. Any open space that is not common open space cannot be used to fulfill the open space requirements.
- c. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
- d. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
- e. All common facilities shall be improved as set forth in ~~KCC 19-2-1~~KCC Title 19 Subdivisions~~of the Subdivision Ordinance.~~
- f. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The common facilities restrictions shall be permanent and not just for a period of years.
 - iii. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability

insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.

- g. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

Conceptual Plans. The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, showing amenities, fencing and screening which demonstrates how the common open space will benefit the development.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

Preliminary Subdivision Plat. The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.

5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:
 - a. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
 - b. The plant names, locations, qualities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
 - c. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
 - d. Existing and proposed fencing or screening and identification of the fencing material.
 - e. Any proposed tot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
 - f. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.
10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

Final Subdivision Plat. The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

SECTION 3: AMENDMENT “17-4-3 Powers And Duties” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-4-3 Powers And Duties

The Planning Commission shall:

1. Make a recommendation to the City Council for:
 - a. A general plan and amendments to the general plan,
 - b. Land use ordinances, zoning maps, official maps, and amendments,
 - c. An appropriate delegation of power to at least one designated land use authority to hear and act on a land use application,
 - d. An appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of the land use authority,
 - e. Application processes, and
 - ~~f. Actions on subdivision applications, and~~
 - g. Other matters as the City Council directs;
2. Hear and act on land use applications as specified in land use ordinances, including conditional use permits; and
3. Exercise other authority that is necessary to enable the Planning Commission to perform its duties or delegated to it by the City Council.

SECTION 4: AMENDMENT “17-31-24 Recreational Vehicle Parks” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-24 Recreational Vehicle Parks

1. Recreational vehicle parks are a conditional use in the GC - General Commercial District.
2. The development of a recreational vehicle park shall conform to the following standards and requirements:
 - a. No recreational vehicle park shall be used by one individual recreational vehicle for more than thirty (30) consecutive days, nor shall any space be rented or leased to any one individual for a period longer than thirty (30) days.
 - b. The design shall meet all applicable standards and requirements of this Title and other regulations of Kaysville City, Davis County, and the State of Utah.
 - c. The design has the written approval of the Davis County Health Department.
 - d. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by ~~KCC 19-2-1 of the~~ KCC Title 19 Subdivisions ~~Ordinance~~.
 - e. The site shall be in one ownership.
 - f. The site shall be adjacent to a major street.
 - g. All entrances and exits from the recreational vehicle park shall be by forward motion only.
 - h. No entrance or exit from a recreational vehicle park shall be through a residentially developed area.
 - i. All recreational vehicle spaces or pads shall be set back at least twenty feet (20') from any public street.

- j. All one-way roadways shall be at least twelve feet (12') in width and all two-way roadways at least twenty feet (20') in width, and all roadways shall be hard-surfaced.
 - k. All areas within the park which are not hard-surfaced, including the twenty foot (20') setback space, shall be landscaped and maintained with lawns, trees, and shrubs designed to provide privacy and noise containment, and shall be equipped with adequate sprinkling devices as determined by the City.
 - l. In a recreational vehicle park, the number of spaces shall be limited to twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development. The remaining land not contained in individual spaces, roads or parking shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the development and visitors thereto.
 - m. Each recreational vehicle space shall be at least twenty feet (20') in width and at least thirty feet (30') in length, for spaces planned to have the recreational vehicle and a towing vehicle park side-by-side; and at least fifteen feet (15') in width and at least forty-five feet (45') in length for spaces planned as drive-through spaces in which the towing vehicle parks in front of the recreational vehicle. Drive-through spaces are recommended whenever the size and shape of the property permits this design.
 - n. All storage and solid waste receptacles must be housed in a closed structure compatible in design and construction to the character of the park.
 - o. The service buildings shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
 - p. Off-street and off-roadway parking spaces shall be provided for visitors at the rate of one (1) such space for each two (2) recreational vehicle spaces in the recreational vehicle park; such spaces shall have a minimum width of ten feet (10') and a minimum length of twenty feet (20') and may be grouped in appropriate locations.
 - q. A minimum of two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all streets, sidewalks, and central parking areas.
 - r. Storm drainage facilities shall be so constructed as to protect those who will reside in the park as well as adjacent property owners by insuring rapid drainage and preventing accumulation of pools of water.
 - s. One manufactured home may be allowed in a recreational vehicle park if used as the residence of the park manager.
3. Every recreational vehicle park shall provide utility service to every recreational vehicle stand as required by Kaysville City ordinances and as required by the Planning Commission.
 4. For recreational vehicle parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission for permanent retention of open space and for the maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees may be in the form of a

- bond or a mortgage on real estate or in other form to be determined by the Planning Commission, which form must be approved by the City Council and City Attorney.
5. The owner shall establish and appoint a park manager. The manager shall be a resident of the park and shall be authorized to receive, process, and represent fully the interests of the owner in respect to management and maintenance of the park.
 6. No recreational vehicle park shall be operated in Kaysville City until an annual business license has been obtained from Kaysville City.
 7. The premises on which any recreational vehicle park is located shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, or other unsightly material thereon shall constitute a nuisance and a violation of this Title. The City Council may, after inspection by the Inspector, cancel the license to operate the park if the inspection reveals that maintenance does not conform to required standards.

SECTION 5: **AMENDMENT** “17-34-6 Planned Residential Unit Development” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-6 Planned Residential Unit Development

1. **Pre-application conference.** A meeting with City staff ~~shall~~ may be held in order to provide a preliminary understanding of issues, zone requirements, undevelopable areas, and infrastructure demands. If a pre-appicaiton conference is desired, ~~c~~Conceptual designs shall be provided by the applicant including sufficient information to evaluate ~~housing quality~~ projects, areas to be preserved, and street and lot layout. Building elevation and landscape plans may be required as part of the review and approval process.
2. **Overlay zone and preliminary subdivision plat.** After the pre-application conference, an amendment to use the Planned Residential Unit Development overlay zone and a preliminary plat may be applied for in compliance with the standards and procedures found in this Title and the Subdivision Ordinance.
3. **Final subdivision plat.** After a preliminary plat is approved, a final plat may be applied for using the standards and procedures found in ~~the Subdivision Ordinance~~ KCC Title 19 Subdivisions. The final plat, at the discretion of the City Council, may be accompanied by a development agreement that when approved by the City Council shall be recorded to run with the land. After the final plat is approved, the overlay zone may be approved.

SECTION 6: **AMENDMENT** “17-34-8 Private Street Subdivision” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-8 Private Street Subdivision

1. Development requirements.

- a. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
 - b. Private street improvements shall include curb. streets are defined as that area within the private street easement.
 - c. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
 - d.
 - e. All private streets shall be improved as set forth in ~~KCC 19-2-1 of the~~ KCC Title 19 Subdivisions Ordinance.
 - f. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The private street restrictions shall be permanent and not just for a period of years.
 - iii. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. The following development standards indicate the maximum extent to which variation from the development standards of the underlying zone may be altered upon specific approval of the City Council.
 - a. No building shall be closer than twenty feet (20') to any street improvement.
 3. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted

in the zoning district in which the private street subdivision is located.

SECTION 7: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 8: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 9: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Hunt	_____	_____	_____	_____
Council Member Jackson	_____	_____	_____	_____
Council Member Oaks	_____	_____	_____	_____

Presiding Officer

Attest

Tamara Tran, Mayor, Kaysville City

Annemarie Plaizier, City Recorder,
Kaysville City

18-3-3 Roadway Improvements

1. The building site shall abut a paved street of adequate width, as determined by the City Engineer.
2. With the exception of properties within Residential Townsite zone, ~~The~~ Owner shall install curb, gutter, sidewalk, roadbase and asphalt surfacing concurrent with construction of the residence ~~(s). if these improvements exist on either of the adjacent lots or if at least 25% of the lots on the same block have improvements. If a block is not defined by intersecting streets the 25% rule will apply to all properties within 500 feet each direction from the property lines of the subject lot.~~
- ~~3. If the conditions in the preceding paragraph do not apply, then the Owner must pay the City an amount sufficient to cover the installation of said improvements.~~
4. 3. In accordance with the City's Public Street Improvement Policy, ~~Aa~~t the discretion of the City Council, ~~the~~ improvements shall be installed by the Owner upon written notice from the City if a lien has been previously provided. If payment has been made, the City shall have the improvements installed at its discretion and pay for said installation with the payment and interest accrued thereon. In the event the Owner has executed a lien and the Owner refuses to construct said improvements, upon receiving written notice from the City, the City shall contract to have said improvements completed and the costs of said improvements shall be placed on the Owners annual tax bill. If the Owner still refuses to pay the annual tax bill, then the City will proceed with foreclosure on the Owners property to collect any and all expenditures that the City may have made in connection therewith.
5. 4. The same specification as defined in the Kaysville City Subdivision Ordinance shall apply to the construction of street improvements. Detail plans and profile drawings and elevations prepared by a registered land surveyor or registered professional engineer are required for all improvements. ~~The owner may provide these materials or pay the appropriate fee to the City in which case the City shall provide these materials.~~ Installation of improvements shall be accomplished before the final inspection is completed. The Owner shall provide an improvement warranty and cash deposit in an amount often percent (10%) of the actual cost of the improvements installed for all improvements as required by KCC 19-2-4 of the Subdivision Ordinance.
- ~~6. The only exception to this section will be in the instance when a residence is built in a subdivision which was previously approved by the City Council without a requirement for full street improvements.~~

18-3-6 Sanitary Sewerage

- ~~1.~~ The owner shall install sanitary sewer facilities and provide a connection for the building site concurrent with the construction of the residence. The building site shall be served by a public sanitary sewer unless the following criteria are met:

- ~~1. The property is more than three hundred feet (300'500') from a public sanitary sewer; and~~
- ~~2.1. _____ Connection to the public sanitary sewer is not feasible, as determined by the City Engineer Sewer District.~~
2. If the criteria in Subsection (1) above are met, the building site may be served by an individual wastewater disposal system upon compliance with the following:
 1. The Utah Department of Health Regulations for Individual Wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department;
 2. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains); and
 3. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City Sewer District, including development fees and street repairs.

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, residential building sites shall be served by pressure irrigation. In order to avoid unnecessary overburden to the City's Culinary Water system, the City may, at its discretion, require connection to pressure irrigation east of U.S. 89 if it is determined by the City Engineer to be feasible.
2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

18-4-8 Storm Water

A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The developer shall implement the portion of that plan applicable to the development by:

1. Preparing a detailed drainage plan for the development which is acceptable to the City.
2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, and other appurtenance structures, to adequately dispose of 10-year frequency storm runoff within the development and from adjacent properties. Said disposal system shall include the retention of treatment of the WQV, as detailed in the City's LID Manual. Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.

3. Providing for restriction of the runoff from the development to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 1. Conveyance (including easements) of the runoff to a regional detention/retention/treatment site and paying the development's proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 2. Dedicating land and constructing regional detention/retention/treatment within the development and conveyance to a main channel if said development contains a proposed detention/retention/treatment site. The developer may be compensated for the cost of the regional detention and conveyance to a main channel for that which is not the proportional share for the development; or
 3. If the development is within a subdivision that has fulfilled the controlled release requirements, complying with the storm drainage requirements of the subdivision.
 4. Conveyance of the runoff to a site within the development dedicated and constructed for detention/retention/ treatment.
4. If the development is within one hundred feet (100') of a main channel, complying with all Davis County Flood Control requirements and being approved by Davis County.
5. Unless otherwise directed or agreed to by the City Engineer, any infrastructure not located in a City right of way or on City owned property that is installed or used for the conveyance/treatment/detention/retention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per [KCC 9-3d-8](#).

19-1-1 Public Welfare

Any proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area concerned; and the Subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

19-1-2 Variances

1. Any person or entity desiring a waiver or modification of the requirements of this Title as applied to a parcel of property that he or she owns, leases, or in which he or she holds some other beneficial interest may apply to the Administrative Law Judge for a variance from the terms of this Title.
 1. The Administrative Law Judge may grant a variance only if:
 1. Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;
 2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
 5. The spirit of this Title is observed and substantial justice done.
 6. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Administrative Law Judge may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought; and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 7. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Administrative Law Judge may not find an unreasonable hardship if the hardship is self-imposed or economic.
 2. In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the Administrative Law Judge may find that special circumstances exist only if the special circumstances:
 1. Relate to the hardship complained of; and
 2. Deprive the property of privileges granted to other properties in the same district.
2. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
3. Variances run with the land.
4. The Administrative Law Judge and any other body may not grant a use variance.
5. In granting a variance, the Administrative Law Judge may impose additional requirements on the applicant that will:
 1. Mitigate any harmful effects of the variance; or
 2. Serve the purpose of the standard or requirement that is waived or modified.

19-1-3 Scope And Applicability

1. No person shall subdivide for the purpose of transferring, selling, conveying, or assigning any tract or parcel of land which is located wholly or in part within Kaysville City, except in compliance with this Title.
2. A subdivision plat shall comply with the provisions of this Title and be approved by Kaysville City before it may be filed or recorded in the County Recorder's office and before lots may be sold.

3. All lots, plots, or tracts of land located within a subdivision shall be subject to this Title, regardless of whether or not the tract is owned by the Subdivider or a subsequent purchaser, transferor, or holder of the land.

19-1-4 Development Sequence

No person shall be issued a building permit, except a permit for improvements required by this Title, until the actual completion by the Subdivider and acceptance by the City ~~Council~~ of the improvements required by this Title.

19-1-5 Enforcement And Responsibility

The City Building Inspectors and all administrative officials of Kaysville City shall not issue any permit for the proposed erection, construction, reconstruction, alteration, or use until proof of full compliance with all the provisions of this Title has been provided. No City officer shall issue any permit or license for the use of any building, structure, or land when such land is part of a subdivision, as defined herein, until such subdivision has been approved and recorded in the County Recorder's office. Any license or permit issued in conflict with this Title or as a result of inadvertence, error or mistake shall be null and void.

19-1-6 Violations And Penalties

1. It shall be a violation of this Title for any person to sell or transfer any land in a subdivision before recording a plat or to submit a subdivision plat to the County Recorder's Office for recording without complying with the provisions of [Section 10-9a-604](#), Utah Code Annotated, 1953, or being exempt from the provisions thereof.
2. Any person who violates any of the provisions of this Title shall be guilty of a Class C misdemeanor and, upon conviction of any such violation, shall be punished by a fine of not more than \$750.00 or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment, or a fine not to exceed \$1,000.00 for a corporation, association, partnership, or government instrumentality.
3. In addition to the penalties prescribed in Subsections (1) and (2), the City shall be entitled to exercise and enforce the remedies set forth in [Section 10-9a-802](#) of Utah Code Annotated, 1953, including, but not limited to, withholding building permits and assessing attorney's fees and other costs of enforcement.

19-1-7 Definitions

The following words and phrases used in this Title shall have the respective meanings hereinafter set forth, unless a different meaning clearly appears from the context:

Adjacent Landowners - Any property owner of record, according to the records of the County Recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Administrative Land Use Authority – The Kaysville Planning Commission

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

Block - The land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

City - Kaysville City.

City Council - The Kaysville City Council.

City Engineer - The Kaysville City Engineer.

Condominium Project - A real estate condominium project. A plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures or otherwise, are separately offered or proposed to be offered for sale. Condominium project shall also mean the property where the context so requires.

Dedication - Land set aside by an owner for any general and public uses, reserving for themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat showing the dedication thereof.

Developer - Any person, including a corporate person, who undertakes to develop land, including Subdividers.

Development - The improvement of any tract, lot, or parcel of land by construction thereon.

Easement - That portion of a lot or lots reserved or granted for the present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on the surface, or above said lot or lots.

Final Plat - The final drawing of the subdivision and dedication prepared for filing for record with the County Recorder and in compliance with all the requirements set forth in this Title and adopted pursuant thereto.

General Plan - The Kaysville City General Plan.

Improvement Completion Assurance - A cash deposit furnished and filed with Kaysville City in an amount equal to one hundred fifteen percent (115%) of the current cost of a Slurry Seal Type III on all asphalt pavement in streets, as determined by licensed contractor quote.

Improvement Warranty - Applicant's unconditional warranty that the accepted improvements comply with Kaysville City's written Standards for Design, Materials, and Workmanship and will not fail in any material respect, as a result of poor workmanship or materials, during the Improvement Warranty Period, and a cash deposit furnished and filed with Kaysville City in an amount often percent (10%) of the actual costs of the improvements less the Slurry Seal Type III on all asphalt pavement in streets.

Improvement Warranty Period - A period of one (1) year after the Applicant provides the Improvement Warranty and the City ~~Council~~ accepts the improvements unless the City ~~Council~~ determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare and has substantial evidence, on record, of prior poor performance by the Applicant or that the area upon which the improvements were constructed contains suspect soil and the Applicant has not mitigated the suspect soil.

Lot - A parcel of land comprising a unit within a subdivision or a unit of land for building development or transfer of Ownership, together with such yards, open spaces, lot width, and area as required by this Title and the Zoning Ordinance of Kaysville City.

Lot Line Adjustment - The adjustment of a mutual boundary between either multiple subdivided lots or multiple established lots of record where the property line is modified in compliance with yard, lot size, and frontage requirements for the applicable zoning district and where no new lot is created.

Lot Consolidation - The combination of two or more lots whether previously subdivided or established lots of record where the legal description of more than one contiguous parcel of property is revised into one legal description encompassing all such parcels of property and where no zoning violation is created.

Major Street Plan - A plan, labeled "Major Street Plan" approved by the City Council which identifies the major street network of Kaysville City and requirements thereof.

Off-site - Outside a specific parcel of land being developed or considered for development.

On-site - Within a parcel of land owned by a private citizen or by a private legal entity.

Parcel of Land - A contiguous quantity of land in the possession of, owned by, or recorded as the property of the same owner or person.

Person - An individual, corporation, partnership, organization, association, trust, governmental agency or any other legal entity.

Pioneer Developer - A Developer that acquires easements or rights-of-way or installs improvements that provide service for development of a site other than the Development of the pioneer developer and enters into a Pioneer Developer Agreement approved by the City.

Planned Residential Unit Development - 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.

Planning Commission - The Kaysville City Planning Commission.

Plat - A map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Protection Strip - A strip of land bordering both the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access of property owners abutting the subdivision to the street.

Streets:

1. Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.
2. Street, Arterial - A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated in the Major Street Plan.
3. Street, Collector - A street, existing or proposed, which collects and distributes traffic and is designated in the Major Street Plan.
4. Street, Significant Local - A street, existing or proposed, which is supplementary to a collector street and is designated in the Major Street Plan.
5. Street, Local - A street which is not otherwise classified.
6. 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.
7. Street, Cul-de-sac - A terminal street provided with a turnaround with a 100-foot minimum diameter. Cul-de-sac streets shall not be any longer than six hundred feet (600') from the centerline of the adjoining street to the center of the turnaround.

Subdivider - Any person, including a corporate person, who undertakes to create a subdivision.

Subdivision - Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Suspect Soil - Soil that has a high susceptibility for volumetric change, typically clay rich, having more than a three percent (3%) swell potential; bedrock units with high shrink or swell susceptibility; or

gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

Zoning Ordinance - The Planning and Zoning Ordinance of Kaysville City, as adopted by the City Council and as amended.

Other definitions as used in the Municipal Land Use Development and Management Act, Section 10-9a-103, may be used in applying and interpreting this Chapter, if applicable and not in conflict herewith.

19-1-8 Validity

If any provision of this Title or its application to any person or circumstances is for any reason held invalid, the remaining portion and/or portions of this Title or the application of the provision to other persons or circumstances shall not be affected.

19-1-9 Appeals

1. The applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal that decision applying this Title by alleging that there is error in any order, requirements, decision, or determination made by an official in the administration or interpretation of this Title.
2. Any officer, department, board, or bureau of the City affected by the grant or refusal of a building permit or by any other decisions of the administrative officer in the administration or interpretation of This Title may appeal any decision to the Administrative Law Judge.
3. Such appeal shall be taken within seven (7) calendar days from the date of the action appealed from by filing with the officer from whom the appeal is taken and with the City Recorder a notice of appeal specifying the ground thereof.
4. The officer from whom the appeal is taken shall transmit to the Administrative Law Judge all papers constituting the record upon which the action appealed from is taken.
5. The person or entity making the appeal has the burden of proving that an error has been made.
6. The Administrative Law Judge shall find whether there is substantial evidence that an error has been made. The Administrative Law Judge may affirm, reverse, or modify the action appealed from as it seems just and equitable and exercise all rights of any other officer or commission.
7. Only decisions applying this Title may be appealed to the Administrative Law Judge. Appeals may not be used to waive or modify the terms or requirements of this Title.
8. All appeals shall comply with the requirements of [Section 10-9a-701](#) Utah Code Annotated, 1953.

19-2-1 Subdivision Development Process

The following steps are required:

1. The Subdivider contacts the City ~~Engineer~~ for information concerning the City subdivision requirements and compatibility with the General Plan, and discusses the proposed plan of development prior to preparing any plats, plans or charts.
 1. If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.
 2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 1. Copies of applicable land use regulations;
 2. A complete list of standards required for the project
 3. Preliminary and final application checklists; and
 4. Feedback on the concept plan
2. The Subdivider pays the preliminary plat fee at the City Office.

3. The Subdivider submits the following to the City ~~Engineer~~ for the preliminary plat:
 1. ~~Three (3) copies of the~~ The preliminary plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-3-3](#).
 2. A copy of the preliminary plat fee receipt.
 3. The Owner's affidavit
 - 2.4. An electronic copy of all plans in PDF format
4. The Subdivider submits copies of the preliminary plat and any applicable utility load information to agencies and service providers as needed. If a State highway is involved, the Subdivider provides evidence of approval of access, curbs, gutters, and sidewalks by the Utah Department of Transportation to the City ~~Engineer~~.
5. ~~The~~ City staff will review the documents and make recommendations. ~~Fifteen~~ Ten (150) working days are allowed for completion of staff review for each submittal or re-submittal.
6. Upon completion of the staff review, the City ~~Engineer~~ will place the item on the Planning Commission agenda and notify the Subdivider.
7. The Planning Commission will meet and review the preliminary plat and take action. The Subdivider or agent must attend and present the plat. ~~The Planning Commission then forwards the plat to the City Council, with its recommendations and conditions thereon.~~
8. ~~The City Council will meet and review the plat. The Subdivider or agent must meet with the Council and discuss the plat. (Refer to KCC 19-3-5(2).)~~
- 9.8. The Subdivider pays the final plat fee at the City Office.
- 10.9. The Subdivider submits ~~six (6) copies of~~ the tentative final plat to the City ~~Engineer~~.
- 11.10. ~~The~~ City ~~Staff~~ Engineer checks the tentative final plat for compliance with conditions and returns ~~one~~ copy to the Subdivider.
- 12.11. The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
- 13.12. The Subdivider submits the following to the City ~~Engineer~~:
 1. ~~Original and two (2) copies of the~~ The final plat prepared by a registered engineer or land surveyor in accordance with [KCC 19-4-3](#).
 2. Cross sections and profiles of the streets and all other construction drawings related to all of the improvements to be constructed within the subdivision. All such drawings and materials must be signed and stamped by a registered professional engineer.
 3. Open space improvement drawings if applicable.
 4. Low Impact Development (LID) and/or storm water facility details. Depending on site conditions or complicating factors, the City may require a written geotechnical report supporting assumptions made when calculating the Water Quality Volume (WQV), as defined in the City's LID manual, and any subsequent calculations on infiltration and LID facility sizing.
 5. Title report.
 6. Written results of a test for suspect soils in the area upon which public improvements will be constructed.
 - 4.7. Agreements if applicable
 - 5.8. Copy of final plat fee receipt.
13. ~~The~~ City staff will review the documents and ~~make recommendations~~ provide comments on any necessary modifications or require addition information. ~~Ten~~ Twenty (~~1~~20) working days are allowed for completion of staff review for each submittal or re-submittal. No more than four (4) review cycle are permitted. The City may only add new relines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law.
 1. If, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received;

1. For a dispute arising from the subdivision improvements plans, assemble an appeal panel in accordance with Utah Code to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the municipality, the panel shall consist of the following three experts:
 1. One licensed engineer, designated by the City;
 2. One licensed engineer, designated by the land use applicant; and
 3. one licensed engineer, agreed upon and designated by the two designated engineers as appointed by the City and applicant
 2. A member of the panel assembled by the City may not have an interest in the application that is the subject of the appeal.
 3. The land use applicant shall pay:
 1. 50% of the cost of the panel; and
 2. the City's published appeal fee; or
 - 6.2. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.
14. Upon completion of staff review, the City Engineer will ~~place the item on the Planning Commission agenda and~~ notify the Subdivider.
- ~~15. The Planning Commission will meet and review the final plat and take action. The Subdivider or agent must attend and present the plat.~~
- ~~16. The Subdivider submits the following to the City Engineer.~~
 - ~~1. Preliminary Title Report.~~
 - ~~2. Written results of a test for suspect soil in the area upon which public improvements will be constructed.~~
 - ~~3. Depending on site conditions or complicating factors, the City may require a written geotechnical report supporting assumptions made when calculating the Water Quality Volume (WQV), as defined in the City's LID manual, and any subsequent calculations on infiltration and LID facility sizing.~~
 - ~~4. Agreements if applicable.~~
- ~~17.~~15. The City Attorney will review the documents submitted to ~~e~~insure adequacy and sign the plat when approved.
- ~~18.~~16. The Subdivider must then pay the following fees at the City Office:
 1. Development fees.
 2. Recording fees.
 3. Inspection fees.
 4. Utility extension fees.
- ~~19.~~17. The Subdivider submits the Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) for the subdivision to the Storm Water [Manager](#) or their designee.
- ~~20.~~18. The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
- ~~21.~~19. The Subdivider submits an Excavation Permit application for work within City streets and/or right of way ([KCC 9-2-9](#)) and pays the necessary cash deposit and fee amounts.
- ~~22.~~20. The Subdivider constructs and installs all improvements, except the preventative maintenance surface treatment with inspection by the City. In the event the Subdivider ~~has constructed and installed all improvements except sidewalks and asphalt pavement in a subdivision phase and~~ desires to begin construction of residential buildings before ~~improvements the sidewalks and asphalt pavement~~ are installed in the subdivision phase, the City may accept building permit applications upon compliance with all other requirements, including recording the plat, plus the following:
 1. The Subdivider shall guarantee the proper installation of ~~the sidewalks and asphalt pavement~~improvements in accordance with Kaysville City standards and specifications, by

cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ~~ten~~ ~~fifteen~~ percent (11~~05~~%) of the cost of the installation of the ~~sidewalks and asphalt improvements~~ as determined by licensed contractor quote.

- ~~2.~~ Meet all requirements for the issuance of a building permit under the building and fire code.
- ~~1-3.~~ In accordance with building code, any retaining walls, or similar structures, in excess of four (4) feet from the bottom of the footing to the top of the wall, shall be designed by a licensed engineer. A report from, and stamped by the licensed engineer of record (or an agency approved by the City) shall certify the installed structure is compliant with the design.
- ~~2.~~ All building lots within the subdivision phase shall be owned by the Subdivider and remain owned by the Subdivider until the sidewalks and asphalt are installed in the subdivision phase and the improvements are completed and certified.
- ~~3-4.~~ No final building inspection will be scheduled nor conducted and no occupancy allowed until all subdivision phase improvements have been completed and certified.
- ~~23-21.~~ The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City ~~Engineer~~.
- ~~24-22.~~ The Public Works Superintendent certifies that the improvements are completed.
- ~~25-23.~~ The City Engineer addresses the lots on the plat and has the final plat recorded at the office of the Davis County Recorder and then building permit applications will be accepted.
- ~~26-24.~~ The City accepts the improvements and the Improvement Warranty Period begins.
- ~~27-25.~~ Near the end of the warranty period, the Subdivider requests a City Inspection of the improvements and the Subdivider corrects all deficiencies identified in the punch.list provided by the city inspector.
- ~~28-26.~~ When the improvements comply with City standards as certified by the Public Works Superintendent, the Subdivider applies a preventative maintenance seal coat on all asphalt pavement in streets, then the Improvement Warranty Period ends and the Improvement Completion Assurance and Improvement Warranty are released.

19-2-2 Improvement Completion Preventative Maintenance Assurance

The Subdivider shall guarantee the proper completion of a preventative maintenance surface treatment (type to be ~~or~~ approved by the City) equivalent on all asphalt pavement in streets in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ~~fifteen-ten~~ percent (11~~05~~%) of the cost of a preventative maintenance surface treatment on all asphalt in streets as determined by licensed contractor quote.

19-2-3 Dedication Of Rights-Of-Way And Public Property

The Subdivider shall dedicate the rights-of-way, easements, and other public property to Kaysville City at the time the final plat is recorded.

19-2-4 Completion Assurance and Improvement Warranty Bond

1. Upon completing the installation of all improvements, the Subdivider shall request an inspection to determine if any improvements (not including private landscaping) have failed in any material respect. If the City determines that the improvements have failed, the City shall provide a list of the failures to the Subdivider. The Subdivider shall thereafter cause the improvements to comply with Kaysville City's Standards for Design, Materials, and Workmanship, as determined by the City. If the Subdivider refuses or neglects to do the listed work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the improvement completion assurance bond to defray expenses.
- ~~1-2.~~ Following satisfactory completion of any remedies to the failures listed, the City ~~Council~~ will accept the improvements, ~~when they are complete and accepted~~, subject to receiving the Improvement Warranty ~~and cash deposit~~ Bond. The Subdivider shall provide to the City an

Improvement Warranty ~~Bond and cash deposit~~ in an amount of ten percent (10%) of the actual costs of the improvements less the preventative maintenance surface treatment on all asphalt pavement in streets. The Warranty Bond may be in form of a cash deposit or escrow account.
~~2.3. Before the end of the Improvement Warranty Period~~No sooner than 12 months after accepting the improvements, the subdivider shall again request an inspection, as previously detailed herein. the City will determine if the improvements (not including landscaping) have failed in any material respect. If the City determines that the improvements have failed, the City shall list the failures. The Subdivider shall thereafter cause the improvements to comply with Kaysville City's Standards for Design, Materials, and Workmanship, as determined by the City.
If the Subdivider refuses or neglects to do the listed warranty work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the ~~cash deposit~~improvement warranty bond to defray expenses.

19-2-5 As-Built Drawings

The Subdivider shall provide as-built drawings of all subdivision improvements before building permits are issued. The as-built drawings shall be 24 inch by 36 inch Mylar and a digital copy ~~on compact disk~~ in an AutoCAD*.d~~wgxf~~ format. These as-built drawings shall show, but not be limited, to the following:

1. Location of water lines and laterals referenced to property corners.
2. Location of sewer lines and laterals referenced to property corners.
3. Storm drains, ground drains, drainage ditches, clean out boxes, and other fixtures.
4. Location of irrigation water lines and laterals referenced to property corners.
5. Location of electric system facilities referenced to property corners.
6. Other items as directed by the City-Engineer.

19-2-6 Condominium Projects - Subdivision

1. A condominium project shall be considered to be a subdivision, and a Record of Survey Map or supplement thereto prepared pursuant to ~~the Condominium Ownership Act, Chapter 8 of Title 57, Utah Code Annotated 1953~~Utah Code, shall be considered to be a subdivision map or plat with respect to such real property or improvements that are to be dedicated to the use of the public, and to those units which are not contained in existing or proposed buildings.
2. Condominium projects shall comply with all the provisions of the Zoning Ordinance; the building, health, and similar development regulations and ordinances of Kaysville City; and with the Kaysville Subdivision Ordinance; and shall follow the procedure outlined in such regulations for processing subdivisions.
3. The standards and criteria for the geographical layout of a condominium project, the facilities of utility lines and roads, and the percentage of the project to be devoted to common or recreational use shall comply with the provisions of the above ordinances and regulations.
4. A copy of the preliminary Condominium Declaration prepared pursuant to ~~the Condominium Ownership Act, of the~~ Utah Code ~~Annotated 1953~~, shall be submitted to the Planning Commission, along with the preliminary record of survey, for review and approval with respect to the standards for the maintenance, upkeep and operations of roads, utility facilities, recreational areas, and open spaces in the project.
5. The developer of a condominium project shall install the required improvements listed in KCC 19-6, Subdivision Improvements Required, of this Title after final approval of the condominium by the City Council. Said installation of improvements shall be subject to all assurances detailed in KCC 19-2-2 and KCC 19-2-4.

19-2-7 Lot Line Adjustments And Lot Consolidations

Applications that meet the definition of a lot line adjustment or lot consolidation shall be processed in the following manner.

1. The applicant petitioning for approval of a lot line adjustment or lot consolidation contacts the City ~~Engineer~~ for information concerning the City's amended plat requirements and discusses the proposed plan prior to preparing any plats, plans or charts.
2. The applicant pays the lot line adjustment/lot consolidation fee at the City Office.
3. The applicant submits the following to the City ~~Engineer~~:
 1. ~~Three (3) copies of an~~An amended plat prepared by a registered engineer or surveyor and supporting documents as specified in KCC 19-4-3 with the signature blocks for the following:
 1. City Engineer approval
 2. City Attorney approval
 2. A copy of the lot line adjustment/lot consolidation fee receipt.
 3. Preliminary Title Report.
 4. Agreements if applicable.
4. The applicant submits copies of the amended plat and any applicable utility load information to agencies and service providers as needed.
5. The applicant submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
6. The City staff will review the documents. ~~Ten-Fifteen (15-10)~~ working days are allowed for completion of staff review for each submittal or re-submittal.
7. Upon completion of the staff review, the City ~~Engineer~~ will notify the applicant of any necessary changes to comply with applicable standards and ordinances. Once the amended plat meets all applicable standards and ordinances, the City ~~Engineer~~ will assign addresses to each lot on the plat as needed and notify the applicant to submit a mylar copy of the approved plat.
8. Approval of the final plat shall be effective until the later of:
 1. One (1) year after the date of approval by the City ~~Engineer~~; or
 2. The last day of extension period approved by the City ~~Engineer~~.
 3. If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.
9. The City Attorney will review the documents submitted to insure adequacy and sign the plat when approved.
10. The City Engineer ~~completes~~ then signs the plat then has the final plat recorded at the office of the Davis County Recorder after which building permit applications will be accepted.
11. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City ~~Engineer~~ is responsible for recording all subdivision plats. The applicant shall be responsible for all recording and associated fees.

- ~~11,12.~~ An amended plat is not required for adjusting a boundary line between a lot and a parcel located outside of a subdivision.

19-3-1 Preliminary Consultation

1. If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 1. Copies of applicable land use regulations;
 2. A complete list of standards required for the project
 3. Preliminary and final application checklists; and
 4. Feedback on the concept plan

~~Each person who proposes to subdivide land in Kaysville City shall consult with the Planning Commission staff before preparing any plats, charts, or plans, in order to become familiar with the City subdivision requirements and general and master plans for the territory in which the proposed subdivision lies, and to discuss the proposed plan of development of the tract.~~

19-3-2 Preliminary Plat Filing

A preliminary plat shall be prepared in conformance with the standards, rules, and regulations contained herein; and ~~three (3) prints thereof~~ shall be submitted to the City ~~Engineer~~ for approval or disapproval by the Planning Commission. The preliminary plat and accompanying information shall be submitted to the City ~~Engineer~~ at least fifteen (15) working days prior to a regularly scheduled Planning Commission meeting in order to be considered at said meeting.

19-3-3 Preliminary Plat Requirements

The preliminary plat shall be drawn to a scale not smaller than 100 feet to the inch. The plat and attached documentation shall show:

1. The proposed name of the subdivision (there shall be no duplication of subdivision names within Kaysville City).
2. The subdivision location as forming a part of a larger tract or parcel, where the plat submitted covers only a part of the Subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the part submitted shall be considered in light of adjustments and connections with the future street system of the larger area. The preliminary plat shall show all property owned or optioned by the Subdivider pertaining to the proposed subdivision at hand. This information may be required as a separate drawing.
3. Sufficient information to locate accurately the property shown on the plat, including a clearly defined basis of bearing for the survey as well as the date of the survey. The nearest section corner tie must be shown.
4. The names and addresses of the Subdivider, the engineer or surveyor of the subdivision, and the names of the owners of the land immediately adjoining the land to be subdivided shall be shown on the preliminary plat.
5. Contours at two-foot intervals to show the topography of the land shall be shown.
6. The boundary lines of the tract to be subdivided, including total acreage proposed for subdivision.
7. The locations, horizontal alignments, vertical alignments, widths, and other dimensions of all existing or platted streets and other important features such as easements, railroad lines, water courses (including irrigation canals and ditches), exceptional topography, bridges and buildings within and in the vicinity of the tract to be subdivided.
8. Existing power lines, sanitary sewer, storm drains, water supply mains, and culverts within the tract and immediately adjacent thereto.

9. The flood hazard boundaries. if applicable.
10. The locations, widths, and other dimensions of proposed public streets, private streets, utility easements, parks, other open spaces and lots, with proper labeling of spaces dedicated to the public, or designated as private streets.
11. Buffer zones where non-compatible uses adjoin a proposed subdivision.
12. North point, scale, and date.
13. The proposed layout. dimension, and number of each lot.
14. Proposed construction and permanent fencing along appropriate subdivision boundaries as determined by the Planning Commission, The fencing shall be as indicated in the Subdivision Standards.
15. A review copy of proposed protective covenants, if applicable.
- ~~16. A statement of the existing zoning and conformance with the General Plan.~~
- ~~17.16. A preliminary storm drainage study, with schematic solutions and the associated calculations.~~
- ~~18.17. Storm water quality infrastructure and facilities, including LID facilities and/or storm water treatment facilities as described in the City's LID manual with associated calculations. Calculations shall include a Water Quality Report (WQR), as described in the City's LID Manual.~~
- 19.18. Depending on site conditions or complicating factors, the City may require a written geotechnical report for the proposed development site that includes (but is not limited to) general soils classifications, assessment of the capability of the existing soils to allow infiltration and potential for geological hazards if water is infiltrated at the site.
- ~~20.19. A storm water maintenance agreement for all conveyance/retention/treatment/detention facilities owned and maintained privately (outside of City right of way or City owned property) between the City and the facility owner(s). Said agreement shall be recorded with the plat and transfer to subsequent owners of said property and/or facilities.~~
- 21.20. Preliminary Plans or written statements regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, and any grading of individual lots.
- 22.21. Preliminary Plans and written statements regarding the proposed groundwater drainage facilities. The [City's LID Manual](#) will guide and/or dictate the approach if infiltration cannot be.

19-3-4 Preliminary Plat - Staff Review

Before submittal to the Planning Commission, plats shall have review and endorsement by the City staff. Without this endorsement, the plat shall not be reviewed by the Planning Commission.

19-3-5 Preliminary Plat Approvals

- ~~1. The preliminary plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision preliminary plat design and forward its recommendation to the City Council. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.~~
- ~~2.1. The preliminary plat shall be reviewed by the City Council Planning Commission. The Council Commission shall either approve or reject the subdivision preliminary plat design. If approved, the City Council Planning Commission shall express its approval with whatever conditions are attached. If the preliminary plat is disapproved, the City Council Planning Commission shall indicate its disapproval and reasons therefor. Upon the City Council's Planning Commission's approval, the Subdivider is authorized to proceed with the preparation of the final plat and detailed construction drawings and specifications for the improvements required in this Title.~~
- ~~3.2. Approval of the preliminary plat by the City Council Planning Commission shall be effective for a maximum period of one (1) year after approval unless, upon application of the Subdivider, the City~~

Council grants an extension. If the final plat has not been submitted within one (1) year, or the approved extension period, the preliminary plat must again be submitted to the Planning Commission ~~and City Council~~ for consideration. However, preliminary approval of a large tract shall not be voided, provided that the final plat of the first phase is submitted for final approval within a one (1) year period.

- 4.3. All approvals shall be in writing and oral statements or approvals by City staff are not authorized and shall not be binding on the City.

19-3-6 Grading Limitation

No excavation, grading, or regrading shall take place on any land for which a preliminary subdivision plat has been submitted until the final plat has been given final approval.

19-4-1 Tentative Final Plat Required

1. Prior to the submission of the final plat, the Subdivider shall submit a digital ~~and hard~~ copy of the tentative final plat to the City ~~Engineer~~ who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plat.
2. The City ~~Engineer~~ shall return one (1) copy of the checked tentative final plat to the Subdivider indicating thereon any changes required.

19-4-2 Final Plat Required

After compliance with the provisions of this Title, the Subdivider shall submit a final plat ~~with two copies~~ thereof to the City ~~Engineer~~. Such plat shall include a certificate by the Subdivider's engineer indicating that all lots meet the requirements of the Zoning Ordinance. ~~The final plat and accompanying information shall be submitted to the City Engineer at least fifteen (15) working days prior to a regularly scheduled Planning Commission meeting in order to be considered at such meeting.~~

19-4-3 Final Plat Requirements

The final plat shall comply with the requirements of the Davis County Recorder. The plat shall be signed by all parties (mentioned in Subsection (7) of this section) duly authorized and required to sign. ~~The final plat and attached documentation shall show; and shall contain the following information:~~

1. A subdivision name approved by the County Recorder and the general location of the subdivision in bold letters at the top of the sheet.
2. Where a subdivision complies with the Planned Residential Unit Development (PRUD) provisions of the Zoning Ordinance and of the regulations, the final plat shall indicate underneath the subdivision name the words Planned Residential Unit Development. In addition, when a subdivision complies with the Condominium Project provisions of this Title, the Record of Survey Map shall indicate underneath the condominium name the words Condominium Project.
3. A north point, scale of the drawing, and the date.
4. Accurately drawn boundaries showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.
5. The widths, lengths, bearings, and curve data on centerlines of proposed streets, and easements; the boundaries, bearing the dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, minimum floor and crawl space elevations, and numbers of all lots, blocks, and parts reserved for any reason within the subdivision.

All lots are to be numbered consecutively by numbering approved by the City Engineer. The City shall provide an address number to each residential or business structure.

6. Parcels of land to be dedicated as public parks or to be permanently reserved for private common open space shall also be titled Public Park or Private Common Open Space, whichever is applicable.
7. The standard forms approved by the Planning Commission for all subdivision plats lettered for the following:
 1. Description of land to be included in the subdivision.
 2. Registered professional engineer and/or land surveyors Certificate of Survey.
 3. Owners Dedication Certificate.
 4. Notary Publics acknowledgment.
 5. City Planning Commission approval.
 6. Utility approval as required.
 7. City Attorney approval.
 8. City Engineer approval.
 9. ~~City Council approval~~ Mayor (as a non-discretionary and ministerial act for the acceptance of land and public improvements that may be proposed for dedication to the City) attested by the City Recorder.
 10. A three inch (3") by three inch (3") signature block in the lower right hand corner of the drawing for County recording information.
8. Copy of the Protective Covenants for approval by the City Council and recording if applicable.
- ~~8.9. Storm water quality infrastructure and facilities, including LID facilities and/or storm water treatment facilities as described in the City's LID manual with associated calculations. Calculations shall include a Water Quality Report (WQR), as described in the City's LID Manual.~~
- ~~9.10. A storm water maintenance agreement for all conveyance/retention/treatment/detention facilities owned and maintained privately (outside of City right of way or City owned property) between the City and the facility owner(s). Said agreement shall be recorded with the plat and transfer to subsequent owners of said property and/or facilities.~~
- ~~10.11. Final construction drawings regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, utilities, any grading of individual lots and all required improvements as required by section KCC 19-6-3.~~

19-4-4 Amended Plats

When changes are made in a plat of a subdivision, approval of said subdivision shall be voided and an amended plat thereof shall be processed in accordance with this Title.

19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
- ~~2. The final plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision final plat. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.~~
- ~~3.2.~~ If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City Engineer.

~~4.3.~~ No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.

~~5.4.~~ Approval of the final plat shall be effective until the later of:

~~1.~~ One (1) year after the date of approval ~~by the Planning Commission; or~~

~~2.1.~~ Thirty (30) days after the last date on which construction of improvements was done; or

~~3.2.~~ The last day of the extension period approved by ~~the Planning Commission; the City~~

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

~~6.5.~~ It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City ~~Engineer~~ is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

19-5-1 Arrangement Of Streets

The arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision and the continuation of streets in lands adjoining the subdivision, as determined by the City Engineer. The street arrangement shall not cause unnecessary hardship for maintenance crews or owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Half streets along the boundary of land proposed for subdivision or within any part of a subdivision will not be permitted.

19-5-2 Streets

1. **Major Streets.** Arterial, collector, and significant local streets shall conform to the width designated on the Major Street Plan wherever a subdivision falls in an area for which a Major Street Plan has been adopted. For areas where the street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission, arterial, collector, or significant local streets shall be provided as required by the Planning Commission.
2. **Local Streets.** Local streets shall have a minimum width of fifty-five feet (55') with sixty-six feet (66') required for streets that will have greater use as determined by the City Engineer.
3. **Cul-de-sac Streets.** Cul-de-sacs shall not be longer than six hundred feet (600') from the centerline of the adjoining street to the center of the cul-de-sac. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter. If surface water drains into the turnaround due to the grade of the street, necessary catch basins and drainage systems and easements shall be provided.
4. **Temporary dead-ends and turning Area.** Where a street longer than one lot is designed to remain only temporarily as a dead-end street, the following shall apply:
 - ~~1.~~ ~~The continuation of that street to another public street connection shall be started within one year of the City accepting the improvements of the temporary dead-end.~~
 - ~~2.1.~~ Where the street dead-ends into a subsequent phase of the same subdivision, a temporary, graveled 80-foot diameter turnaround and a permanent easement of right-of-way on the subsequent phase property shall be provided. However, if the subsequent subdivision phase is not recorded at the time of roadway paving in the preceding phase, an 80-foot diameter asphalt-surfaced turnaround shall be placed on the subsequent phase property.
 - ~~2.~~ Where the street dead-ends against property which is not part of a subsequent subdivision phase, either a bubble inside the subdivision as shown in the Standard Drawings, or an

asphalted 80-foot diameter turnaroud, along with a permanent easement of right-of-way from the adjacent property owner, shall be placed. If a bubble inside the subdivision is provided, the Subdivider shall pay to the City an amount equal to 115% of the cost of removing the bubble and installing standard street improvements and landscaping.

5. **Intersections.** The intersection of more than two streets at one point shall not be allowed. Streets shall intersect at a ninety degree (90°) angle. Street intersections shall be rounded with a minimum radius of twenty-five feet (25') measured at the back of curbs.
6. **Standard Street Sections.** All streets, whether existing or proposed, shall be made to conform to the City Street Cross Section Standards as adopted by the City. Existing streets shall be profiled and redesigned to full street width far enough beyond the subdivision boundaries to drain and function properly.
7. **Street Grades.** Street grades shall not exceed the following percentages: on arterial streets eight percent (8%); on local and collector streets ten percent (10%). Street grades near intersections shall be designed for adequate stopping and starting by adjusting grades on both sides of the intersection. Grades on all cul-de-sac streets shall be a minimum of 1.0% and on all other streets shall be a minimum of 0.5% unless specifically authorized by the City Engineer. The cross slope of the street cross section is defined on the standard drawings. The maximum difference in curb elevations shall not exceed one foot (1'), and then only with the approval of the City Engineer.
8. **Alleys.** Alleys shall have a minimum width of twenty-six feet (26'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the Planning Commission.
9. **Bridges.** Design and construction of new bridges, whether essential for the overall circulation plan of the City or required only to serve a subdivision, shall be approved in advance by the City.
- ~~10. **Protection Strips.** Where subdivision streets parallel contiguous property of other owners, the Subdivider may retain a protection strip of not less than one foot (1') in width between the street and adjacent property. Protection strips will be allowed only at the discretion of the City Council, after recommendation of the Planning Commission, and in accordance with all City ordinances. An agreement with the City, approved by the City Attorney, shall be made by the Subdivider, contracting to dedicate the one foot or larger protection strip free of charge to the City for street purposes upon payment by the present owners of the contiguous property to the Subdivider of a consideration named in the agreement. Such consideration is to be equal to the cost, at the time of the agreement, of the street improvements properly chargeable to the contiguous property, plus the value of the land from the right-of-way line to the centerline of the street at the time of the agreement, together with interest at a fair rate from the time of agreement until the time of subdivision of such contiguous property. All charges to be associated with the protection strip, as well as the interest rate, shall be recorded as part of the aforementioned agreement. All property owned by the Subdivider shall be included on both the preliminary and final plat.~~
- ~~11.~~10. **Excavations and Fills.** Subdivision development adjacent to the Great Salt Lake or its natural drainage channels, or within any marsh or wetlands which will result in any discharge of excavated or fill materials, may require obtaining a permit from the U.S. Army Corps of Engineers prior to the issuance of local permits for the deposition of fill material into any wetland or stream channel. This determination shall be made a part of the preliminary plat staff review.
- ~~12.~~11. **Names and Numbers.** Names of new streets shall not duplicate existing or planned street names unless a new street is a continuation of, or in the alignment with, the existing or platted street. House numbers shall be assigned in accordance with the House Numbering System in effect in the City. All new streets shall be numbered if they are in alignment with the grid. They shall be named if not in alignment with the grid.

19-5-3 Blocks

1. The maximum length of blocks shall be 1300 feet and the minimum length of blocks shall be 300 feet.
2. The width of blocks shall be sufficient to allow at least two tiers of lots, or as otherwise approved by the Planning Commission because of design, terrain, or other unusual conditions.
3. Blocks intended for business or industrial use shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.

19-5-4 Lots

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be property related to topography and to existing and probable future utilities, rights-of-way, and other requirements.
2. All lots shown on the subdivision plat must conform to the minimum area and width requirements of the Zoning Ordinance for the zone in which the subdivision is located, unless:
 1. A variance is granted; or
 2. It conforms to the Planned Residential Unit Development (PRUD) or Condominium Project provisions.
3. Each [residential](#) lot shall abut a paved street or common area of a Condominium Project that abuts a paved street. Interior lots having frontage on two streets shall be prohibited, except where unusual conditions make any other design undesirable.
4. Buildings constructed on corner lots shall comply with the minimum setback for both streets, or the setbacks of a Planned Residential Unit Development (PRUD), as provided in the Zoning Ordinance.
5. Side lines of lots shall be at approximately right angles to the street line, or radial to the street line unless in a Condominium Project.
6. Remnants of lots less than the minimum size required by the zoning after the subdividing of a larger tract shall be added to adjacent lots rather than allowed to remain as unusable parcels. In no event shall the subdivision of land create a lot which does not conform to the Zoning Ordinance requirements.
7. Where the land included in a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the Planning Commission by the County Recorder.
8. Lots deemed by the Commission to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, but such land within the plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.

19-5-5 Easements

Easements for culinary water, sewer, power, irrigation water, drainage, telecommunications, cable television and other utilities shall be provided by the Subdivider and designated on the plat as required to accommodate the utility systems in the subdivision. Where natural drainage channels, interceptor systems, or flood hazard zones cross the subdivision, the Subdivider must obtain the necessary permits to modify such drainage facilities, and designate the channels, systems, or flood hazard zones, and any associated restrictions, on the plat.

19-5-6 Parks And Other Public Places

In subdividing property, the Planning Commission shall give consideration to suitable sites for parks, playgrounds, and other areas for similar public use.

19-5-7 Technical Specifications And Drawings

Click to view the published version of the [Technical Specifications and Drawings Standards](#).

19-6-1 Application Of Improvements Required

This Title applies to all property owners located in any subdivision and owners of property serviced by easements or rights-of-way or improvements set forth in [KCC 19-6-3](#), which have been acquired or installed by a pioneer developer or the City. Its provisions shall apply to all transferees, assignees, or purchasers.

19-6-2 Improvements Made Prior To Recording Final Plat

The improvements required by the City, including the improvements in each and every open space in the subdivision, shall be constructed and installed by the Subdivider and thereafter maintained by the Subdivider until after the warranty period and acceptance by the City. Improvements shall not be installed or constructed until their location and specifications have been approved by the City Engineer. In cases where a pioneer developer or the City has already acquired easements or rights-of-way or installed improvements subject to the Fee for Project Improvements provisions of [KCC 19-6-4](#), no recording of the final plat or issuance of building permits shall be permitted or allowed until the Fee for Project Improvements provisions of said Section have been satisfied.

HISTORY

Amended by Ord. [21-10-07](#) on 10/21/2021

19-6-3 Improvements Required

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

1. Sewage Collection

1. ~~Unless the applicable sewer district deems it to be unfeasible, the~~ Subdivider shall connect to the sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and specifications of, and shall be approved by, the applicable Sewer District and Kaysville City. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.

~~Individual waste water systems may be allowed in the area of Kaysville City which is five hundred feet (500') or more west of, and at an elevation that cannot flow to, the western most sewer main of the Central Davis Sewer District if:~~

~~A review of all alternatives (including new mains and lift stations) has first taken place and the City Engineer, working with the Central Davis Sewer District, finds that a subdivision making a connection to the Sewer District is not feasible; and The use of individual wastewater disposal systems in the proposed area does not pose a public health risk or environmental health risk. Such subdivisions shall then comply with the following:~~

~~The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.~~

~~All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.~~

~~All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e.,~~

~~structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).~~

~~Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.~~

- ~~2. Subdivisions using individual wastewater disposal systems are allowed in the area of Kaysville City which is three hundred feet (300') or more west of and at an elevation that cannot flow to the western most sewer main of the Central Davis Sewer District, if after review of all alternatives, the City Engineer determines that other alternatives are not reasonably available. Such subdivisions shall comply with the following:~~
 - ~~1. The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.~~
 - ~~2. All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.~~
 - ~~3. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).~~
 - ~~4. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.~~
2. **Groundwater.** The Subdivider shall protect the structures from groundwater by:
 1. Digging at least one test hole per acre or part thereof, at locations approved by the City Engineer, and determining the depth of the groundwater table and the permeability and percolation rate of the soils. These tests shall be performed by a qualified soils engineer at the Subdivider's expense. If a groundwater drainage system is installed to City standards, with a lateral provided to each lot for a footing drain, this testing is not required.
 2. Preparing a detailed groundwater plan for the subdivision, showing the minimum level of all floors and crawl spaces. If any floor or crawl space is to be installed within one foot or below the groundwater table or where the permeability and percolation rate of the soil is not adequate, the Subdivider shall install a groundwater drainage system to City standards, with a lateral provided to each lot for a footing drain.
 3. Making improvements to adequately remove groundwater and prevent groundwater entry into buildings, including crawl spaces.
 4. Preventing the discharge of surface water drainage into the groundwater drainage system.
3. **Storm Water.** A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The Subdivider shall implement the portion of that plan applicable to the subdivision by:
 1. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
 2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, detention basins, LID facilities and other appurtenant structures, to adequately address the WQV and dispose of 100-year frequency storm runoff within the subdivision and from adjacent properties. Said disposal system shall include the retention or treatment of the WQV, as detailed in the [City's LID Manual](#). Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.

3. Providing for restriction of the runoff from the subdivision to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 1. Conveyance (including easements) of the runoff to a regional detention/retentions/treatment site and paying the subdivisions proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 2. Dedicating land and constructing regional detention/retention/treatment within the subdivision and conveyance to the main channel if said subdivision contains a proposed detention site. The Subdivider may be compensated for a portion of the cost of the regional detention and conveyance to the main channel for that which is not the proportional share for the subdivision.; or
 3. Conveyance of the ~~funoff~~ runoff to a site within the subdivision dedicated and constructed for detention and/or retention.
4. If the subdivision is within one hundred feet (100') of a natural drainage main channel, complying with all Davis County Flood Control ~~standards~~requirements and ~~shall be being~~ approved by Davis County if the drainage is a recognized Davis County Flood Control channel.
5. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.
6. Unless otherwise directed or agreed to by the City Engineer, and infrastructure not located in a City right of way that is installed or used for the conveyance/treatment/detention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per KCC 9-3d-8.
4. **Culinary Water.** The Subdivider shall install water lines to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The location and size of water mains shall be approved by the City Engineer. Unless otherwise directed by the City Engineer, subdivision water lines shall be a minimum of eight inches (8") in diameter and service laterals shall be a minimum of 3/4-inch in diameter. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
5. **Fire Hydrants.** Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as directed by the City Engineer , and installed in such locations as approved by the City. A fire hydrant shall also be placed at the end of every dead-end water line, including the end of cul-sacsde-ends.
6. **Irrigation Water.** ~~In accordance with KCC 18-3-7Unless located east of U.S. 89~~, pressure irrigation shall be provided to each lot in residential subdivisions.
 1. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 2. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. In accordance with KCC 9-4-15 KCC 18-3-7, ~~It~~ it shall be illegal for any person to connect together a culinary water system and a non-potable water system by any method.
 3. The Subdivider shall comply with all the requirements of the provider and furnish proof thereof to the City.

4. Unless otherwise directed by the City, irrigation water and infrastructure shall remain isolated from and independent of storm water and infrastructure.
7. **Street Grading and Surfacing.** All streets whether existing or proposed, shall be graded and surfaced, including a Slurry Seal Type III preventative maintenance surface treatment applied on all new asphalt pavement in streets, in accordance with the standards and specifications of Kaysville City and the design for each street. Existing streets shall be modified to drain and function properly.
8. **Curbs and Gutters.** Curbs and gutters shall be installed by the Subdivider on existing and proposed streets in accordance with all the appropriate specifications of Kaysville City. Curb and gutter shall be thirty inches (30") wide standard high back style, and shall be placed in six inches (6") of compacted untreated base course as foundation materials.
9. **Street Drainage.** Street drainage and drainage structures shall be required where deemed necessary by the City Engineer. Drainage facilities and structures shall address storm water quality to comply with State and EPA regulations and requirements, as outlined in the City's LID Manual.
10. **Sidewalks.** Sidewalks shall be installed according to the specifications of Kaysville City. Sidewalks shall be at least four feet (4') wide with four inches (4") of compacted untreated base course material as foundation materials. Depth of sidewalks shall be four inches (4"). except at driveways, which shall be six inches (6"). Sidewalks located less than five feet (5') from the top back of curb shall be six feet (6') wide.
11. **Active Transportation Improvements.** Subdivisions which include or are adjacent to an element of the Kaysville City Active Transportation Plan shall account for and install the applicable improvements including off street shared use paths and street improvements such as striping.
12. ~~**Telecommunications Conduit.** Unless otherwise directed by the City Engineer, conduit for the purpose of housing telecommunications and internet infrastructure shall be installed in accordance with the Kaysville City Standard Drawings.~~

13. **Driveway Approaches.** All driveway approaches shall meet the following specifications:

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

14. **Monuments.** Permanent survey monuments shall be accurately set and established at the intersections of centerlines of streets within the subdivision and intersections with centerlines of

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

15. Electric Power System

1. The Subdivider shall pay the cost of electric ~~syS~~stem extensions and street lights, installed by the City, to service the subdivision.
 2. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 1. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 2. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 3. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
 3. The Subdivider shall prepare the site for electrical distribution line installation before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:
 1. Installation of curb and gutter indicating permanent grade.
 2. Markers installed on curb indicating property lines.
 3. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
 4. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
 4. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
 5. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.
- 16. Street Signs.** The Subdivider shall pay the cost of traffic control, street identification, and other street signs, installed by the City, in accordance with City standards. The cost will be charged to the Subdivider and shall be paid before the plat is recorded. The improvement assurance in the subdivision will not be released until after payment of the costs incurred to install the necessary street signs has been made.
- 17. Fencing of Subdivision.** A permanent solid board, metal chain link (with opaque slats if required), masonry, or other similar fence not less than six feet (6') in height shall be installed prior to the start of building construction along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be non-compatible by the Planning Commission. In addition, temporary construction fencing shall be installed along appropriate boundaries or where required to contain blowing refuse prior to the start of building construction, as recommended by the City ~~Engineer~~. The construction fence shall remain in place until 90% of the lots are built on. The construction fence shall be type "D" field fence as given in the specifications. Upon installation of the permanent fence by the Subdivider, and approval by Kaysville City, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall not hold Kaysville City responsible for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a non-climbable permanent fence coincide, the non-climbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of construction within the subdivision.
- 18. Marking of Lots.** Survey markers shall be placed at all lot corners and at lot boundary locations to completely identify the lot boundaries on the ground. Lot corners shall be identified with permanent

plugs in the sidewalk or back of the curb or with a metal pipe or rod driven into the ground if sidewalks or curbs are not next to the lot boundary. All lot corners and lot boundaries shall be marked prior to the issuance of building permits, after the completion of all subdivision improvements and during building construction and inspections. It shall be the responsibility of the lot owner to insure that all lot corner and boundary markers are in place. The City is not responsible to replace survey stakes or markers.

19. **Highway Noise Abatement.** Highway noise abatement, as determined through environmental studies and engineering analysis and approved by the Planning Commission. shall be provided in all residential subdivisions within three hundred feet (300') of a freeway or principal arterial. Noise abatement may include distance of noise sensitive uses from noise sources, landscaping, earth berms, and other mitigation. The Subdivider shall pay the entire cost of any noise abatement studies and noise abatement facilities.

19-6-4 Fee For Project Improvements

1. A pioneer developer, at its own expense, with the approval of the City, or the City, at its own expense, may acquire easements or rights-of-way or install any improvements referred to in [KCC 19-6-3](#).
2. In all instances where any such easements or rights-of-way have been acquired or improvements have been installed which are planned and designed to provide service for development of a site and are necessary for the use and convenience of the occupants or users of development of a site, the City may determine the portion of such easements, rights-of-way or improvements that are site improvements and allocate to the site a pro rata cost of such easements or rights-of-way acquisition or improvements. Such pro rata cost shall be referred to as the "Fee for Project Improvements."
3. Notice of the Fee for Project Improvements shall be given to the affected property owners by certified mail, within ten (10) calendar days after receipt of such Notice, the affected property owners may file a written Notice of Appeal with the City Recorder. The City Council shall consider the appeal within thirty (30) calendar days thereafter.
4. Whenever development activity occurs on any such site, the owners thereof shall pay to the City the Fee for Project Improvements as a condition of development approval. The Fee for Project Improvements paid shall reimburse a portion of the cost incurred by the pioneer developer or City as applicable.

19-7-1 Preliminary Plat Application Fee

At the time of filing the preliminary plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such preliminary subdivision plats.

19-7-2 Final Plat Application Fee

At the time of filing the final plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

19-7-3 Recording Fee

At the time of recording the final plat, the Subdivider shall be responsible for the recording fee.

19-7-4 Inspection Fee

Prior to recording the final plat, the Subdivider shall deposit with the City a construction inspection fee. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for

the purpose of reimbursing the City for the expense of review and inspection of the subdivision improvements.

Part 6 Subdivisions

10-9a-601 Enactment of subdivision ordinance.

- (1) The legislative body of a municipality may enact ordinances requiring that a subdivision plat comply with the provisions of the municipality's ordinances and this part before:
 - (a) the subdivision plat may be filed and recorded in the county recorder's office; and
 - (b) lots may be sold.
- (2) If the legislative body fails to enact a subdivision ordinance, the municipality may regulate subdivisions only to the extent provided in this part.
- (3) The joining of a lot or lots to a parcel does not constitute a subdivision as to the parcel or subject the parcel to the municipality's subdivision ordinance.
- (4) A legislative body may adopt a land use regulation that specifies that combining lots does not require a subdivision plat amendment.

Amended by Chapter 355, 2022 General Session

10-9a-602 Planning commission preparation and recommendation of subdivision ordinance -- Adoption or rejection by legislative body.

- (1) A planning commission shall:
 - (a) review and provide a recommendation to the legislative body on any proposed ordinance that regulates the subdivision of land in the municipality;
 - (b) review and make a recommendation to the legislative body on any proposed ordinance that amends the regulation of the subdivision of the land in the municipality;
 - (c) provide notice consistent with Section 10-9a-205; and
 - (d) hold a public hearing on the proposed ordinance before making the planning commission's final recommendation to the legislative body.
- (2)
 - (a) A legislative body may adopt, modify, revise, or reject an ordinance described in Subsection (1) that the planning commission recommends.
 - (b) A legislative body may consider a planning commission's failure to make a timely recommendation as a negative recommendation if the legislative body has provided for that consideration by ordinance.

Amended by Chapter 384, 2019 General Session

10-9a-603 Plat required when land is subdivided -- Approval of plat -- Owner acknowledgment, surveyor certification, and underground utility facility owner verification of plat -- Recording plat.

- (1) As used in this section:
 - (a)
 - (i) "Facility owner" means the same as that term is defined in Section 73-1-15.5.
 - (ii) "Facility owner" includes a canal owner or associated canal operator contact described in:
 - (A) Section 10-9a-211;
 - (B) Subsection 73-5-7(3); or
 - (C) Subsection (6)(c).
 - (b) "Local health department" means the same as that term is defined in Section 26A-1-102.

- (c) "State engineer's inventory of canals" means the state engineer's inventory of water conveyance systems established in Section 73-5-7.
- (d) "Underground facility" means the same as that term is defined in Section 54-8a-2.
- (e) "Water conveyance facility" means the same as that term is defined in Section 73-1-15.5.
- (2) Unless exempt under Section 10-9a-605 or excluded from the definition of subdivision under Section 10-9a-103, whenever any land is laid out and platted, the owner of the land shall provide to the municipality in which the land is located an accurate plat that describes or specifies:
 - (a) a subdivision name that is distinct from any subdivision name on a plat recorded in the county recorder's office;
 - (b) the boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose;
 - (c) the lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale;
 - (d) every existing right-of-way and recorded easement located within the plat for:
 - (i) an underground facility;
 - (ii) a water conveyance facility; or
 - (iii) any other utility facility; and
 - (e) any water conveyance facility located, entirely or partially, within the plat that:
 - (i) is not recorded; and
 - (ii) of which the owner of the land has actual or constructive knowledge, including from information made available to the owner of the land:
 - (A) in the state engineer's inventory of canals; or
 - (B) from a surveyor under Subsection (6)(c).
- (3)
 - (a) Subject to Subsections (4), (6), and (7), if the plat conforms to the municipality's ordinances and this part and has been approved by the culinary water authority, the sanitary sewer authority, and the local health department, if the local health department and the municipality consider the local health department's approval necessary, the municipality shall approve the plat.
 - (b) Municipalities are encouraged to receive a recommendation from the fire authority and the public safety answering point before approving a plat.
 - (c) A municipality may not require that a plat be approved or signed by a person or entity who:
 - (i) is not an employee or agent of the municipality; or
 - (ii) does not:
 - (A) have a legal or equitable interest in the property within the proposed subdivision;
 - (B) provide a utility or other service directly to a lot within the subdivision;
 - (C) own an easement or right-of-way adjacent to the proposed subdivision who signs for the purpose of confirming the accuracy of the location of the easement or right-of-way in relation to the plat; or
 - (D) provide culinary public water service whose source protection zone designated as provided in Section 19-4-113 is included, in whole or in part, within the proposed subdivision.
 - (d) A municipality shall:

- (i) within 20 days after the day on which an owner of land submits to the municipality a complete subdivision plat land use application, mail written notice of the proposed subdivision to the facility owner of any water conveyance facility located, entirely or partially, within 100 feet of the subdivision plat, as determined using information made available to the municipality:
 - (A) from the facility owner under Section 10-9a-211, using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;
 - (B) in the state engineer's inventory of canals; or
 - (C) from a surveyor under Subsection (6)(c); and
- (ii) not approve the subdivision plat for at least 20 days after the day on which the municipality mails to each facility owner the notice described in Subsection (3)(d)(i), in order to receive any comments from each facility owner regarding:
 - (A) access to the water conveyance facility;
 - (B) maintenance of the water conveyance facility;
 - (C) protection of the water conveyance facility;
 - (D) safety of the water conveyance facility; or
 - (E) any other issue related to water conveyance facility operations.
- (e) When applicable, the owner of the land seeking subdivision plat approval shall comply with Section 73-1-15.5.
- (f) A facility owner's failure to provide comments to a municipality in accordance with Subsection (3)(d)(ii) does not affect or impair the municipality's authority to approve the subdivision plat.
- (4) The municipality may withhold an otherwise valid plat approval until the owner of the land provides the legislative body with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.
- (5)
 - (a) Within 30 days after approving a final plat under this section, a municipality shall submit to the Utah Geospatial Resource Center, created in Section 63A-16-505, for inclusion in the unified statewide 911 emergency service database described in Subsection 63H-7a-304(4)(b):
 - (i) an electronic copy of the approved final plat; or
 - (ii) preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.
 - (b) If requested by the Utah Geospatial Resource Center, a municipality that approves a final plat under this section shall:
 - (i) coordinate with the Utah Geospatial Resource Center to validate the information described in Subsection (5)(a); and
 - (ii) assist the Utah Geospatial Resource Center in creating electronic files that contain the information described in Subsection (5)(a) for inclusion in the unified statewide 911 emergency service database.
- (6)
 - (a) A county recorder may not record a plat unless:
 - (i) prior to recordation, the municipality has approved and signed the plat;
 - (ii) each owner of record of land described on the plat has signed the owner's dedication as shown on the plat; and
 - (iii) the signature of each owner described in Subsection (6)(a)(ii) is acknowledged as provided by law.
 - (b) A surveyor who prepares the plat shall certify that the surveyor:

- (i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
 - (ii)
 - (A) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; or
 - (B) has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
 - (iii) has placed monuments as represented on the plat.
- (c)
- (i) To the extent possible, the surveyor shall consult with the owner or operator, or a representative designated by the owner or operator, of an existing water conveyance facility located within the proposed subdivision, or an existing or proposed underground facility or utility facility located within the proposed subdivision, to verify the accuracy of the surveyor's depiction of the:
 - (A) boundary, course, dimensions, and intended use of the public rights-of-way, a public or private easement, or grants of record;
 - (B) location of the existing water conveyance facility, or the existing or proposed underground facility or utility facility; and
 - (C) physical restrictions governing the location of the existing or proposed underground facility or utility facility.
 - (ii) The cooperation of an owner or operator of a water conveyance facility, underground facility, or utility facility under Subsection (6)(c)(i):
 - (A) indicates only that the plat approximates the location of the existing facilities but does not warrant or verify their precise location; and
 - (B) does not affect a right that the owner or operator has under Title 54, Chapter 8a, Damage to Underground Utility Facilities, a recorded easement or right-of-way, the law applicable to prescriptive rights, or any other provision of law.
- (7)
- (a) Except as provided in Subsection (6)(c), after the plat has been acknowledged, certified, and approved, the owner of the land seeking to record the plat shall, within the time period and manner designated by ordinance, record the plat in the county recorder's office in the county in which the lands platted and laid out are situated.
 - (b) A failure to record a plat within the time period designated by ordinance renders the plat voidable by the municipality.
- (8) A municipality acting as a land use authority shall approve a condominium plat that complies with the requirements of Section 57-8-13 unless the condominium plat violates a land use regulation of the municipality.

Amended by Chapter 355, 2022 General Session

10-9a-604 Subdivision plat approval procedure -- Effect of not complying.

- (1) A person may not submit a subdivision plat to the county recorder's office for recording unless:
 - (a) the person has complied with the requirements of Subsection 10-9a-603(6)(a);
 - (b) the plat has been approved by:
 - (i) the land use authority of the municipality in which the land described in the plat is located; and
 - (ii) other officers that the municipality designates in its ordinance;

- (c) all approvals described in Subsection (1)(b) are entered in writing on the plat by the designated officers; and
 - (d) if the person submitting the plat intends the plat to be or if the plat is part of a community association subject to Title 57, Chapter 8a, Community Association Act, the plat includes language conveying to the association, as that term is defined in Section 57-8a-102, all common areas, as that term is defined in Section 57-8a-102.
- (2) A subdivision plat recorded without the signatures required under this section is void.
- (3) A transfer of land pursuant to a void plat is voidable by the land use authority.

Amended by Chapter 47, 2021 General Session

10-9a-604.1 Process for subdivision review and approval.

- (1)
- (a) As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a municipality, including municipal staff or a municipal planning commission.
 - (b) "Administrative land use authority" does not include a municipal legislative body or a member of a municipal legislative body.
- (2)
- (a) This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.
 - (b) This section does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.
- (3) A municipal ordinance governing the subdivision of land shall:
- (a) comply with this section, and establish a standard method and form of application for preliminary subdivision applications and final subdivision applications; and
 - (b)
 - (i) designate a single administrative land use authority for the review of preliminary applications to subdivide land; or
 - (ii) if the municipality has adopted an ordinance that establishes a separate procedure for the review and approval of subdivisions under Section 10-9a-605, the municipality may designate a different and separate administrative land use authority for the approval of subdivisions under Section 10-9a-605.
- (4)
- (a) If an applicant requests a pre-application meeting, the municipality shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
 - (b) At the pre-application meeting, the municipal staff shall provide or have available on the municipal website the following:
 - (i) copies of applicable land use regulations;
 - (ii) a complete list of standards required for the project;
 - (iii) preliminary and final application checklists; and
 - (iv) feedback on the concept plan.
- (5) A preliminary subdivision application shall comply with all applicable municipal ordinances and requirements of this section.
- (6) An administrative land use authority may complete a preliminary subdivision application review in a public meeting or at a municipal staff level.

- (7) With respect to a preliminary application to subdivide land, an administrative land use authority may:
 - (a) receive public comment; and
 - (b) hold no more than one public hearing.
- (8) If a preliminary subdivision application complies with the applicable municipal ordinances and the requirements of this section, the administrative land use authority shall approve the preliminary subdivision application.
- (9) A municipality shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and municipal ordinances, which:
 - (a) may permit concurrent processing of the final subdivision plat application with the preliminary subdivision plat application; and
 - (b) may not require planning commission or city council approval.
- (10) If a final subdivision application complies with the requirements of this section, the applicable municipal ordinances, and the preliminary subdivision approval granted under Subsection (9)
 - (a), a municipality shall approve the final subdivision application.

Enacted by Chapter 501, 2023 General Session

10-9a-604.2 Review of subdivision land use applications and subdivision improvement plans.

- (1) As used in this section:
 - (a) "Review cycle" means the occurrence of:
 - (i) the applicant's submittal of a complete subdivision land use application;
 - (ii) the municipality's review of that subdivision land use application;
 - (iii) the municipality's response to that subdivision land use application, in accordance with this section; and
 - (iv) the applicant's reply to the municipality's response that addresses each of the municipality's required modifications or requests for additional information.
 - (b) "Subdivision improvement plans" means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.
 - (c) "Subdivision ordinance review" means review by a municipality to verify that a subdivision land use application meets the criteria of the municipality's subdivision ordinances.
 - (d) "Subdivision plan review" means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.
- (2) The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas.
- (3)
 - (a) No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the municipality shall complete the initial review of the application, including subdivision improvement plans.
 - (b) A municipality shall maintain and publish a list of the items comprising the complete preliminary subdivision land use application, including:
 - (i) the application;
 - (ii) the owner's affidavit;
 - (iii) an electronic copy of all plans in PDF format;
 - (iv) the preliminary subdivision plat drawings; and

- (v) a breakdown of fees due upon approval of the application.
- (4)
 - (a) A municipality shall publish a list of the items that comprise a complete final subdivision land use application.
 - (b) No later than 20 business days after the day on which an applicant submits a plat, the municipality shall complete a review of the applicant's final subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, including all subdivision plan reviews.
- (5)
 - (a) In reviewing a subdivision land use application, a municipality may require:
 - (i) additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
 - (ii) modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.
 - (b) A municipality's request for additional information or modifications to plans under Subsection (5)(a)(i) or (ii) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.
 - (c) A municipality may not require more than four review cycles.
 - (d)
 - (i) Subject to Subsection (5)(d)(ii), unless the change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a municipality's plan review is waived.
 - (ii) A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.
 - (iii) If an applicant makes a material change to a plan set, the municipality has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material change substantively effects.
 - (e) If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.
- (6) After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the municipality's previous review cycle, the municipality may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.
- (7)
 - (a) In addition to revised plans, an applicant shall provide a written explanation in response to the municipality's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.
 - (b) The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.
 - (c) If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed.
- (8)

- (a) If, on the fourth or final review, a municipality fails to respond within 20 business days, the municipality shall, upon request of the property owner, and within 10 business days after the day on which the request is received:
 - (i) for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Subsection 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or
 - (ii) for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.

Enacted by Chapter 501, 2023 General Session

10-9a-604.5 Subdivision plat recording or development activity before required landscaping or infrastructure is completed -- Improvement completion assurance -- Improvement warranty.

- (1) As used in this section, "public landscaping improvement" means landscaping that an applicant is required to install to comply with published installation and inspection specifications for public improvements that:
 - (a) will be dedicated to and maintained by the municipality; or
 - (b) are associated with and proximate to trail improvements that connect to planned or existing public infrastructure.
- (2) A land use authority shall establish objective inspection standards for acceptance of a public landscaping improvement or infrastructure improvement that the land use authority requires.
- (3)
 - (a) Before an applicant conducts any development activity or records a plat, the applicant shall:
 - (i) complete any required public landscaping improvements or infrastructure improvements; or
 - (ii) post an improvement completion assurance for any required public landscaping improvements or infrastructure improvements.
 - (b) If an applicant elects to post an improvement completion assurance, the applicant shall provide completion assurance for:
 - (i) completion of 100% of the required public landscaping improvements or infrastructure improvements; or
 - (ii) if the municipality has inspected and accepted a portion of the public landscaping improvements or infrastructure improvements, 100% of the incomplete or unaccepted public landscaping improvements or infrastructure improvements.
 - (c) A municipality shall:
 - (i) establish a minimum of two acceptable forms of completion assurance;
 - (ii) if an applicant elects to post an improvement completion assurance, allow the applicant to post an assurance that meets the conditions of this title, and any local ordinances;
 - (iii) establish a system for the partial release of an improvement completion assurance as portions of required public landscaping improvements or infrastructure improvements are completed and accepted in accordance with local ordinance; and
 - (iv) issue or deny a building permit in accordance with Section 10-9a-802 based on the installation of public landscaping improvements or infrastructure improvements.
 - (d) A municipality may not require an applicant to post an improvement completion assurance for:
 - (i) public landscaping improvements or an infrastructure improvement that the municipality has previously inspected and accepted;

- (ii) infrastructure improvements that are private and not essential or required to meet the building code, fire code, flood or storm water management provisions, street and access requirements, or other essential necessary public safety improvements adopted in a land use regulation;
 - (iii) in a municipality where ordinances require all infrastructure improvements within the area to be private, infrastructure improvements within a development that the municipality requires to be private; or
 - (iv) landscaping improvements that are not public landscaping improvements, as defined in Section 10-9a-103, unless the landscaping improvements and completion assurance are required under the terms of a development agreement.
- (4)
- (a) Except as provided in Subsection (4)(c), as a condition for increased density or other entitlement benefit not currently available under the existing zone, a municipality may require a completion assurance bond for landscaped amenities and common area that are dedicated to and maintained by a homeowners association.
 - (b) Any agreement regarding a completion assurance bond under Subsection (4)(a) between the applicant and the municipality shall be memorialized in a development agreement.
 - (c) A municipality may not require a completion assurance bond for the landscaping of residential lots or the equivalent open space surrounding single-family attached homes, whether platted as lots or common area.
- (5) The sum of the improvement completion assurance required under Subsections (3) and (4) may not exceed the sum of:
- (a) 100% of the estimated cost of the public landscaping improvements or infrastructure improvements, as evidenced by an engineer's estimate or licensed contractor's bid; and
 - (b) 10% of the amount of the bond to cover administrative costs incurred by the municipality to complete the improvements, if necessary.
- (6) At any time before a municipality accepts a public landscaping improvement or infrastructure improvement, and for the duration of each improvement warranty period, the municipality may require the applicant to:
- (a) execute an improvement warranty for the improvement warranty period; and
 - (b) post a cash deposit, surety bond, letter of credit, or other similar security, as required by the municipality, in the amount of up to 10% of the lesser of the:
 - (i) municipal engineer's original estimated cost of completion; or
 - (ii) applicant's reasonable proven cost of completion.
- (7) When a municipality accepts an improvement completion assurance for public landscaping improvements or infrastructure improvements for a development in accordance with Subsection (3)(c)(ii), the municipality may not deny an applicant a building permit if the development meets the requirements for the issuance of a building permit under the building code and fire code.
- (8) The provisions of this section do not supersede the terms of a valid development agreement, an adopted phasing plan, or the state construction code.

Amended by Chapter 478, 2023 General Session

10-9a-604.9 Effective dates of Sections 10-9a-604.1 and 10-9a-604.2.

- (1) Except as provided in Subsection (2), Sections 10-9a-604.1 and 10-9a-604.2 do not apply until December 31, 2024.
- (2) For a specified municipality, as defined in Section 10-9a-408, Sections 10-9a-604.1 and 10-9a-604.2 do not apply until February 1, 2024.

Enacted by Chapter 501, 2023 General Session

10-9a-605 Exemptions from plat requirement.

- (1) Notwithstanding any other provision of law, a plat is not required if:
 - (a) a municipality establishes a process to approve an administrative land use decision for a subdivision of 10 or fewer lots without a plat; and
 - (b) the municipality provides in writing that:
 - (i) the municipality has provided notice as required by ordinance; and
 - (ii) the proposed subdivision:
 - (A) is not traversed by the mapped lines of a proposed street as shown in the general plan unless the municipality has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;
 - (B) has been approved by the culinary water authority and the sanitary sewer authority;
 - (C) is located in a zoned area; and
 - (D) conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
- (2)
 - (a) Subject to Subsection (1), a lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of Section 10-9a-603 if the lot or parcel:
 - (i) qualifies as land in agricultural use under Section 59-2-502;
 - (ii) meets the minimum size requirement of applicable land use ordinances; and
 - (iii) is not used and will not be used for any nonagricultural purpose.
 - (b) The boundaries of each lot or parcel exempted under Subsection (2)(a) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604, shall be recorded with the county recorder.
 - (c) If a lot or parcel exempted under Subsection (2)(a) is used for a nonagricultural purpose, the municipality may require the lot or parcel to comply with the requirements of Section 10-9a-603.
- (3)
 - (a) Documents recorded in the county recorder's office that divide property by a metes and bounds description do not create an approved subdivision allowed by this part unless the land use authority's certificate of written approval required by Subsection (1) is attached to the document.
 - (b) The absence of the certificate or written approval required by Subsection (1) does not:
 - (i) prohibit the county recorder from recording a document; or
 - (ii) affect the validity of a recorded document.
 - (c) A document which does not meet the requirements of Subsection (1) may be corrected by the recording of an affidavit to which the required certificate or written approval is attached and that complies with Section 57-3-106.

Amended by Chapter 434, 2020 General Session

10-9a-606 Common area parcels on a plat -- No separate ownership -- Ownership interest equally divided among other parcels on plat and included in description of other parcels.

- (1) As used in this section:
 - (a) "Association" means the same as that term is defined in:

- (i) regarding a common area, Section 57-8a-102; and
 - (ii) regarding a common area and facility, Section 57-8-3.
- (b) "Common area" means the same as that term is defined in Section 57-8a-102.
- (c) "Common area and facility" means the same as that term is defined in Section 57-8-3.
- (d) "Declarant" means the same as that term is defined in:
 - (i) regarding a common area, Section 57-8a-102; and
 - (ii) regarding a common area and facility, Section 57-8-3.
- (e) "Declaration," regarding a common area and facility, means the same as that term is defined in Section 57-8-3.
- (f) "Period of administrative control" means the same as that term is defined in:
 - (i) regarding a common area, Section 57-8a-102; and
 - (ii) regarding a common area and facility, Section 57-8-3.
- (2) A person may not separately own, convey, or modify a parcel designated as a common area or common area and facility, on a plat recorded in compliance with this part, independent of the other lots, units, or parcels created by the plat unless:
 - (a) an association holds in trust the parcel designated as a common area for the owners of the other lots, units, or parcels created by the plat; or
 - (b) the conveyance or modification is approved under Subsection (5).
- (3) If a conveyance or modification of a common area or common area and facility is approved in accordance with Subsection (5), the person who presents the instrument of conveyance to a county recorder shall:
 - (a) attach a notice of the approval described in Subsection (5) as an exhibit to the document of conveyance; or
 - (b) record a notice of the approval described in Subsection (5) concurrently with the conveyance as a separate document.
- (4) When a plat contains a common area or common area and facility:
 - (a) for purposes of assessment, each parcel that the plat creates has an equal ownership interest in the common area or common area and facility within the plat, unless the plat or an accompanying recorded document indicates a different division of interest for assessment purposes; and
 - (b) each instrument describing a parcel on the plat by the parcel's identifying plat number implicitly includes the ownership interest in the common area or common area and facility, even if that ownership interest is not explicitly stated in the instrument.
- (5) Notwithstanding Subsection (2), a person may modify the size or location of or separately convey a common area or common area and facility if the following approve the conveyance or modification:
 - (a) the local government;
 - (b)
 - (i) for a common area that an association owns, 67% of the voting interests in the association; or
 - (ii) for a common area that an association does not own, or for a common area and facility, 67% of the owners of lots, units, and parcels designated on a plat that is subject to a declaration and on which the common area or common area and facility is included; and
 - (c) during the period of administrative control, the declarant.

Amended by Chapter 405, 2017 General Session

10-9a-607 Dedication by plat of public streets and other public places.

- (1) A plat that is signed, dedicated, and acknowledged by each owner of record, and approved according to the procedures specified in this part, operates, when recorded, as a dedication of all public streets and other public places, and vests the fee of those parcels of land in the municipality for the public for the uses named or intended in the plat.
- (2) The dedication established by this section does not impose liability upon the municipality for public streets and other public places that are dedicated in this manner but are unimproved unless:
 - (a) adequate financial assurance has been provided in accordance with this chapter; and
 - (b) the municipality has accepted the dedication.

Amended by Chapter 384, 2019 General Session

10-9a-608 Subdivision amendments.

- (1)
 - (a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.
 - (b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:
 - (i) depicts only the portion of the subdivision that is proposed to be amended;
 - (ii) includes a plat name distinguishing the amended plat from the original plat;
 - (iii) describes the differences between the amended plat and the original plat; and
 - (iv) includes references to the original plat.
 - (c) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the petition for a subdivision amendment.
 - (d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:
 - (i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or
 - (ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.
 - (e) A land use authority may not approve a petition for a subdivision amendment under this section unless the amendment identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.
- (2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:
 - (a) the petition seeks to:
 - (i) join two or more of the petitioner fee owner's contiguous lots;
 - (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
 - (iii) adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;

- (iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or
 - (v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
 - (A) owned by the petitioner; or
 - (B) designated as a common area; and
 - (b) notice has been given to adjoining property owners in accordance with any applicable local ordinance.
- (3) A petition under Subsection (1)(a) that contains a request to amend a public street or municipal utility easement is also subject to Section 10-9a-609.5.
- (4) A petition under Subsection (1)(a) that contains a request to amend an entire plat or a portion of a plat shall include:
 - (a) the name and address of each owner of record of the land contained in the entire plat or on that portion of the plat described in the petition; and
 - (b) the signature of each owner described in Subsection (4)(a) who consents to the petition.
- (5)
 - (a) The owners of record of adjoining properties where one or more of the properties is a lot may exchange title to portions of those properties if the exchange of title is approved by the land use authority as a lot line adjustment in accordance with Subsection (5)(b).
 - (b) The land use authority shall approve a lot line adjustment under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.
 - (c) If a lot line adjustment is approved under Subsection (5)(b):
 - (i) a notice of lot line adjustment approval shall be recorded in the office of the county recorder which:
 - (A) is approved by the land use authority; and
 - (B) recites the legal descriptions of both the original properties and the properties resulting from the exchange of title; and
 - (ii) a document of conveyance shall be recorded in the office of the county recorder.
 - (d) A notice of approval recorded under this Subsection (5) does not act as a conveyance of title to real property and is not required in order to record a document conveying title to real property.
- (6)
 - (a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (6)(c).
 - (b) The surveyor preparing the amended plat shall certify that the surveyor:
 - (i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
 - (ii)
 - (A) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; or
 - (B) has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
 - (iii) has placed monuments as represented on the plat.
 - (c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.
 - (d) Except as provided in Subsection (6)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is void.

Amended by Chapter 501, 2023 General Session

10-9a-609 Land use authority approval of vacation or amendment of plat -- Recording the amended plat.

- (1) The land use authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the land use authority finds that:
 - (a) there is good cause for the vacation or amendment; and
 - (b) no public street or municipal utility easement has been vacated or amended.
- (2)
 - (a) The land use authority shall ensure that the amended plat showing the vacation or amendment is recorded in the office of the county recorder in which the land is located.
 - (b) If the amended plat is approved and recorded in accordance with this section, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat of the same land.
- (3)
 - (a) A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated.
 - (b) The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.
- (4) An amended plat may not be submitted to the county recorder for recording unless it is:
 - (a) signed by the land use authority; and
 - (b) signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended.
- (5) A management committee may sign and dedicate an amended plat as provided in Title 57, Chapter 8, Condominium Ownership Act.
- (6) A plat may be corrected as provided in Section 57-3-106.

Amended by Chapter 384, 2019 General Session

10-9a-609.5 Petition to vacate a public street.

- (1) In lieu of vacating some or all of a public street through a plat or amended plat in accordance with Sections 10-9a-603 through 10-9a-609, a legislative body may approve a petition to vacate a public street in accordance with this section.
- (2) A petition to vacate some or all of a public street or municipal utility easement shall include:
 - (a) the name and address of each owner of record of land that is:
 - (i) adjacent to the public street or municipal utility easement between the two nearest public street intersections; or
 - (ii) accessed exclusively by or within 300 feet of the public street or municipal utility easement;
 - (b) proof of written notice to operators of utilities and culinary water or sanitary sewer facilities located within the bounds of the public street or municipal utility easement sought to be vacated; and
 - (c) the signature of each owner under Subsection (2)(a) who consents to the vacation.
- (3) If a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Section 10-9a-208 and determine whether:
 - (a) good cause exists for the vacation; and
 - (b) the public interest or any person will be materially injured by the proposed vacation.

- (4) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- (5) If the legislative body adopts an ordinance vacating some or all of a public street or municipal utility easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:
 - (a) a plat reflecting the vacation; or
 - (b)
 - (i) an ordinance described in Subsection (4); and
 - (ii) a legal description of the public street to be vacated.
- (6) The action of the legislative body vacating some or all of a public street or municipal utility easement that has been dedicated to public use:
 - (a) operates to the extent to which it is vacated, upon the effective date of the recorded plat or ordinance, as a revocation of the acceptance of and the relinquishment of the municipality's fee in the vacated public street or municipal utility easement; and
 - (b) may not be construed to impair:
 - (i) any right-of-way or easement of any parcel or lot owner;
 - (ii) the rights of any public utility; or
 - (iii) the rights of a culinary water authority or sanitary sewer authority.
- (7)
 - (a) A municipality may submit a petition, in accordance with Subsection (2), and initiate and complete a process to vacate some or all of a public street.
 - (b) If a municipality submits a petition and initiates a process under Subsection (7)(a):
 - (i) the legislative body shall hold a public hearing;
 - (ii) the petition and process may not apply to or affect a public utility easement, except to the extent:
 - (A) the easement is not a protected utility easement as defined in Section 54-3-27;
 - (B) the easement is included within the public street; and
 - (C) the notice to vacate the public street also contains a notice to vacate the easement; and
 - (iii) a recorded ordinance to vacate a public street has the same legal effect as vacating a public street through a recorded plat or amended plat.
- (8) A legislative body may not approve a petition to vacate a public street under this section unless the vacation identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the public street.

Amended by Chapter 385, 2021 General Session

10-9a-610 Restrictions for solar and other energy devices.

The land use authority may refuse to approve or renew any plat, subdivision plan, or dedication of any street or other ground, if deed restrictions, covenants, or similar binding agreements running with the land for the lots or parcels covered by the plat or subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on lots or parcels covered by the plat or subdivision.

Renumbered and Amended by Chapter 254, 2005 General Session

10-9a-611 Prohibited acts.

- (1)
 - (a)
 - (i) If a subdivision requires a plat, an owner of any land located in a subdivision who transfers or sells any land in that subdivision before a plat of the subdivision has been approved and recorded violates this part for each lot or parcel transferred or sold.
 - (ii) A violation of Subsection (1)(a)(i) is an infraction.
 - (b) The description by metes and bounds in an instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from being a violation of Subsection (1)(a) or from the penalties or remedies provided in this chapter.
 - (c) Notwithstanding any other provision of this Subsection (1), the recording of an instrument of transfer or other document used in the process of selling or transferring real property that violates this part:
 - (i) does not affect the validity of the instrument or other document; and
 - (ii) does not affect whether the property that is the subject of the instrument or other document complies with applicable municipal ordinances on land use and development.
- (2)
 - (a) A municipality may bring an action against an owner to require the property to conform to the provisions of this part or an ordinance enacted under the authority of this part.
 - (b) An action under this Subsection (2) may include an injunction or any other appropriate action or proceeding to prevent or enjoin the violation.
 - (c) A municipality need only establish the violation to obtain the injunction.

Amended by Chapter 434, 2020 General Session

LOCAL LAND USE AND DEVELOPMENT REVISIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Stephen L. Whyte

LONG TITLE

General Description:

This bill amends provisions related to local land use and development.

Highlighted Provisions:

This bill:

- ▶ amends the penalties for noncompliance with the requirements applicable to a political subdivision's moderate income housing report;
- ▶ defines the circumstances under which a garage may be included in the definition of an internal accessory dwelling unit;
- ▶ amends a political subdivision's authority with respect to restrictions and requirements for internal accessory dwelling units;
- ▶ enacts a new process for subdivision review and approval; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-9a-408, as last amended by Laws of Utah 2022, Chapter 406

10-9a-530, as enacted by Laws of Utah 2021, Chapter 102

10-9a-608, as last amended by Laws of Utah 2022, Chapter 355

17-27a-408, as last amended by Laws of Utah 2022, Chapter 406

17-27a-526, as enacted by Laws of Utah 2021, Chapter 102

17-27a-608, as last amended by Laws of Utah 2022, Chapter 355

63I-2-210, as last amended by Laws of Utah 2022, Chapter 274

63I-2-217, as last amended by Laws of Utah 2022, Chapter 123

ENACTS:

10-9a-604.1, Utah Code Annotated 1953

10-9a-604.2, Utah Code Annotated 1953

10-9a-604.9, Utah Code Annotated 1953

17-27a-604.1, Utah Code Annotated 1953

17-27a-604.2, Utah Code Annotated 1953

17-27a-604.9, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 10-9a-408 is amended to read:

10-9a-408. Moderate income housing report -- Contents -- Prioritization for funds or projects -- Ineligibility for funds after noncompliance -- Civil actions.

(1) As used in this section:

(a) "Division" means the Housing and Community Development Division within the Department of Workforce Services.

(b) "Implementation plan" means the implementation plan adopted as part of the moderate income housing element of a specified municipality's general plan as provided in Subsection 10-9a-403(2)(c).

(c) "Moderate income housing report" or "report" means the report described in Subsection (2)(a).

(d) "Moderate income housing strategy" means a strategy described in Subsection 10-9a-403(2)(b)(iii).

(e) "Specified municipality" means:

(i) a city of the first, second, third, or fourth class;

(ii) a city of the fifth class with a population of 5,000 or more, if the city is located within a county of the first, second, or third class; or

(iii) a metro township with a population of 5,000 or more.

(2) (a) Beginning in 2022, on or before October 1 of each calendar year, the legislative body of a specified municipality shall annually submit a written moderate income housing report to the division.

(b) The moderate income housing report submitted in 2022 shall include:

(i) a description of each moderate income housing strategy selected by the specified municipality for implementation; and

(ii) an implementation plan.

(c) The moderate income housing report submitted in each calendar year after 2022 shall include:

(i) the information required under Subsection (2)(b);

(ii) a description of each action, whether one-time or ongoing, taken by the specified municipality during the previous fiscal year to implement the moderate income housing strategies selected by the specified municipality for implementation;

(iii) a description of each land use regulation or land use decision made by the specified municipality during the previous fiscal year to implement the moderate income housing strategies, including an explanation of how the land use regulation or land use decision supports the specified municipality's efforts to implement the moderate income housing strategies;

(iv) a description of any barriers encountered by the specified municipality in the previous fiscal year in implementing the moderate income housing strategies;

(v) information regarding the number of internal and external or detached accessory dwelling units located within the specified municipality for which the specified municipality:

(A) issued a building permit to construct; or

(B) issued a business license to rent;

(vi) a description of how the market has responded to the selected moderate income

housing strategies, including the number of entitled moderate income housing units or other relevant data; and

(vii) any recommendations on how the state can support the specified municipality in implementing the moderate income housing strategies.

(d) The moderate income housing report shall be in a form:

(i) approved by the division; and

(ii) made available by the division on or before July 1 of the year in which the report is required.

(3) Within 90 days after the day on which the division receives a specified municipality's moderate income housing report, the division shall:

(a) post the report on the division's website;

(b) send a copy of the report to the Department of Transportation, the Governor's Office of Planning and Budget, the association of governments in which the specified municipality is located, and, if the specified municipality is located within the boundaries of a metropolitan planning organization, the appropriate metropolitan planning organization; and

(c) subject to Subsection (4), review the report to determine compliance with Subsection (2).

(4) (a) The report described in Subsection (2)(b) complies with Subsection (2) if the report:

(i) includes the information required under Subsection (2)(b);

(ii) demonstrates to the division that the specified municipality made plans to implement:

(A) three or more moderate income housing strategies if the specified municipality does not have a fixed guideway public transit station; or

(B) subject to Subsection 10-9a-403(2)(b)(iv), five or more moderate income housing strategies if the specified municipality has a fixed guideway public transit station; and

(iii) is in a form approved by the division.

(b) The report described in Subsection (2)(c) complies with Subsection (2) if the

report:

(i) includes the information required under Subsection (2)(c);

(ii) demonstrates to the division that the specified municipality made plans to implement:

(A) three or more moderate income housing strategies if the specified municipality does not have a fixed guideway public transit station; or

(B) four or more moderate income housing strategies if the specified municipality has a fixed guideway public transit station;

(iii) is in a form approved by the division; and

(iv) provides sufficient information for the division to:

(A) assess the specified municipality's progress in implementing the moderate income housing strategies;

(B) monitor compliance with the specified municipality's implementation plan;

(C) identify a clear correlation between the specified municipality's land use regulations and land use decisions and the specified municipality's efforts to implement the moderate income housing strategies; and

(D) identify how the market has responded to the specified municipality's selected moderate income housing strategies.

(5) (a) A specified municipality qualifies for priority consideration under this Subsection (5) if the specified municipality's moderate income housing report:

(i) complies with Subsection (2); and

(ii) demonstrates to the division that the specified municipality made plans to implement:

(A) five or more moderate income housing strategies if the specified municipality does not have a fixed guideway public transit station; or

(B) six or more moderate income housing strategies if the specified municipality has a fixed guideway public transit station.

~~[(b) The following apply to a specified municipality described in Subsection (5)(a)~~

142 ~~during the fiscal year immediately following the fiscal year in which the report is required:]~~

143 ~~[(i) the Transportation Commission may give priority consideration to transportation~~
144 ~~projects located within the boundaries of the specified municipality in accordance with~~
145 ~~Subsection 72-1-304(3)(c); and]~~

146 ~~[(ii) the Governor's Office of Planning and Budget may give priority consideration for~~
147 ~~awarding financial grants to the specified municipality under the COVID-19 Local Assistance~~
148 ~~Matching Grant Program in accordance with Subsection 63J-4-802(6).]~~

149 (b) The Transportation Commission may give priority consideration to transportation
150 projects located within the boundaries of a specified municipality described in Subsection
151 (5)(a) during the fiscal year immediately following the fiscal year in which the report is
152 required, in accordance with Subsection 72-1-304(3)(c).

153 (c) Upon determining that a specified municipality qualifies for priority consideration
154 under this Subsection (5), the division shall send a notice of prioritization to the legislative
155 body of the specified municipality[;] and the Department of Transportation[; ~~and the~~
156 ~~Governor's Office of Planning and Budget].~~

157 (d) The notice described in Subsection (5)(c) shall:

158 (i) name the specified municipality that qualifies for priority consideration;

159 (ii) describe the funds or projects for which the specified municipality qualifies to
160 receive priority consideration;

161 (iii) specify the fiscal year during which the specified municipality qualifies for priority
162 consideration; and

163 (iv) state the basis for the division's determination that the specified municipality
164 qualifies for priority consideration.

165 (6) (a) If the division, after reviewing a specified municipality's moderate income
166 housing report, determines that the report does not comply with Subsection (2), the division
167 shall send a notice of noncompliance to the legislative body of the specified municipality.

168 (b) The notice described in Subsection (6)(a) shall:

169 (i) describe each deficiency in the report and the actions needed to cure each

deficiency;

(ii) state that the specified municipality has an opportunity to cure the deficiencies within 90 days after the day on which the notice is sent; and

(iii) state that failure to cure the deficiencies within 90 days after the day on which the notice is sent will result in ineligibility for funds and fees owed under Subsection (7).

(7) (a) A specified municipality is ineligible for funds and owes a fee under this Subsection (7) if the specified municipality:

(i) fails to submit a moderate income housing report to the division; or

(ii) fails to cure the deficiencies in the specified municipality's moderate income housing report within 90 days after the day on which the division sent to the specified municipality a notice of noncompliance under Subsection (6).

(b) The following apply to a specified municipality described in Subsection (7)(a) during the fiscal year immediately following the fiscal year in which the report is required:

(i) the executive director of the Department of Transportation may not program funds from the Transportation Investment Fund of 2005, including the Transit Transportation Investment Fund, to projects located within the boundaries of the specified municipality in accordance with Subsection ~~72-2-124~~(5); ~~and~~

~~[(ii) the Governor's Office of Planning and Budget may not award financial grants to the specified municipality under the COVID-19 Local Assistance Matching Grant Program in accordance with Subsection ~~63J-4-802~~(7).]~~

(ii) beginning with a report submitted in 2024, the specified municipality shall pay a fee to the Olene Walker Housing Loan Fund in the amount of \$250 per day that the specified municipality:

(A) fails to submit the report to the division in accordance with this section, beginning the day after the day on which the report was due; or

(B) fails to cure the deficiencies in the report, beginning the day after the day by which the cure was required to occur as described in the notice of noncompliance under Subsection (6); and

(iii) beginning with the report submitted in 2025, the specified municipality shall pay a fee to the Olene Walker Housing Loan Fund in the amount of \$500 per day that the specified municipality, in a consecutive year:

(A) fails to submit the report to the division in accordance with this section, beginning the day after the day on which the report was due; or

(B) fails to cure the deficiencies in the report, beginning the day after the day by which the cure was required to occur as described in the notice of noncompliance under Subsection (6).

(c) Upon determining that a specified municipality is ineligible for funds under this Subsection (7), and is required to pay a fee under Subsection (7)(b), if applicable, the division shall send a notice of ineligibility to the legislative body of the specified municipality, the Department of Transportation, and the Governor's Office of Planning and Budget.

(d) The notice described in Subsection (7)(c) shall:

(i) name the specified municipality that is ineligible for funds;

(ii) describe the funds for which the specified municipality is ineligible to receive;

(iii) describe the fee the specified municipality is required to pay under Subsection (7)(b), if applicable;

~~[(iii)]~~ (iv) specify the fiscal year during which the specified municipality is ineligible for funds; and

~~[(iv)]~~ (v) state the basis for the division's determination that the specified municipality is ineligible for funds.

(e) The division may not determine that a specified municipality that is required to pay a fee under Subsection (7)(b) is in compliance with the reporting requirements of this section until the specified municipality pays all outstanding fees required under Subsection (7)(b) to the Olene Walker Housing Loan Fund, created under Title 35A, Chapter 8, Part 5, Olene Walker Housing Loan Fund.

(8) In a civil action seeking enforcement or claiming a violation of this section or of Subsection ~~10-9a-404~~(4)(c), a plaintiff may not recover damages but may be awarded only

injunctive or other equitable relief.

Section 2. Section **10-9a-530** is amended to read:

10-9a-530. Internal accessory dwelling units.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling;

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) (i) "Primary dwelling" means a single-family dwelling that:

~~[(i)]~~ (A) is detached; and

~~[(ii)]~~ (B) is occupied as the primary residence of the owner of record.

(ii) "Primary dwelling" includes a garage if the garage:

(A) is a habitable space; and

(B) is connected to the primary dwelling by a common wall.

(2) In any area zoned primarily for residential use:

(a) the use of an internal accessory dwelling unit is a permitted use; ~~[and]~~

(b) except as provided in Subsections (3) and (4), a municipality may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling, including a restriction or requirement governing:

(i) the size of the internal accessory dwelling unit in relation to the primary dwelling;

(ii) total lot size; ~~[or]~~

(iii) street frontage~~[-];~~ or

(iv) internal connectivity; and

(c) a municipality's regulation of architectural elements for internal accessory dwelling units shall be consistent with the regulation of single-family units, including single-family units located in historic districts.

(3) An internal accessory dwelling unit shall comply with all applicable building,

health, and fire codes.

(4) A municipality may:

(a) prohibit the installation of a separate utility meter for an internal accessory dwelling unit;

(b) require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;

(c) require a primary dwelling:

(i) regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, [~~regardless of whether the primary dwelling is existing or new construction~~] in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space contemplated under this Subsection (4)(c)(i); and

(ii) to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport and is a habitable space;

(d) prohibit the creation of an internal accessory dwelling unit within a mobile home as defined in Section [57-16-3](#);

(e) require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit;

(f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:

(i) 25% or less of the total area in the municipality that is zoned primarily for residential use, except that the municipality may not prohibit newly constructed internal accessory dwelling units that:

(A) have a final plat approval dated on or after October 1, 2021; and

(B) comply with applicable land use regulations; or

(ii) 67% or less of the total area in the municipality that is zoned primarily for residential use, if the main campus of a state or private university with a student population of

10,000 or more is located within the municipality;

(g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank;

(h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size;

(i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days;

(j) prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

(k) hold a lien against a property that contains an internal accessory dwelling unit in accordance with Subsection (5); and

(l) record a notice for an internal accessory dwelling unit in accordance with Subsection (6).

(5) (a) In addition to any other legal or equitable remedies available to a municipality, a municipality may hold a lien against a property that contains an internal accessory dwelling unit if:

(i) the owner of the property violates any of the provisions of this section or any ordinance adopted under Subsection (4);

(ii) the municipality provides a written notice of violation in accordance with Subsection (5)(b);

(iii) the municipality holds a hearing and determines that the violation has occurred in accordance with Subsection (5)(d), if the owner files a written objection in accordance with Subsection (5)(b)(iv);

(iv) the owner fails to cure the violation within the time period prescribed in the written notice of violation under Subsection (5)(b);

(v) the municipality provides a written notice of lien in accordance with Subsection (5)(c); and

(vi) the municipality records a copy of the written notice of lien described in

310 Subsection [~~(5)(a)(iv)~~] (5)(a)(v) with the county recorder of the county in which the property is
311 located.

312 (b) The written notice of violation shall:

313 (i) describe the specific violation;

314 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
315 to cure the violation that is:

316 (A) no less than 14 days after the day on which the municipality sends the written
317 notice of violation, if the violation results from the owner renting or offering to rent the internal
318 accessory dwelling unit for a period of less than 30 consecutive days; or

319 (B) no less than 30 days after the day on which the municipality sends the written
320 notice of violation, for any other violation;

321 (iii) state that if the owner of the property fails to cure the violation within the time
322 period described in Subsection (5)(b)(ii), the municipality may hold a lien against the property
323 in an amount of up to \$100 for each day of violation after the day on which the opportunity to
324 cure the violation expires;

325 (iv) notify the owner of the property:

326 (A) that the owner may file a written objection to the violation within 14 days after the
327 day on which the written notice of violation is post-marked or posted on the property; and

328 (B) of the name and address of the municipal office where the owner may file the
329 written objection;

330 (v) be mailed to:

331 (A) the property's owner of record; and

332 (B) any other individual designated to receive notice in the owner's license or permit
333 records; and

334 (vi) be posted on the property.

335 (c) The written notice of lien shall:

336 (i) comply with the requirements of Section 38-12-102;

337 (ii) state that the property is subject to a lien;

(iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) be mailed to:

(A) the property's owner of record; and

(B) any other individual designated to receive notice in the owner's license or permit records; and

(v) be posted on the property.

(d) (i) If an owner of property files a written objection in accordance with Subsection (5)(b)(iv), the municipality shall:

(A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (5)(b) has occurred; and

(B) notify the owner in writing of the date, time, and location of the hearing described in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.

(ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a municipality may not record a lien under this Subsection (5) until the municipality holds a hearing and determines that the specific violation has occurred.

(iii) If the municipality determines at the hearing that the specific violation has occurred, the municipality may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

(e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (5)(b), the municipality may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (5)(b).

(6) (a) A municipality that issues, on or after October 1, 2021, a permit or license to an owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to

an owner of a primary dwelling to create an internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the primary dwelling is located.

(b) The notice described in Subsection (6)(a) shall include:

(i) a description of the primary dwelling;

(ii) a statement that the primary dwelling contains an internal accessory dwelling unit;

and

(iii) a statement that the internal accessory dwelling unit may only be used in accordance with the municipality's land use regulations.

(c) The municipality shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Section 3. Section **10-9a-604.1** is enacted to read:

10-9a-604.1. Process for subdivision review and approval.

(1) (a) As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a municipality, including municipal staff or a municipal planning commission.

(b) "Administrative land use authority" does not include a municipal legislative body or a member of a municipal legislative body.

(2) (a) This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.

(b) This section does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.

(3) A municipal ordinance governing the subdivision of land shall:

(a) comply with this section, and establish a standard method and form of application for preliminary subdivision applications and final subdivision applications; and

(b) (i) designate a single administrative land use authority for the review of preliminary applications to subdivide land; or

(ii) if the municipality has adopted an ordinance that establishes a separate procedure

for the review and approval of subdivisions under Section [10-9a-605](#), the municipality may designate a different and separate administrative land use authority for the approval of subdivisions under Section [10-9a-605](#).

(4) (a) If an applicant requests a pre-application meeting, the municipality shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.

(b) At the pre-application meeting, the municipal staff shall provide or have available on the municipal website the following:

(i) copies of applicable land use regulations;

(ii) a complete list of standards required for the project;

(iii) preliminary and final application checklists; and

(iv) feedback on the concept plan.

(5) A preliminary subdivision application shall comply with all applicable municipal ordinances and requirements of this section.

(6) An administrative land use authority may complete a preliminary subdivision application review in a public meeting or at a municipal staff level.

(7) With respect to a preliminary application to subdivide land, an administrative land use authority may:

(a) receive public comment; and

(b) hold no more than one public hearing.

(8) If a preliminary subdivision application complies with the applicable municipal ordinances and the requirements of this section, the administrative land use authority shall approve the preliminary subdivision application.

(9) A municipality shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and municipal ordinances, which:

(a) may permit concurrent processing of the final subdivision plat application with the preliminary subdivision plat application; and

(b) may not require planning commission or city council approval.

(10) If a final subdivision application complies with the requirements of this section, the applicable municipal ordinances, and the preliminary subdivision approval granted under Subsection (9)(a), a municipality shall approve the final subdivision application.

Section 4. Section **10-9a-604.2** is enacted to read:

10-9a-604.2. Review of subdivision land use applications and subdivision improvement plans.

(1) As used in this section:

(a) "Review cycle" means the occurrence of:

(i) the applicant's submittal of a complete subdivision land use application;

(ii) the municipality's review of that subdivision land use application;

(iii) the municipality's response to that subdivision land use application, in accordance with this section; and

(iv) the applicant's reply to the municipality's response that addresses each of the municipality's required modifications or requests for additional information.

(b) "Subdivision improvement plans" means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

(c) "Subdivision ordinance review" means review by a municipality to verify that a subdivision land use application meets the criteria of the municipality's subdivision ordinances.

(d) "Subdivision plan review" means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.

(2) The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas.

(3) (a) No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the municipality shall complete the initial review of the application, including subdivision improvement plans.

(b) A municipality shall maintain and publish a list of the items comprising the

450 complete preliminary subdivision land use application, including:

451 (i) the application;

452 (ii) the owner's affidavit;

453 (iii) an electronic copy of all plans in PDF format;

454 (iv) the preliminary subdivision plat drawings; and

455 (v) a breakdown of fees due upon approval of the application.

456 (4) (a) A municipality shall publish a list of the items that comprise a complete final
457 subdivision land use application.

458 (b) No later than 20 business days after the day on which an applicant submits a plat,
459 the municipality shall complete a review of the applicant's final subdivision land use
460 application for a residential subdivision for single-family dwellings, two-family dwellings, or
461 townhomes, including all subdivision plan reviews.

462 (5) (a) In reviewing a subdivision land use application, a municipality may require:

463 (i) additional information relating to an applicant's plans to ensure compliance with
464 municipal ordinances and approved standards and specifications for construction of public
465 improvements; and

466 (ii) modifications to plans that do not meet current ordinances, applicable standards or
467 specifications, or do not contain complete information.

468 (b) A municipality's request for additional information or modifications to plans under
469 Subsection (5)(a)(i) or (ii) shall be specific and include citations to ordinances, standards, or
470 specifications that require the modifications to plans, and shall be logged in an index of
471 requested modifications or additions.

472 (c) A municipality may not require more than four review cycles.

473 (d) (i) Subject to Subsection (5)(d)(ii), unless the change or correction is necessitated
474 by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the
475 infrastructure needed for the specific development, a change or correction not addressed or
476 referenced in a municipality's plan review is waived.

477 (ii) A modification or correction necessary to protect public health and safety or to

enforce state or federal law may not be waived.

(iii) If an applicant makes a material change to a plan set, the municipality has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material change substantively effects.

(e) If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.

(6) After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the municipality's previous review cycle, the municipality may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

(7) (a) In addition to revised plans, an applicant shall provide a written explanation in response to the municipality's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

(b) The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

(c) If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed.

(8) (a) If, on the fourth or final review, a municipality fails to respond within 20 business days, the municipality shall, upon request of the property owner, and within 10 business days after the day on which the request is received:

(i) for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Subsection 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or

(ii) for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a

designated appeal authority.

Section 5. Section **10-9a-604.9** is enacted to read:

10-9a-604.9. Effective dates of Sections 10-9a-604.1 and 10-9a-604.2.

(1) Except as provided in Subsection (2), Sections 10-9a-604.1 and 10-9a-604.2 do not apply until December 31, 2024.

(2) For a specified municipality, as defined in Section 10-9a-408, Sections 10-9a-604.1 and 10-9a-604.2 do not apply until February 1, 2024.

Section 6. Section **10-9a-608** is amended to read:

10-9a-608. Subdivision amendments.

(1) (a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.

(b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:

- (i) depicts only the portion of the subdivision that is proposed to be amended;
- (ii) includes a plat name distinguishing the amended plat from the original plat;
- (iii) describes the differences between the amended plat and the original plat; and
- (iv) includes references to the original plat.

(c) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the petition for a subdivision amendment.

(d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:

(i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or

(ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(e) A land use authority may not approve a petition for a subdivision amendment under this section unless the amendment identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.

(2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:

(a) the petition seeks to:

(i) join two or more of the petitioner fee owner's contiguous lots;

(ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

(iii) adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;

(iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjoining property owners in accordance with any applicable local ordinance.

(3) A petition under Subsection (1)(a) that contains a request to amend a public street or municipal utility easement is also subject to Section [10-9a-609.5](#).

(4) A petition under Subsection (1)(a) that contains a request to amend an entire plat or a portion of a plat shall include:

(a) the name and address of each owner of record of the land contained in the entire

562 plat or on that portion of the plat described in the petition; and

563 (b) the signature of each owner described in Subsection (4)(a) who consents to the
564 petition.

565 (5) (a) The owners of record of adjoining properties where one or more of the
566 properties is a lot may exchange title to portions of those ~~[parcels]~~ properties if the exchange of
567 title is approved by the land use authority as a lot line adjustment in accordance with
568 Subsection (5)(b).

569 (b) The land use authority shall approve ~~[an exchange of title]~~ a lot line adjustment
570 under Subsection (5)(a) if the exchange of title will not result in a violation of any land use
571 ordinance.

572 (c) If ~~[an exchange of title]~~ a lot line adjustment is approved under Subsection (5)(b):

573 (i) a notice of lot line adjustment approval shall be recorded in the office of the county
574 recorder which:

575 (A) is ~~[executed]~~ approved by ~~[each owner included in the exchange and by]~~ the land
576 use authority; and

577 ~~[(B) contains an acknowledgment for each party executing the notice in accordance~~
578 ~~with the provisions of Title 57, Chapter 2a, Recognition of Acknowledgments Act; and]~~

579 ~~[(C)]~~ (B) recites the legal descriptions of both the original properties and the properties
580 resulting from the exchange of title; and

581 (ii) a document of conveyance shall be recorded in the office of the county recorder
582 ~~[with an amended plat].~~

583 (d) A notice of approval recorded under this Subsection (5) does not act as a
584 conveyance of title to real property and is not required in order to record a document conveying
585 title to real property.

586 (6) (a) The name of a recorded subdivision may be changed by recording an amended
587 plat making that change, as provided in this section and subject to Subsection (6)(c).

588 (b) The surveyor preparing the amended plat shall certify that the surveyor:

589 (i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and

Professional Land Surveyors Licensing Act;

(ii) (A) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; or

(B) has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

(iii) has placed monuments as represented on the plat.

(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.

(d) Except as provided in Subsection (6)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is void.

Section 7. Section 17-27a-408 is amended to read:

17-27a-408. Moderate income housing report -- Contents -- Prioritization for funds or projects -- Ineligibility for funds after noncompliance -- Civil actions.

(1) As used in this section:

(a) "Division" means the Housing and Community Development Division within the Department of Workforce Services.

(b) "Implementation plan" means the implementation plan adopted as part of the moderate income housing element of a specified county's general plan as provided in Subsection [~~10-9a-403(2)(c)~~] 17-27a-401(3)(a).

(c) "Moderate income housing report" or "report" means the report described in Subsection (2)(a).

(d) "Moderate income housing strategy" means a strategy described in Subsection 17-27a-403(2)(b)(ii).

(e) "Specified county" means a county of the first, second, or third class, which has a population of more than 5,000 in the county's unincorporated areas.

(2) (a) Beginning in 2022, on or before October 1 of each calendar year, the legislative body of a specified county shall annually submit a written moderate income housing report to

618 the division.

619 (b) The moderate income housing report submitted in 2022 shall include:

620 (i) a description of each moderate income housing strategy selected by the specified
621 county for implementation; and

622 (ii) an implementation plan.

623 (c) The moderate income housing report submitted in each calendar year after 2022
624 shall include:

625 (i) the information required under Subsection (2)(b);

626 (ii) a description of each action, whether one-time or ongoing, taken by the specified
627 county during the previous fiscal year to implement the moderate income housing strategies
628 selected by the specified county for implementation;

629 (iii) a description of each land use regulation or land use decision made by the
630 specified county during the previous fiscal year to implement the moderate income housing
631 strategies, including an explanation of how the land use regulation or land use decision
632 supports the specified county's efforts to implement the moderate income housing strategies;

633 (iv) a description of any barriers encountered by the specified county in the previous
634 fiscal year in implementing the moderate income housing strategies; and

635 (v) information regarding the number of internal and external or detached accessory
636 dwelling units located within the specified county for which the specified county:

637 (A) issued a building permit to construct; or

638 (B) issued a business license to rent;

639 (vi) a description of how the market has responded to the selected moderate income
640 housing strategies, including the number of entitled moderate income housing units or other
641 relevant data; and

642 (vii) any recommendations on how the state can support the specified county in
643 implementing the moderate income housing strategies.

644 (d) The moderate income housing report shall be in a form:

645 (i) approved by the division; and

646 (ii) made available by the division on or before July 1 of the year in which the report is
647 required.

648 (3) Within 90 days after the day on which the division receives a specified county's
649 moderate income housing report, the division shall:

650 (a) post the report on the division's website;

651 (b) send a copy of the report to the Department of Transportation, the Governor's
652 Office of Planning and Budget, the association of governments in which the specified county is
653 located, and, if the unincorporated area of the specified county is located within the boundaries
654 of a metropolitan planning organization, the appropriate metropolitan planning organization;
655 and

656 (c) subject to Subsection (4), review the report to determine compliance with
657 Subsection (2).

658 (4) (a) The report described in Subsection (2)(b) complies with Subsection (2) if the
659 report:

660 (i) includes the information required under Subsection (2)(b);

661 (ii) demonstrates to the division that the specified county made plans to implement
662 three or more moderate income housing strategies; and

663 (iii) is in a form approved by the division.

664 (b) The report described in Subsection (2)(c) complies with Subsection (2) if the
665 report:

666 (i) includes the information required under Subsection (2)(c);

667 (ii) demonstrates to the division that the specified county made plans to implement
668 three or more moderate income housing strategies;

669 (iii) is in a form approved by the division; and

670 (iv) provides sufficient information for the division to:

671 (A) assess the specified county's progress in implementing the moderate income
672 housing strategies;

673 (B) monitor compliance with the specified county's implementation plan;

(C) identify a clear correlation between the specified county's land use decisions and efforts to implement the moderate income housing strategies; and

(D) identify how the market has responded to the specified county's selected moderate income housing strategies.

(5) (a) A specified county qualifies for priority consideration under this Subsection (5) if the specified county's moderate income housing report:

(i) complies with Subsection (2); and

(ii) demonstrates to the division that the specified county made plans to implement five or more moderate income housing strategies.

~~[(b) The following apply to a specified county described in Subsection (5)(a) during the fiscal year immediately following the fiscal year in which the report is required:]~~

~~[(i) the Transportation Commission may give priority consideration to transportation projects located within the unincorporated areas of the specified county in accordance with Subsection 72-1-304(3)(c); and]~~

~~[(ii) the Governor's Office of Planning and Budget may give priority consideration for awarding financial grants to the specified county under the COVID-19 Local Assistance Matching Grant Program in accordance with Subsection 63J-4-802(6).]~~

(b) The Transportation Commission may give priority consideration to transportation projects located within the boundaries of a specified county described in Subsection (5)(a) during the fiscal year immediately following the fiscal year in which the report is required, in accordance with Subsection 72-1-304(3)(c).

(c) Upon determining that a specified county qualifies for priority consideration under this Subsection (5), the division shall send a notice of prioritization to the legislative body of the specified county[;] and the Department of Transportation[; ~~and the Governor's Office of Planning and Budget~~].

(d) The notice described in Subsection (5)(c) shall:

(i) name the specified county that qualifies for priority consideration;

(ii) describe the funds or projects for which the specified county qualifies to receive

priority consideration;

(iii) specify the fiscal year during which the specified county qualifies for priority consideration; and

(iv) state the basis for the division's determination that the specified county qualifies for priority consideration.

(6) (a) If the division, after reviewing a specified county's moderate income housing report, determines that the report does not comply with Subsection (2), the division shall send a notice of noncompliance to the legislative body of the specified county.

(b) The notice described in Subsection (6)(a) shall:

(i) describe each deficiency in the report and the actions needed to cure each deficiency;

(ii) state that the specified county has an opportunity to cure the deficiencies within 90 days after the day on which the notice is sent; and

(iii) state that failure to cure the deficiencies within 90 days after the day on which the notice is sent will result in ineligibility for funds and fees owed under Subsection (7).

(7) (a) A specified county is ineligible for funds and owes a fee under this Subsection (7) if the specified county:

(i) fails to submit a moderate income housing report to the division; or

(ii) fails to cure the deficiencies in the specified county's moderate income housing report within 90 days after the day on which the division sent to the specified county a notice of noncompliance under Subsection (6).

(b) The following apply to a specified county described in Subsection (7)(a) during the fiscal year immediately following the fiscal year in which the report is required:

(i) the executive director of the Department of Transportation may not program funds from the Transportation Investment Fund of 2005, including the Transit Transportation Investment Fund, to projects located within the unincorporated areas of the specified county in accordance with Subsection 72-2-124(6); and

~~[(ii) the Governor's Office of Planning and Budget may not award financial grants to~~

the specified county under the COVID-19 Local Assistance Matching Grant Program in accordance with Subsection ~~63J-4-802~~(7)]

(ii) beginning with the report submitted in 2024, the specified county shall pay a fee to the Olene Walker Housing Loan Fund in the amount of \$250 per day that the specified county:

(A) fails to submit the report to the division in accordance with this section, beginning the day after the day on which the report was due; or

(B) fails to cure the deficiencies in the report, beginning the day after the day by which the cure was required to occur as described in the notice of noncompliance under Subsection (6)[-]; and

(iii) beginning with the report submitted in 2025, the specified county shall pay a fee to the Olene Walker Housing Loan Fund in the amount of \$500 per day that the specified county, for a consecutive year:

(A) fails to submit the report to the division in accordance with this section, beginning the day after the day on which the report was due; or

(B) fails to cure the deficiencies in the report, beginning the day after the day by which the cure was required to occur as described in the notice of noncompliance under Subsection (6).

(c) Upon determining that a specified county is ineligible for funds under this Subsection (7), and is required to pay a fee under Subsection (7)(b), if applicable, the division shall send a notice of ineligibility to the legislative body of the specified county, the Department of Transportation, and the Governor's Office of Planning and Budget.

(d) The notice described in Subsection (7)(c) shall:

(i) name the specified county that is ineligible for funds;

(ii) describe the funds for which the specified county is ineligible to receive;

(iii) describe the fee the specified county is required to pay under Subsection (7)(b), if applicable;

~~[(iii)]~~ (iv) specify the fiscal year during which the specified county is ineligible for funds; and

[~~(iv)~~] (v) state the basis for the division's determination that the specified county is ineligible for funds.

(e) The division may not determine that a specified county that is required to pay a fee under Subsection (7)(b) is in compliance with the reporting requirements of this section until the specified county pays all outstanding fees required under Subsection (7)(b) to the Olene Walker Housing Loan Fund, created under Title 35A, Chapter 8, Part 5, Olene Walker Housing Loan Fund.

(8) In a civil action seeking enforcement or claiming a violation of this section or of Subsection 17-27a-404(5)(c), a plaintiff may not recover damages but may be awarded only injunctive or other equitable relief.

Section 8. Section 17-27a-526 is amended to read:

17-27a-526. Internal accessory dwelling units.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling;

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) (i) "Primary dwelling" means a single-family dwelling that:

[~~(i)~~] (A) is detached; and

[~~(ii)~~] (B) is occupied as the primary residence of the owner of record.

(ii) "Primary dwelling" includes a garage if the garage:

(A) is a habitable space; and

(B) is connected to the primary dwelling by a common wall.

(2) In any area zoned primarily for residential use:

(a) the use of an internal accessory dwelling unit is a permitted use; [~~and~~]

(b) except as provided in Subsections (3) and (4), a county may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit

786 within a primary dwelling, including a restriction or requirement governing:

787 (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;

788 (ii) total lot size; ~~[or]~~

789 (iii) street frontage~~[-]; or~~

790 (iv) internal connectivity; and

791 (c) a county's regulation of architectural elements for internal accessory dwelling units

792 shall be consistent with the regulation of single-family units, including single-family units

793 located in historic districts.

794 (3) An internal accessory dwelling unit shall comply with all applicable building,
795 health, and fire codes.

796 (4) A county may:

797 (a) prohibit the installation of a separate utility meter for an internal accessory dwelling
798 unit;

799 (b) require that an internal accessory dwelling unit be designed in a manner that does
800 not change the appearance of the primary dwelling as a single-family dwelling;

801 (c) require a primary dwelling:

802 (i) regardless of whether the primary dwelling is existing or new construction, to
803 include one additional on-site parking space for an internal accessory dwelling unit, [regardless
804 of whether the primary dwelling is existing or new construction] in addition to the parking
805 spaces required under the county's land use ordinance, except that if the county's land use
806 ordinance requires four off-street parking spaces, the county may not require the additional
807 space contemplated under this Subsection (4)(c)(i); and

808 (ii) to replace any parking spaces contained within a garage or carport if an internal
809 accessory dwelling unit is created within the garage or carport and is habitable space;

810 (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as
811 defined in Section 57-16-3;

812 (e) require the owner of a primary dwelling to obtain a permit or license for renting an
813 internal accessory dwelling unit;

(f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to 25% or less of the total unincorporated area in the county that is zoned primarily for residential use[;], except that the county may not prohibit newly constructed internal accessory dwelling units that:

(i) have a final plat approval dated on or after October 1, 2021; and

(ii) comply with applicable land use regulations;

(g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank;

(h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size;

(i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days;

(j) prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

(k) hold a lien against a property that contains an internal accessory dwelling unit in accordance with Subsection (5); and

(l) record a notice for an internal accessory dwelling unit in accordance with Subsection (6).

(5) (a) In addition to any other legal or equitable remedies available to a county, a county may hold a lien against a property that contains an internal accessory dwelling unit if:

(i) the owner of the property violates any of the provisions of this section or any ordinance adopted under Subsection (4);

(ii) the county provides a written notice of violation in accordance with Subsection (5)(b);

(iii) the county holds a hearing and determines that the violation has occurred in accordance with Subsection (5)(d), if the owner files a written objection in accordance with Subsection (5)(b)(iv);

(iv) the owner fails to cure the violation within the time period prescribed in the

842 written notice of violation under Subsection (5)(b);

843 (v) the county provides a written notice of lien in accordance with Subsection (5)(c);

844 and

845 (vi) the county records a copy of the written notice of lien described in Subsection
846 ~~[(5)(a)(iv)]~~ (5)(a)(v) with the county recorder of the county in which the property is located.

847 (b) The written notice of violation shall:

848 (i) describe the specific violation;

849 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
850 to cure the violation that is:

851 (A) no less than 14 days after the day on which the county sends the written notice of
852 violation, if the violation results from the owner renting or offering to rent the internal
853 accessory dwelling unit for a period of less than 30 consecutive days; or

854 (B) no less than 30 days after the day on which the county sends the written notice of
855 violation, for any other violation; ~~[and]~~

856 (iii) state that if the owner of the property fails to cure the violation within the time
857 period described in Subsection (5)(b)(ii), the county may hold a lien against the property in an
858 amount of up to \$100 for each day of violation after the day on which the opportunity to cure
859 the violation expires;

860 (iv) notify the owner of the property:

861 (A) that the owner may file a written objection to the violation within 14 days after the
862 day on which the written notice of violation is post-marked or posted on the property; and

863 (B) of the name and address of the county office where the owner may file the written
864 objection;

865 (v) be mailed to:

866 (A) the property's owner of record; and

867 (B) any other individual designated to receive notice in the owner's license or permit
868 records; and

869 (vi) be posted on the property.

870 (c) The written notice of lien shall:

871 (i) comply with the requirements of Section 38-12-102;

872 (ii) describe the specific violation;

873 (iii) specify the lien amount, in an amount of up to \$100 for each day of violation after
874 the day on which the opportunity to cure the violation expires;

875 (iv) be mailed to:

876 (A) the property's owner of record; and

877 (B) any other individual designated to receive notice in the owner's license or permit
878 records; and

879 (v) be posted on the property.

880 (d) (i) If an owner of property files a written objection in accordance with Subsection
881 (5)(b)(iv), the county shall:

882 (A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings
883 Act, to conduct a review and determine whether the specific violation described in the written
884 notice of violation under Subsection (5)(b) has occurred; and

885 (B) notify the owner in writing of the date, time, and location of the hearing described
886 in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.

887 (ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a
888 county may not record a lien under this Subsection (5) until the county holds a hearing and
889 determines that the specific violation has occurred.

890 (iii) If the county determines at the hearing that the specific violation has occurred, the
891 county may impose a lien in an amount of up to \$100 for each day of violation after the day on
892 which the opportunity to cure the violation expires, regardless of whether the hearing is held
893 after the day on which the opportunity to cure the violation has expired.

894 (e) If an owner cures a violation within the time period prescribed in the written notice
895 of violation under Subsection (5)(b), the county may not hold a lien against the property, or
896 impose any penalty or fee on the owner, in relation to the specific violation described in the
897 written notice of violation under Subsection (5)(b).

(6) (a) A county that issues, on or after October 1, 2021, a permit or license to an owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to an owner of a primary dwelling to create an internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the primary dwelling is located.

(b) The notice described in Subsection (6)(a) shall include:

(i) a description of the primary dwelling;

(ii) a statement that the primary dwelling contains an internal accessory dwelling unit; and

(iii) a statement that the internal accessory dwelling unit may only be used in accordance with the county's land use regulations.

(c) The county shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Section 9. Section **17-27a-604.1** is enacted to read:

17-27a-604.1. Process for subdivision review and approval.

(1) (a) As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a county, including county staff or a county planning commission.

(b) "Administrative land use authority" does not include a county legislative body or a member of a county legislative body.

(2) (a) This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.

(b) This section does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.

(3) A county ordinance governing the subdivision of land shall:

(a) comply with this section and establish a standard method and form of application for preliminary subdivision applications and final subdivision applications; and

(b) (i) designate a single administrative land use authority for the review of preliminary

926 applications to subdivide land; or

927 (ii) if the county has adopted an ordinance that establishes a separate procedure for the
928 review and approval of subdivisions under Section 17-27a-605, the county may designate a
929 different and separate administrative land use authority for the approval of subdivisions under
930 Section 17-27a-605.

931 (4) (a) If an applicant requests a pre-application meeting, the county shall, within 15
932 business days after the request, schedule the meeting to review the concept plan and give initial
933 feedback.

934 (b) At the pre-application meeting, the county staff shall provide or have available on
935 the county website the following:

936 (i) copies of applicable land use regulations;

937 (ii) a complete list of standards required for the project;

938 (iii) preliminary and final application checklists; and

939 (iv) feedback on the concept plan.

940 (5) A preliminary subdivision application shall comply with all applicable county
941 ordinances and requirements of this section.

942 (6) An administrative land use authority may complete a preliminary subdivision
943 application review in a public meeting or at a county staff level.

944 (7) With respect to a preliminary application to subdivide land, an administrative land
945 use authority may:

946 (a) receive public comment; and

947 (b) hold no more than one public hearing.

948 (8) If a preliminary subdivision application complies with the applicable county
949 ordinances and the requirements of this section, the administrative land use authority shall
950 approve the preliminary subdivision application.

951 (9) A county shall review and approve or deny a final subdivision plat application in
952 accordance with the provisions of this section and county ordinances, which:

953 (a) may permit concurrent processing of the final subdivision plat application with the

preliminary subdivision plat application; and

(b) may not require planning commission or county legislative body approval.

(10) If a final subdivision application complies with the requirements of this section, the applicable county ordinances, and the preliminary subdivision approval granted under Subsection (9)(a), a county shall approve the final subdivision application.

Section 10. Section **17-27a-604.2** is enacted to read:

17-27a-604.2. Review of subdivision land use applications and subdivision improvement plans.

(1) As used in this section:

(a) "Review cycle" means the occurrence of:

(i) the applicant's submittal of a complete subdivision land use application;

(ii) the county's review of that subdivision land use application;

(iii) the county's response to that subdivision land use application, in accordance with this section; and

(iv) the applicant's reply to the county's response that addresses each of the county's required modifications or requests for additional information.

(b) "Subdivision improvement plans" means the civil engineering plans associated with required infrastructure and county-controlled utilities required for a subdivision.

(c) "Subdivision ordinance review" means review by a county to verify that a subdivision land use application meets the criteria of the county's subdivision ordinances.

(d) "Subdivision plan review" means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with county ordinances and applicable standards and specifications.

(2) The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas.

(3) (a) No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the county shall complete the

982 initial review of the application, including subdivision improvement plans.

983 (b) A county shall maintain and publish a list of the items comprising the complete
984 preliminary subdivision land use application, including:

985 (i) the application;

986 (ii) the owner's affidavit;

987 (iii) an electronic copy of all plans in PDF format;

988 (iv) the preliminary subdivision plat drawings; and

989 (v) a breakdown of fees due upon approval of the application.

990 (4) (a) A county shall publish a list of the items that comprise a complete final
991 subdivision land use application.

992 (b) No later than 20 business days after the day on which an applicant submits a plat,
993 the county shall complete a review of the applicant's final subdivision land use application for
994 single-family dwellings, two-family dwellings, or townhomes, including all subdivision plan
995 reviews.

996 (5) (a) In reviewing a subdivision land use application, a county may require:

997 (i) additional information relating to an applicant's plans to ensure compliance with
998 county ordinances and approved standards and specifications for construction of public
999 improvements; and

1000 (ii) modifications to plans that do not meet current ordinances, applicable standards, or
1001 specifications or do not contain complete information.

1002 (b) A county's request for additional information or modifications to plans under
1003 Subsections (5)(a)(i) or (ii) shall be specific and include citations to ordinances, standards, or
1004 specifications that require the modifications to plans, and shall be logged in an index of
1005 requested modifications or additions.

1006 (c) A county may not require more than four review cycles.

1007 (d) (i) Subject to Subsection (5)(d)(ii), unless the change or correction is necessitated
1008 by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the
1009 infrastructure needed for the specific development, a change or correction not addressed or

1010 referenced in a county's plan review is waived.

1011 (ii) A modification or correction necessary to protect public health and safety or to
1012 enforce state or federal law may not be waived.

1013 (iii) If an applicant makes a material change to a plan set, the county has the discretion
1014 to restart the review process at the first review of the final application, but only with respect to
1015 the portion of the plan set that the material change substantively effects.

1016 (e) If an applicant does not submit a revised plan within 20 business days after the
1017 county requires a modification or correction, the county shall have an additional 20 business
1018 days to respond to the plans.

1019 (6) After the applicant has responded to the final review cycle, and the applicant has
1020 complied with each modification requested in the county's previous review cycle, the county
1021 may not require additional revisions if the applicant has not materially changed the plan, other
1022 than changes that were in response to requested modifications or corrections.

1023 (7) (a) In addition to revised plans, an applicant shall provide a written explanation in
1024 response to the county's review comments, identifying and explaining the applicant's revisions
1025 and reasons for declining to make revisions, if any.

1026 (b) The applicant's written explanation shall be comprehensive and specific, including
1027 citations to applicable standards and ordinances for the design and an index of requested
1028 revisions or additions for each required correction.

1029 (c) If an applicant fails to address a review comment in the response, the review cycle
1030 is not complete and the subsequent review cycle may not begin until all comments are
1031 addressed.

1032 (8) (a) If, on the fourth or final review, a county fails to respond within 20 business
1033 days, the county shall, upon request of the property owner, and within 10 business days after
1034 the day on which the request is received:

1035 (i) for a dispute arising from the subdivision improvement plans, assemble an appeal
1036 panel in accordance with Subsection [17-27a-507\(5\)\(d\)](#) to review and approve or deny the final
1037 revised set of plans; or

(ii) for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.

Section 11. Section **17-27a-604.9** is enacted to read:

17-27a-604.9. Effective dates of Sections 17-27a-604.1 and 17-27a-604.2.

(1) Except as provided in Subsection (2), Sections 17-27a-604.1 and 17-27a-604.2 do not apply until December 31, 2024.

(2) Sections 17-27a-604.1 and 17-27a-604.2 do not apply until February 1, 2024 for:

(a) a specified county, as defined in Section 17-27a-408;

(b) a county that is a voting member of the Wasatch Front Regional Council, including:

(i) Davis County;

(ii) Morgan County;

(iii) Salt Lake County;

(iv) Tooele County; and

(v) Weber County; and

(c) a county that is a member of the Mountainland Association of Governments, including:

(i) Summit County;

(ii) Utah County; and

(iii) Wasatch County.

Section 12. Section **17-27a-608** is amended to read:

17-27a-608. Subdivision amendments.

(1) (a) A fee owner of a lot, as shown on the last county assessment roll, in a plat that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.

(b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section **17-27a-603** that:

- 1066 (i) depicts only the portion of the subdivision that is proposed to be amended;
1067 (ii) includes a plat name distinguishing the amended plat from the original plat;
1068 (iii) describes the differences between the amended plat and the original plat; and
1069 (iv) includes references to the original plat.
- 1070 (c) If a petition is filed under Subsection (1)(a), the land use authority shall provide
1071 notice of the petition by mail, email, or other effective means to each affected entity that
1072 provides a service to an owner of record of the portion of the plat that is being amended at least
1073 10 calendar days before the land use authority may approve the petition for a subdivision
1074 amendment.
- 1075 (d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a
1076 public hearing within 45 days after the day on which the petition is filed if:
- 1077 (i) any owner within the plat notifies the county of the owner's objection in writing
1078 within 10 days of mailed notification; or
- 1079 (ii) a public hearing is required because all of the owners in the subdivision have not
1080 signed the revised plat.
- 1081 (e) A land use authority may not approve a petition for a subdivision amendment under
1082 this section unless the amendment identifies and preserves any easements owned by a culinary
1083 water authority and sanitary sewer authority for existing facilities located within the
1084 subdivision.
- 1085 (2) The public hearing requirement of Subsection (1)(d) does not apply and a land use
1086 authority may consider at a public meeting an owner's petition for a subdivision amendment if:
- 1087 (a) the petition seeks to:
- 1088 (i) join two or more of the petitioning fee owner's contiguous lots;
1089 (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not
1090 result in a violation of a land use ordinance or a development condition;
- 1091 (iii) adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the
1092 fee owners of each of the adjoining properties join the petition, regardless of whether the
1093 properties are located in the same subdivision;

1094 (iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction
1095 imposed by the local political subdivision; or

1096 (v) alter the plat in a manner that does not change existing boundaries or other
1097 attributes of lots within the subdivision that are not:

1098 (A) owned by the petitioner; or

1099 (B) designated as a common area; and

1100 (b) notice has been given to adjoining property owners in accordance with any
1101 applicable local ordinance.

1102 (3) A petition under Subsection (1)(a) that contains a request to amend a public street
1103 or county utility easement is also subject to Section 17-27a-609.5.

1104 (4) A petition under Subsection (1)(a) that contains a request to amend an entire plat or
1105 a portion of a plat shall include:

1106 (a) the name and address of each owner of record of the land contained in:

1107 (i) the entire plat; or

1108 (ii) that portion of the plan described in the petition; and

1109 (b) the signature of each owner who consents to the petition.

1110 (5) (a) The owners of record of adjoining properties where one or more of the
1111 properties is a lot may exchange title to portions of those properties if the exchange of title is
1112 approved by the land use authority as a lot line adjustment in accordance with Subsection
1113 (5)(b).

1114 (b) The land use authority shall approve ~~[an exchange of title]~~ a lot line adjustment
1115 under Subsection (5)(a) if the exchange of title will not result in a violation of any land use
1116 ordinance.

1117 (c) If ~~[an exchange of title]~~ a lot line adjustment is approved under Subsection (5)(b):

1118 (i) a notice of lot line adjustment approval shall be recorded in the office of the county
1119 recorder which:

1120 (A) is ~~[executed]~~ approved by ~~[each owner included in the exchange and by]~~ the land
1121 use authority; and

1122 ~~[(B) contains an acknowledgment for each party executing the notice in accordance~~
1123 ~~with the provisions of Title 57, Chapter 2a, Recognition of Acknowledgments Act; and]~~

1124 ~~[(C)]~~ (B) recites the legal descriptions of both the properties and the properties
1125 resulting from the exchange of title; and

1126 (ii) a document of conveyance of title reflecting the approved change shall be recorded
1127 in the office of the county recorder ~~[with an amended plat].~~

1128 (d) A notice of approval recorded under this Subsection (5) does not act as a
1129 conveyance of title to real property and is not required to record a document conveying title to
1130 real property.

1131 (6) (a) The name of a recorded subdivision may be changed by recording an amended
1132 plat making that change, as provided in this section and subject to Subsection (6)(c).

1133 (b) The surveyor preparing the amended plat shall certify that the surveyor:

1134 (i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and
1135 Professional Land Surveyors Licensing Act;

1136 (ii) (A) has completed a survey of the property described on the plat in accordance with
1137 Section 17-23-17 and has verified all measurements; or

1138 (B) has referenced a record of survey map of the existing property boundaries shown
1139 on the plat and verified the locations of the boundaries; and

1140 (iii) has placed monuments as represented on the plat.

1141 (c) An owner of land may not submit for recording an amended plat that gives the
1142 subdivision described in the amended plat the same name as a subdivision recorded in the
1143 county recorder's office.

1144 (d) Except as provided in Subsection (6)(a), the recording of a declaration or other
1145 document that purports to change the name of a recorded plat is void.

1146 Section 13. Section **63I-2-210** is amended to read:

1147 **63I-2-210. Repeal dates: Title 10.**

1148 On January 1, 2025, Section 10-9a-604.9 is repealed.

1149 Section 14. Section **63I-2-217** is amended to read:

1150 **63I-2-217. Repeal dates: Title 17.**

1151 ~~[(1) Title 17, Chapter 35b, Consolidation of Local Government Units, is repealed~~
1152 ~~January 1, 2022.]~~

1153 (1) On January 1, 2022, Title 17, Chapter 35b, Consolidation of Local Government
1154 Units, is repealed.

1155 ~~[(2) On January 1, 2028, Subsection 17-52a-103(3), requiring certain counties to~~
1156 ~~initiate a change of form of government process by July 1, 2018, is repealed.]~~

1157 ~~[(3)]~~ (2) On June 1, 2022:

1158 (a) Section 17-52a-104 is repealed;

1159 (b) in Subsection 17-52a-301(3)(a), the language that states "or under a provision
1160 described in Subsection 17-52a-104(1)(b) or (2)(b)," is repealed; and

1161 (c) Subsection 17-52a-301(3)(a)(iv), regarding the first initiated process, is repealed.

1162 (3) On January 1, 2025, Section 17-27a-604.9 is repealed.

1163 (4) On January 1, 2028, Subsection 17-52a-103(3), requiring certain counties to initiate
1164 a change of form of government process by July 1, 2018, is repealed.

**KAYSVILLE CITY
ORDINANCE XX-XX-XX**

WHEREAS,

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

SECTION 1: **AMENDMENT** “17-35-6 Standards And Requirements” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-35-6 Standards And Requirements

Approval of manufactured home park plans shall be subject to the following standards and any requirements imposed by the Planning Commission or City Council:

1. The manufactured home park shall contain not less than ten (10) acres.
2. The manufactured home park shall be located adjacent to an arterial or collector street.
3. The park will have at least thirty percent (30%) of the spaces completed and ready for occupancy before first occupancy is permitted.
4. The design shall meet all applicable standards and requirements of this Title and all other regulations of Kaysville City, Davis County and the State of Utah.
5. The park design shall have the written approval of the Davis County Health Department.
6. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by ~~KCC 19-2-1~~ **KCC Title 19** of the Subdivisions Ordinance.
7. The area shall be in one ownership. or if in several ownerships, the application for approval of the development shall be filed jointly by all the owners of the property included in the plan.
8. The plans for a manufactured home park shall be prepared by such qualified persons, and with such additional plans as the Planning Commission may require. It is recommended that professional design and other assistance be obtained early in the program, including, if needed, a geologist or soils engineer, an urban planner, a lawyer, a financial expert, or others. It is the intent of the City that the developer solve any problems before approval is given and construction begins.
9. The number of manufactured homes shall be limited to six and one half (6.5) units per gross acre. The manufactured homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads or parking shall be set aside and developed as parks, playgrounds and service areas for the common use and enjoyment of occupants of the development and visitors thereto.

10. No less than eight (8) percent of the gross land area shall be set aside for the joint recreational use of occupants. The land covered by vehicular roadways, sidewalk, and off-street parking shall not be construed as part of the area required for parks and playgrounds.
11. No manufactured home or add-on shall be located closer than fifteen feet (15') from the nearest portion of any other manufactured home or living space add-on. No non-living space add-on shall be closer than six feet (6') to any other non-living space add-on. All manufactured homes and add-ons, except carports enclosed on not more than one (1) side, shall be set back at least ten feet (10') from road curbs or walks. If the tongue of the manufactured home remains attached, it shall be set back a minimum of six feet (6') from road curbs or walks.
12. All areas not covered by manufactured homes, hard-surfacing, or buildings, shall be landscaped as approved by the City, and such landscaping shall be permanently maintained.
13. All off-street parking spaces and driveways shall be hard-surfaced before the adjacent manufactured homes spaces may be occupied.
14. Within 45 days of occupancy, each manufactured home shall be skirted, or shields may be used providing they are fireproof and well painted or otherwise preserved.
15. A strip of land at least fifteen feet (15') wide, measured from the public right-of-way line, surrounding the entire park shall be left unoccupied by manufactured homes and shall be planted and maintained in lawn, shrubs, and trees designed to afford privacy to the development.
16. All storage and solid waste receptacles outside the confines of any manufactured home must be housed in a closed structure compatible in design and construction to the manufactured homes and to any service buildings within the development; all patios, garages, carports, and other add-ons must be compatible in design and construction with the manufactured home. The service building shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
17. No manufactured home space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. Leases shall be made available to the officials of Kaysville City upon demand.
18. The roadways shall be of adequate width to accommodate anticipated traffic, but not less than the following:
 - a. For one-way traffic: Fifteen feet (15') in width plus extra width as necessary for maneuvering manufactured homes.
 - b. For two way traffic: Thirty feet (30') in width.
 - c. For entrance roadways: Minimum of thirty-six feet (36') in width.
19. All roadways shall be hard-surfaced and bordered by twenty four inch (24") rolled gutters or equivalent.
20. Sidewalks at least thirty-six inches (36") wide shall be installed on all main roadways within the development, adjoining and outside of the widths required by Subsections (18) and (19) above.
21. Each manufactured home park must have at least two (2) accesses to public streets.
22. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient

capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

23. An access shall be provided to each manufactured home stand for maneuvering manufactured homes into position. The access way shall be kept free from trees and other immovable obstructions.
24. Each manufactured home lot shall contain portland cement concrete pads, at least four inches (4") thick, three feet (3') wide, and the same length as the rails of the manufactured home, on which the manufactured home is placed. Every manufactured home shall have a vapor barrier under the entire manufactured home.
25. Off-street and off-roadway parking shall be provided at the rate of two (2) parking spaces on each manufactured home lot, and each such parking space shall have a minimum width of ten feet (10') and minimum depth of twenty feet (20'). Additional guest parking spaces shall be provided as determined by the Planning Commission.
26. An off-lot storage area shall be provided within a manufactured home park, equivalent to eight (8) square feet per manufactured home space. The area designated for said storage shall be improved, landscaped, or screened in such manner as is approved by the Planning Commission.
27. A minimum of six (6) tie-downs shall be provided for each manufactured home. Said tie-downs shall be sufficient for wind loading and installed according to the manufacturers specifications not later than fourteen (14) days after placement of each manufactured home.
28. In addition to meeting the above requirements and conforming to the other laws of the City, all manufactured home parks shall also conform to requirements as set forth in the current CODE OF CAMP-TRAILER COURT, HOTEL, MOTEL AND RESORT SANITATION REGULATIONS adopted by the Utah State Board of Health, and to the current INTERNATIONAL FIRE CODE, which Codes are hereby adopted by reference. All restrictions, regulations, and notations contained therein shall be made a part of this Title as fully as though set forth therein. In the event of any conflict between said Codes and this Chapter, this Chapter shall take precedence where its regulations are more strict, and the provisions of the Codes shall take precedence where their regulations are more strict.
29. At least two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways and central parking areas.
30. Every manufactured home must bear an appropriate label certifying compliance with the Federal Manufactured Housing Construction and Safety Standards.

SECTION 2: **AMENDMENT** “17-34-7 Common Open Space Subdivision”
of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-7 Common Open Space Subdivision

1. Development requirements. .

- a. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone as indicated in the following table. The number of units determined by this calculation cannot be exceeded.

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

2. The following development standards indicate the maximum extent to which variation from the normal development standards of the underlying zone may be altered.
- a.
- b. Block size, building height, and lot coverage regulations shall be determined by approval of the development plan and shall not vary from the normal standard of the underlying zone by more than 20%.
- c. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.
- d.
3. Common Open Space Requirements
- a. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be

provided and designated on the plat. Usable open space shall be considered improved space such as a garden, park, clubhouse, pool, trail, playground, or similar improvement determined acceptable by the City Council based on the size of the development.

- b. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. A maximum of 30% of the required common open space may include natural areas. The remaining common open space must be designed, improved or landscaped to quality as usable open space. Any open space that is not common open space cannot be used to fulfill the open space requirements.
- c. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
- d. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
- e. All common facilities shall be improved as set forth in ~~KCC 19-2-1~~KCC Title 19 Subdivisions~~of the Subdivision Ordinance.~~
- f. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The common facilities restrictions shall be permanent and not just for a period of years.
 - iii. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability

insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.

- g. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

Conceptual Plans. The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, showing amenities, fencing and screening which demonstrates how the common open space will benefit the development.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

Preliminary Subdivision Plat. The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.

5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:
 - a. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
 - b. The plant names, locations, qualities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
 - c. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
 - d. Existing and proposed fencing or screening and identification of the fencing material.
 - e. Any proposed tot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
 - f. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.
10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

Final Subdivision Plat. The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

SECTION 3: AMENDMENT “17-4-3 Powers And Duties” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-4-3 Powers And Duties

The Planning Commission shall:

1. Make a recommendation to the City Council for:
 - a. A general plan and amendments to the general plan,
 - b. Land use ordinances, zoning maps, official maps, and amendments,
 - c. An appropriate delegation of power to at least one designated land use authority to hear and act on a land use application,
 - d. An appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of the land use authority,
 - e. Application processes, and
 - ~~f. Actions on subdivision applications, and~~
 - g. Other matters as the City Council directs;
2. Hear and act on land use applications as specified in land use ordinances, including conditional use permits; and
3. Exercise other authority that is necessary to enable the Planning Commission to perform its duties or delegated to it by the City Council.

SECTION 4: AMENDMENT “17-31-24 Recreational Vehicle Parks” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-24 Recreational Vehicle Parks

1. Recreational vehicle parks are a conditional use in the GC - General Commercial District.
2. The development of a recreational vehicle park shall conform to the following standards and requirements:
 - a. No recreational vehicle park shall be used by one individual recreational vehicle for more than thirty (30) consecutive days, nor shall any space be rented or leased to any one individual for a period longer than thirty (30) days.
 - b. The design shall meet all applicable standards and requirements of this Title and other regulations of Kaysville City, Davis County, and the State of Utah.
 - c. The design has the written approval of the Davis County Health Department.
 - d. The developer shall improve all recreation areas and facilities, landscaping, streets, and utilities as required by ~~KCC 19-2-1 of the~~ KCC Title 19 Subdivisions ~~Ordinance~~.
 - e. The site shall be in one ownership.
 - f. The site shall be adjacent to a major street.
 - g. All entrances and exits from the recreational vehicle park shall be by forward motion only.
 - h. No entrance or exit from a recreational vehicle park shall be through a residentially developed area.
 - i. All recreational vehicle spaces or pads shall be set back at least twenty feet (20') from any public street.

- j. All one-way roadways shall be at least twelve feet (12') in width and all two-way roadways at least twenty feet (20') in width, and all roadways shall be hard-surfaced.
 - k. All areas within the park which are not hard-surfaced, including the twenty foot (20') setback space, shall be landscaped and maintained with lawns, trees, and shrubs designed to provide privacy and noise containment, and shall be equipped with adequate sprinkling devices as determined by the City.
 - l. In a recreational vehicle park, the number of spaces shall be limited to twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development. The remaining land not contained in individual spaces, roads or parking shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the development and visitors thereto.
 - m. Each recreational vehicle space shall be at least twenty feet (20') in width and at least thirty feet (30') in length, for spaces planned to have the recreational vehicle and a towing vehicle park side-by-side; and at least fifteen feet (15') in width and at least forty-five feet (45') in length for spaces planned as drive-through spaces in which the towing vehicle parks in front of the recreational vehicle. Drive-through spaces are recommended whenever the size and shape of the property permits this design.
 - n. All storage and solid waste receptacles must be housed in a closed structure compatible in design and construction to the character of the park.
 - o. The service buildings shall be constructed to standard commercial practice and kept in good repair as approved by the Building Inspector.
 - p. Off-street and off-roadway parking spaces shall be provided for visitors at the rate of one (1) such space for each two (2) recreational vehicle spaces in the recreational vehicle park; such spaces shall have a minimum width of ten feet (10') and a minimum length of twenty feet (20') and may be grouped in appropriate locations.
 - q. A minimum of two tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all streets, sidewalks, and central parking areas.
 - r. Storm drainage facilities shall be so constructed as to protect those who will reside in the park as well as adjacent property owners by insuring rapid drainage and preventing accumulation of pools of water.
 - s. One manufactured home may be allowed in a recreational vehicle park if used as the residence of the park manager.
3. Every recreational vehicle park shall provide utility service to every recreational vehicle stand as required by Kaysville City ordinances and as required by the Planning Commission.
 4. For recreational vehicle parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission for permanent retention of open space and for the maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees may be in the form of a

- bond or a mortgage on real estate or in other form to be determined by the Planning Commission, which form must be approved by the City Council and City Attorney.
5. The owner shall establish and appoint a park manager. The manager shall be a resident of the park and shall be authorized to receive, process, and represent fully the interests of the owner in respect to management and maintenance of the park.
 6. No recreational vehicle park shall be operated in Kaysville City until an annual business license has been obtained from Kaysville City.
 7. The premises on which any recreational vehicle park is located shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, or other unsightly material thereon shall constitute a nuisance and a violation of this Title. The City Council may, after inspection by the Inspector, cancel the license to operate the park if the inspection reveals that maintenance does not conform to required standards.

SECTION 5: **AMENDMENT** “17-34-6 Planned Residential Unit Development” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-6 Planned Residential Unit Development

1. **Pre-application conference.** A meeting with City staff ~~shall~~ may be held in order to provide a preliminary understanding of issues, zone requirements, undevelopable areas, and infrastructure demands. If a pre-appicaiton conference is desired, ~~c~~Conceptual designs shall be provided by the applicant including sufficient information to evaluate ~~housing quality~~ projects, areas to be preserved, and street and lot layout. Building elevation and landscape plans may be required as part of the review and approval process.
2. **Overlay zone and preliminary subdivision plat.** After the pre-application conference, an amendment to use the Planned Residential Unit Development overlay zone and a preliminary plat may be applied for in compliance with the standards and procedures found in this Title and the Subdivision Ordinance.
3. **Final subdivision plat.** After a preliminary plat is approved, a final plat may be applied for using the standards and procedures found in ~~the Subdivision Ordinance~~ KCC Title 19 Subdivisions. The final plat, at the discretion of the City Council, may be accompanied by a development agreement that when approved by the City Council shall be recorded to run with the land. After the final plat is approved, the overlay zone may be approved.

SECTION 6: **AMENDMENT** “17-34-8 Private Street Subdivision” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-34-8 Private Street Subdivision

1. Development requirements.

- a. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
 - b. Private street improvements shall include curb. streets are defined as that area within the private street easement.
 - c. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
 - d.
 - e. All private streets shall be improved as set forth in ~~KCC 19-2-1 of the~~ KCC Title 19 Subdivisions Ordinance.
 - f. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The private street restrictions shall be permanent and not just for a period of years.
 - iii. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. The following development standards indicate the maximum extent to which variation from the development standards of the underlying zone may be altered upon specific approval of the City Council.
 - a. No building shall be closer than twenty feet (20') to any street improvement.
 3. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted

in the zoning district in which the private street subdivision is located.

SECTION 7: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 8: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 9: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Hunt	_____	_____	_____	_____
Council Member Jackson	_____	_____	_____	_____
Council Member Oaks	_____	_____	_____	_____

Presiding Officer

Attest

Tamara Tran, Mayor, Kaysville City

Annemarie Plaizier, City Recorder,
Kaysville City

18-3-3 Roadway Improvements

1. The building site shall abut a paved street of adequate width, as determined by the City Engineer.
2. With the exception of properties within Residential Townsite zone, ~~The~~ Owner shall install curb, gutter, sidewalk, roadbase and asphalt surfacing concurrent with construction of the residence ~~(s). if these improvements exist on either of the adjacent lots or if at least 25% of the lots on the same block have improvements. If a block is not defined by intersecting streets the 25% rule will apply to all properties within 500 feet each direction from the property lines of the subject lot.~~
- ~~3. If the conditions in the preceding paragraph do not apply, then the Owner must pay the City an amount sufficient to cover the installation of said improvements.~~
4. 3. In accordance with the City's Public Street Improvement Policy, ~~A~~at the discretion of the City Council, ~~the~~ improvements shall be installed by the Owner upon written notice from the City if a lien has been previously provided. If payment has been made, the City shall have the improvements installed at its discretion and pay for said installation with the payment and interest accrued thereon. In the event the Owner has executed a lien and the Owner refuses to construct said improvements, upon receiving written notice from the City, the City shall contract to have said improvements completed and the costs of said improvements shall be placed on the Owners annual tax bill. If the Owner still refuses to pay the annual tax bill, then the City will proceed with foreclosure on the Owners property to collect any and all expenditures that the City may have made in connection therewith.
5. 4. The same specification as defined in the Kaysville City Subdivision Ordinance shall apply to the construction of street improvements. Detail plans and profile drawings and elevations prepared by a registered land surveyor or registered professional engineer are required for all improvements. ~~The owner may provide these materials or pay the appropriate fee to the City in which case the City shall provide these materials.~~ Installation of improvements shall be accomplished before the final inspection is completed. The Owner shall provide an improvement warranty and cash deposit in an amount often percent (10%) of the actual cost of the improvements installed for all improvements as required by KCC 19-2-4 of the Subdivision Ordinance.
- ~~6. The only exception to this section will be in the instance when a residence is built in a subdivision which was previously approved by the City Council without a requirement for full street improvements.~~

18-3-6 Sanitary Sewerage

- ~~1.~~ The owner shall install sanitary sewer facilities and provide a connection for the building site concurrent with the construction of the residence. The building site shall be served by a public sanitary sewer unless the following criteria are met:

- ~~1. The property is more than three hundred feet (300'500') from a public sanitary sewer; and~~
- ~~2.1. _____ Connection to the public sanitary sewer is not feasible, as determined by the City Engineer Sewer District.~~
2. If the criteria in Subsection (1) above are met, the building site may be served by an individual wastewater disposal system upon compliance with the following:
 1. The Utah Department of Health Regulations for Individual Wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department;
 2. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains); and
 3. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City Sewer District, including development fees and street repairs.

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, residential building sites shall be served by pressure irrigation. In order to avoid unnecessary overburden to the City's Culinary Water system, the City may, at its discretion, require connection to pressure irrigation east of U.S. 89 if it is determined by the City Engineer to be feasible.
2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

18-4-8 Storm Water

A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The developer shall implement the portion of that plan applicable to the development by:

1. Preparing a detailed drainage plan for the development which is acceptable to the City.
2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, and other appurtenance structures, to adequately dispose of 10-year frequency storm runoff within the development and from adjacent properties. Said disposal system shall include the retention of treatment of the WQV, as detailed in the City's LID Manual. Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.

3. Providing for restriction of the runoff from the development to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 1. Conveyance (including easements) of the runoff to a regional detention/retention/treatment site and paying the development's proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 2. Dedicating land and constructing regional detention/retention/treatment within the development and conveyance to a main channel if said development contains a proposed detention/retention/treatment site. The developer may be compensated for the cost of the regional detention and conveyance to a main channel for that which is not the proportional share for the development; or
 3. If the development is within a subdivision that has fulfilled the controlled release requirements, complying with the storm drainage requirements of the subdivision.
 4. Conveyance of the runoff to a site within the development dedicated and constructed for detention/retention/ treatment.
4. If the development is within one hundred feet (100') of a main channel, complying with all Davis County Flood Control requirements and being approved by Davis County.
5. Unless otherwise directed or agreed to by the City Engineer, any infrastructure not located in a City right of way or on City owned property that is installed or used for the conveyance/treatment/detention/retention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per [KCC 9-3d-8](#).

19-1-1 Public Welfare

Any proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area concerned; and the Subdivider shall present evidence to this effect when requested to do so by the ~~Planning Commission~~City.

19-1-2 Variances

- ~~1. Any person or entity desiring a waiver or modification of the requirements of this Title as applied to a parcel of property that he or she owns, leases, or in which he or she holds some other beneficial interest may apply to the Administrative Law Judge for a variance from the terms of this Title.~~
 - ~~1. The Administrative Law Judge may grant a variance only if:~~
 - ~~1. Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;~~
 - ~~2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;~~
 - ~~3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;~~
 - ~~4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and~~
 - ~~5. The spirit of this Title is observed and substantial justice done.~~
 - ~~6. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Administrative Law Judge may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought; and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.~~
 - ~~7. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Administrative Law Judge may not find an unreasonable hardship if the hardship is self-imposed or economic.~~
 - ~~2. In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the Administrative Law Judge may find that special circumstances exist only if the special circumstances:~~
 - ~~1. Relate to the hardship complained of; and~~
 - ~~2. Deprive the property of privileges granted to other properties in the same district.~~
- ~~2. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.~~
- ~~3. Variances run with the land.~~
- ~~4. The Administrative Law Judge and any other body may not grant a use variance.~~
- ~~5. In granting a variance, the Administrative Law Judge may impose additional requirements on the applicant that will:~~
 - ~~1. Mitigate any harmful effects of the variance; or~~
 - ~~2. Serve the purpose of the standard or requirement that is waived or modified.~~

19-1-3 Scope And Applicability

1. No person shall subdivide for the purpose of transferring, selling, conveying, or assigning any tract or parcel of land which is located wholly or in part within Kaysville City, except in compliance with this Title.
2. A subdivision plat shall comply with the provisions of this Title and be approved by Kaysville City before it may be filed or recorded in the County Recorder's office and before lots may be sold.

3. All lots, plots, or tracts of land located within a subdivision shall be subject to this Title, regardless of whether or not the tract is owned by the Subdivider or a subsequent purchaser, transferor, or holder of the land.

19-1-4 Development Sequence

No person shall be issued a building permit, except a permit for improvements required by this Title, until the actual completion by the Subdivider and acceptance by the City ~~Council~~ of the improvements required by this Title or bonding has been provided for improvements as allowed in State code.

19-1-5 Enforcement And Responsibility

The City Building Inspectors and all administrative officials of Kaysville City shall not issue any permit for the proposed erection, construction, reconstruction, alteration, or use until proof of full compliance with all the provisions of this Title has been provided. No City officer shall issue any permit or license for the use of any building, structure, or land when such land is part of a subdivision, as defined herein, until such subdivision has been approved and recorded in the County Recorder's office. Any license or permit issued in conflict with this Title or as a result of inadvertence, error or mistake shall be null and void.

19-1-6 Violations And Penalties

1. It shall be a violation of this Title for any person to sell or transfer any land in a subdivision before recording a plat or to submit a subdivision plat to the County Recorder's Office for recording without complying with the provisions of Section 10-9a-604, Utah Code ~~Annotated, 1953~~, or being exempt from the provisions thereof.
2. Any person who violates any of the provisions of this Title shall be guilty of a Class C misdemeanor and, upon conviction of any such violation, shall be punished by a fine of not more than \$750.00 or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment, or a fine not to exceed \$1,000.00 for a corporation, association, partnership, or government instrumentality.
3. In addition to the penalties prescribed in Subsections (1) and (2), the City shall be entitled to exercise and enforce the remedies set forth in Section 10-9a-802 ~~of Utah Code Annotated, 1953~~, including, but not limited to, withholding building permits and assessing attorney's fees and other costs of enforcement.

19-1-7 Definitions

The following words and phrases used in this Title shall have the respective meanings hereinafter set forth, unless a different meaning clearly appears from the context:

Adjacent Landowners - Any property owner of record, according to the records of the County Recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Administrative Land Use Authority – Kaysville City Staff

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

Block - The land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

City - Kaysville City.

City Council - The Kaysville City Council.

City Engineer - The Kaysville City Engineer.

Condominium Project - A real estate condominium project. A plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures or otherwise, are separately offered or proposed to be offered for sale. Condominium project shall also mean the property where the context so requires.

Dedication - Land set aside by an owner for any general and public uses, reserving for themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat showing the dedication thereof.

Developer - Any person, including a corporate person, who undertakes to develop land, including Subdividers.

Development - The improvement of any tract, lot, or parcel of land by construction thereon.

Easement - That portion of a lot or lots reserved or granted for the present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on the surface, or above said lot or lots.

Final Plat - The final drawing of the subdivision and dedication prepared for filing for record with the County Recorder and in compliance with all the requirements set forth in this Title and adopted pursuant thereto.

General Plan - The Kaysville City General Plan.

Improvement Completion Assurance - A cash deposit furnished and filed with Kaysville City in an amount equal to one hundred fifteen percent (115%) of the current cost of a Slurry Seal Type III on all asphalt pavement in streets, as determined by licensed contractor quote.

Improvement Warranty - Applicant's unconditional warranty that the accepted improvements comply with Kaysville City's written Standards for Design, Materials, and Workmanship and will not fail in any material respect, as a result of poor workmanship or materials, during the Improvement Warranty Period, and a cash deposit furnished and filed with Kaysville City in an amount often percent (10%) of the actual costs of the improvements less the Slurry Seal Type III on all asphalt pavement in streets.

Improvement Warranty Period - A period of one (1) year after the Applicant provides the Improvement Warranty and the City ~~Council~~ accepts the improvements unless the City ~~Council~~ determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare and has substantial evidence, on record, of prior poor performance by the Applicant or that the area upon which the improvements were constructed contains suspect soil and the Applicant has not mitigated the suspect soil.

Lot - A parcel of land comprising a unit within a subdivision or a unit of land for building development or transfer of Ownership, together with such yards, open spaces, lot width, and area as required by this Title and the Zoning Ordinance of Kaysville City.

Lot Line Adjustment - The adjustment of a mutual boundary between either multiple subdivided lots or multiple established lots of record where the property line is modified in compliance with yard, lot size, and frontage requirements for the applicable zoning district and where no new lot is created.

Lot Consolidation - The combination of two or more lots whether previously subdivided or established lots of record where the legal description of more than one contiguous parcel of property is revised into one legal description encompassing all such parcels of property and where no zoning violation is created.

Major Street Plan - A plan, labeled "Major Street Plan" approved by the City Council which identifies the major street network of Kaysville City and requirements thereof.

Off-site - Outside a specific parcel of land being developed or considered for development.

On-site - Within a parcel of land owned by a private citizen or by a private legal entity.

Parcel of Land - A contiguous quantity of land in the possession of, owned by, or recorded as the property of the same owner or person.

Person - An individual, corporation, partnership, organization, association, trust, governmental agency or any other legal entity.

Pioneer Developer - A Developer that acquires easements or rights-of-way or installs improvements that provide service for development of a site other than the Development of the pioneer developer and enters into a Pioneer Developer Agreement approved by the City.

Planned Residential Unit Development - 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.

Planning Commission - The Kaysville City Planning Commission.

Plat - A map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Protection Strip - A strip of land bordering both the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access of property owners abutting the subdivision to the street.

Streets:

1. Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.
2. Street, Arterial - A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated in the Major Street Plan.
3. Street, Collector - A street, existing or proposed, which collects and distributes traffic and is designated in the Major Street Plan.
4. Street, Significant Local - A street, existing or proposed, which is supplementary to a collector street and is designated in the Major Street Plan.
5. Street, Local - A street which is not otherwise classified.
6. 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.
7. Street, Cul-de-sac - A terminal street provided with a turnaround with a 100-foot minimum diameter. Cul-de-sac streets shall not be any longer than six hundred feet (600') from the centerline of the adjoining street to the center of the turnaround.

Subdivider - Any person, including a corporate person, who undertakes to create a subdivision.

Subdivision - Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Suspect Soil - Soil that has a high susceptibility for volumetric change, typically clay rich, having more than a three percent (3%) swell potential; bedrock units with high shrink or swell susceptibility; or

gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

Zoning Ordinance - The Planning and Zoning Ordinance of Kaysville City, as adopted by the City Council and as amended.

Other definitions as used in the Municipal Land Use Development and Management Act, Section 10-9a-103, may be used in applying and interpreting this Chapter, if applicable and not in conflict herewith.

19-1-8 Validity

If any provision of this Title or its application to any person or circumstances is for any reason held invalid, the remaining portion and/or portions of this Title or the application of the provision to other persons or circumstances shall not be affected.

19-1-9 Appeals

1. The applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal that decision applying this Title by alleging that there is error in any order, requirements, decision, or determination made by an official in the administration or interpretation of this Title.
2. Any officer, department, board, or bureau of the City affected by the grant or refusal of a building permit or by any other decisions of the administrative officer in the administration or interpretation of This Title may appeal any decision to the Administrative Law Judge.
3. Such appeal shall be taken within seven (7) calendar days from the date of the action appealed from by filing with the officer from whom the appeal is taken and with the City Recorder a notice of appeal specifying the ground thereof.
4. The officer from whom the appeal is taken shall transmit to the Administrative Law Judge all papers constituting the record upon which the action appealed from is taken.
5. The person or entity making the appeal has the burden of proving that an error has been made.
6. The Administrative Law Judge shall find whether there is substantial evidence that an error has been made. The Administrative Law Judge may affirm, reverse, or modify the action appealed from as it seems just and equitable and exercise all rights of any other officer or commission.
7. Only decisions applying this Title may be appealed to the Administrative Law Judge. Appeals may not be used to waive or modify the terms or requirements of this Title.
- ~~8.~~ All appeals shall comply with the requirements of Section 10-9a-701 Utah Code ~~Annotated, 1953.~~
- 8.

19-2-1 Subdivision Development Process

The following steps are required:

1. The Subdivider contacts the City ~~Engineer~~ for information concerning the City subdivision requirements and compatibility with the General Plan, and discusses the proposed plan of development prior to preparing any plats, plans or charts.
 1. ~~If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.~~
 2. ~~At the pre-application meeting, the staff shall provide or have available on the city website the following:~~
 1. ~~Copies of applicable land use regulations;~~
 2. ~~A complete list of standards required for the project~~
 3. ~~Preliminary and final application checklists; and~~
 - 1.4. ~~Feedback on the concept plan~~
2. The Subdivider pays the preliminary plat fee at the City Office.

3. The Subdivider submits the following to the City ~~Engineer~~for the preliminary plat:
 1. ~~Three (3) copies of the~~The preliminary plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-3-3](#).
 2. A copy of the preliminary plat fee receipt.
 3. The Owner's affidavit
 - 2.4. An electronic copy of all plans in PDF format
4. The Subdivider submits copies of the preliminary plat and any applicable utility load information to agencies and service providers as needed. If a State highway is involved, the Subdivider provides evidence of approval of access, curbs, gutters, and sidewalks by the Utah Department of Transportation to the City ~~Engineer~~.
5. ~~The~~ City staff will review the documents and make recommendations. ~~Fifteen~~Ten (150) working days are allowed for completion of staff review for each submittal or re-submittal.
6. Upon completion of the staff review, the City ~~Engineer~~ will place the item on the Planning Commission agenda and notify the Subdivider and provide comments on any necessary modifications or required additional information.
7. ~~The Planning Commission will meet and review the preliminary plat and take action. The Subdivider or agent must attend and present the plat. The Planning Commission then forwards the plat to the City Council, with its recommendations and conditions thereon.~~
8. ~~The City Council will meet and review the plat. The Subdivider or agent must meet with the Council and discuss the plat. (Refer to KCC 19-3-5(2).)~~
- 9.7. The Subdivider pays the final plat fee at the City Office.
- 10.8. The Subdivider submits six (6) copies of the tentative final plat to the City ~~Engineer~~.
- 11.9. ~~The City Staff~~Engineer checks the tentative final plat for compliance with conditions and returns ~~one~~ copy to the Subdivider.
- 12.10. The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
- 13.11. The Subdivider submits the following to the City ~~Engineer~~:
 1. ~~Original and two (2) copies of the~~The final plat prepared by a registered engineer or land surveyor in accordance with [KCC 19-4-3](#).
 2. Cross sections and profiles of the streets and all other construction drawings related to all of the improvements to be constructed within the subdivision. All such drawings and materials must be signed and stamped by a registered professional engineer.
 3. Open space improvement drawings if applicable.
 4. Low Impact Development (LID) and/or storm water facility details. Depending on site conditions or complicating factors, the City may require a written geotechnical report supporting assumptions made when calculating the Water Quality Volume (WQV), as defined in the City's LID manual, and any subsequent calculations on infiltration and LID facility sizing.
 5. Title report.
 6. Written results of a test for suspect soils in the area upon which public improvements will be constructed.
 - 4.7. Agreements if applicable
 - 5.8. Copy of final plat fee receipt.
12. ~~The~~ City staff will review the documents and make recommendations provide comments on any necessary modifications or require addition information. ~~Ten~~Twenty (20) working days are allowed for completion of staff review for each submittal or re-submittal. No more than four (4) review cycle are permitted. The City may only add new relines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law.

1. If, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received;
 1. For a dispute arising from the subdivision improvements plans, assemble an appeal panel in accordance with Utah Code to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the municipality, the panel shall consist of the following three experts:
 1. One licensed engineer, designated by the City;
 2. One licensed engineer, designated by the land use applicant; and
 3. one licensed engineer, agreed upon and designated by the two designated engineers as appointed by the City and applicant
 2. A member of the panel assembled by the City may not have an interest in the application that is the subject of the appeal.
 3. The land use applicant shall pay:
 1. 50% of the cost of the panel; and
 2. the City's published appeal fee; or
- 6.2. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.
- 14.13. Upon completion of staff review, the City Engineer will place the item on the Planning Commission agenda and notify the Subdivider.
15. The Planning Commission will meet and review the final plat and take action. The Subdivider or agent must attend and present the plat.
16. The Subdivider submits the following to the City Engineer.
 1. Preliminary Title Report.
 2. Written results of a test for suspect soil in the area upon which public improvements will be constructed.
 3. Depending on site conditions or complicating factors, the City may require a written geotechnical report supporting assumptions made when calculating the Water Quality Volume (WQV), as defined in the City's LID manual, and any subsequent calculations on infiltration and LID facility sizing.
 4. Agreements if applicable.
- 17.14. The City Attorney will review the documents submitted to ensure adequacy and sign the plat when approved.
- 18.15. The Subdivider must then pay the following fees at the City Office:
 1. Development fees.
 2. Recording fees.
 3. Inspection fees.
 4. Utility extension fees.
- 19.16. The Subdivider submits the Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) for the subdivision to the Storm Water Manager or their designee.
- 20.17. The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
- 21.18. The Subdivider submits an Excavation Permit application for work within City streets and/or right of way (KCC 9-2-9) and pays the necessary cash deposit and fee amounts.
- 22.19. The Subdivider constructs and installs all improvements, except the preventative maintenance surface treatment with inspection by the City. In the event the Subdivider ~~has constructed and installed all improvements except sidewalks and asphalt pavement in a subdivision phase and~~ desires to begin construction of residential buildings before improvements the sidewalks and asphalt pavement are installed in the subdivision phase, the City may accept building permit

applications upon compliance with all other requirements, including recording the plat, plus the following:

1. The Subdivider shall guarantee the proper installation of ~~the sidewalks and asphalt pavement improvements~~ in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ~~ten~~ fifteen percent (1105%) of the cost of the installation of the ~~sidewalks and asphalt improvements~~ as determined by licensed contractor quote.
2. Meet all requirements for the issuance of a building permit under the building and fire code.
- ~~1.3.~~ In accordance with building code, any retaining walls, or similar structures, in excess of four (4) feet from the bottom of the footing to the top of the wall, shall be designed by a licensed engineer. A report from, and stamped by the licensed engineer of record (or an agency approved by the City) shall certify the installed structure is compliant with the design.
- ~~2.~~ All building lots within the subdivision phase shall be owned by the Subdivider and remain owned by the Subdivider until the sidewalks and asphalt are installed in the subdivision phase and the improvements are completed and certified.
- ~~3.4.~~ No final building inspection will be scheduled nor conducted and no occupancy allowed until all subdivision phase improvements have been completed and certified.
- ~~23.20.~~ The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City-Engineer.
- ~~24.21.~~ The Public Works Superintendent certifies that the improvements are completed.
- ~~25.22.~~ The City Engineer addresses the lots on the plat and has the final plat recorded at the office of the Davis County Recorder and then building permit applications will be accepted.
- ~~26.23.~~ The City accepts the improvements and the Improvement Warranty Period begins.
- ~~27.24.~~ Near the end of the warranty period, the Subdivider requests a City Inspection of the improvements and the Subdivider corrects all deficiencies identified in the punch.list provided by the city inspector.
- ~~28.25.~~ When the improvements comply with City standards as certified by the Public Works Superintendent, the Subdivider applies a preventative maintenance seal coat on all asphalt pavement in streets, then the Improvement Warranty Period ends and the Improvement Completion Assurance and Improvement Warranty are released.

19-2-2 Improvement Completion Preventative Maintenance Assurance

The Subdivider shall guarantee the proper completion of a preventative maintenance surface treatment (type to be ~~or~~ approved by the City) equivalent on all asphalt pavement in streets in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred ~~fifteen~~ ten percent (1105%) of the cost of a preventative maintenance surface treatment on all asphalt in streets as determined by licensed contractor quote.

19-2-3 Dedication Of Rights-Of-Way And Public Property

The Subdivider shall dedicate the rights-of-way, easements, and other public property to Kaysville City at the time the final plat is recorded.

19-2-4 Completion Assurance and Improvement Warranty Bond

1. Upon completing the installation of all improvements, the Subdivider shall request an inspection to determine if any improvements (not including ~~private~~ landscaping) have failed in any material respect. If the City determines that the improvements have failed, the City shall provide a list of the failures to the Subdivider. The Subdivider shall thereafter cause the improvements to comply with Kaysville City's Standards for Design, Materials, and Workmanship, as determined by the City. If the Subdivider refuses or neglects to do the listed

work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the improvement completion assurance bond to defray expenses.

- 4.2. Following satisfactory completion of any remedies to the failures listed, the City ~~Council~~ will accept the improvements, ~~when they are complete and accepted~~, subject to receiving the Improvement Warranty ~~and cash deposit~~ Bond. The Subdivider shall provide to the City an Improvement Warranty Bond and cash deposit in an amount of ten percent (10%) of the actual costs of the improvements less the preventative maintenance surface treatment on all asphalt pavement in streets. The Warranty Bond may be in form of a cash deposit or escrow account.
- 2.3. ~~Before the end of the Improvement Warranty Period~~ No sooner than 12 months after accepting the improvements, the subdivider shall again request an inspection, as previously detailed herein. the City will determine if the improvements (not including landscaping) have failed in any material respect. If the City determines that the improvements have failed, the City shall list the failures. The Subdivider shall thereafter cause the improvements to comply with Kaysville City's Standards for Design, Materials, and Workmanship, as determined by the City. If the Subdivider refuses or neglects to do the listed warranty work within thirty (30) days of notice by the City, the City may order the work done using the proceeds from the cash deposit improvement warranty bond to defray expenses.

19-2-5 As-Built Drawings

The Subdivider shall provide as-built drawings of all subdivision improvements before building permits are issued. The as-built drawings shall be 24 inch by 36 inch Mylar and a digital copy ~~on compact disk~~ in an AutoCAD*.dwg format. These as-built drawings shall show, but not be limited, to the following:

1. Location of water lines and laterals referenced to property corners.
2. Location of sewer lines and laterals referenced to property corners.
3. Storm drains, ground drains, drainage ditches, clean out boxes, and other fixtures.
4. Location of irrigation water lines and laterals referenced to property corners.
5. Location of electric system facilities referenced to property corners.
6. Other items as directed by the City-Engineer.

19-2-6 Condominium Projects - Subdivision

1. A condominium project shall be considered to be a subdivision, and a Record of Survey Map or supplement thereto prepared pursuant to ~~the Condominium Ownership Act, Chapter 8 of Title 57, Utah Code Annotated 1953~~ Utah Code, shall be considered to be a subdivision map or plat with respect to such real property or improvements that are to be dedicated to the use of the public, and to those units which are not contained in existing or proposed buildings.
2. Condominium projects shall comply with all the provisions of the Zoning Ordinance; the building, health, and similar development regulations and ordinances of Kaysville City; and with the Kaysville Subdivision Ordinance; and shall follow the procedure outlined in such regulations for processing subdivisions.
3. The standards and criteria for the geographical layout of a condominium project, the facilities of utility lines and roads, and the percentage of the project to be devoted to common or recreational use shall comply with the provisions of the above ordinances and regulations.
4. A copy of the preliminary Condominium Declaration prepared pursuant to ~~the Condominium Ownership Act, of the~~ Utah Code Annotated 1953, shall be submitted to the ~~City Planning Commission~~, along with the preliminary record of survey, for review and approval with respect to the standards for the maintenance, upkeep and operations of roads, utility facilities, recreational areas, and open spaces in the project.

5. The developer of a condominium project shall install the required improvements listed in [KCC 19-6](#), Subdivision Improvements Required, of this Title after final approval of the condominium by the City Council. Said installation of improvements shall be subject to all assurances detailed in [KCC 19-2-2](#) and [KCC 19-2-4](#).

19-2-7 Lot Line Adjustments And Lot Consolidations

Applications that meet the definition of a lot line adjustment or lot consolidation shall be processed in the following manner.

1. The applicant petitioning for approval of a lot line adjustment or lot consolidation contacts the City ~~Engineer~~ for information concerning the City's amended plat requirements and discusses the proposed plan prior to preparing any plats, plans or charts.
2. The applicant pays the lot line adjustment/lot consolidation fee at the City Office.
3. The applicant submits the following to the City ~~Engineer~~:
 1. ~~Three (3) copies of an~~Amended plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-4-3](#) with the signature blocks for the following:
 1. City Engineer approval
 2. City Attorney approval
 2. A copy of the lot line adjustment/lot consolidation fee receipt.
 3. Preliminary Title Report.
 4. Agreements if applicable.
4. The applicant submits copies of the amended plat and any applicable utility load information to agencies and service providers as needed.
5. The applicant submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
6. The City staff will review the documents. ~~Ten-Fifteen (15)~~ working days are allowed for completion of staff review for each submittal or re-submittal.
7. Upon completion of the staff review, the City ~~Engineer~~ will notify the applicant of any necessary changes to comply with applicable standards and ordinances. Once the amended plat meets all applicable standards and ordinances, the City ~~Engineer~~ will assign addresses to each lot on the plat as needed and notify the applicant to submit a mylar copy of the approved plat.
8. Approval of the final plat shall be effective until the later of:
 1. One (1) year after the date of approval by the City ~~Engineer~~; or
 2. The last day of extension period approved by the City ~~Engineer~~.
 3. If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.
9. The City Attorney will review the documents submitted to insure adequacy and sign the plat when approved.
10. The City Engineer ~~completes~~ then signs the plat then has the final plat recorded at the office of the Davis County Recorder after which building permit applications will be accepted.
11. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any

plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City ~~Engineer~~ is responsible for recording all subdivision plats. The applicant shall be responsible for all recording and associated fees.

- ~~11.~~ 12. An amended plat is not required for adjusting a boundary line between a lot and a parcel located outside of a subdivision.

19-3-1 Preliminary Consultation

1. If an applicant requests a pre-application meeting, Kaysville City shall, within 15 days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 1. Copies of applicable land use regulations;
 2. A complete list of standards required for the project
 3. Preliminary and final application checklists; and
 4. Feedback on the concept plan

~~Each person who proposes to subdivide land in Kaysville City shall consult with the Planning Commission staff before preparing any plats, charts, or plans, in order to become familiar with the City subdivision requirements and general and master plans for the territory in which the proposed subdivision lies, and to discuss the proposed plan of development of the tract.~~

19-3-2 Preliminary Plat Filing

A preliminary plat shall be prepared in conformance with the standards, rules, and regulations contained herein; and ~~three (3) prints thereof~~ shall be submitted to the City ~~Engineer~~ for approval or disapproval by the ~~Planning Commission~~ Administrative Land Use Authority. The preliminary plat and accompanying information shall be submitted to the City ~~Engineer at least fifteen (15) working days prior to a regularly scheduled Planning Commission meeting in order to be considered at said meeting for review.~~

19-3-3 Preliminary Plat Requirements

The preliminary plat shall be drawn to a scale not smaller than 100 feet to the inch. The plat and attached documentation shall show:

1. The proposed name of the subdivision (there shall be no duplication of subdivision names within Kaysville City).
2. The subdivision location as forming a part of a larger tract or parcel, where the plat submitted covers only a part of the Subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the part submitted shall be considered in light of adjustments and connections with the future street system of the larger area. The preliminary plat shall show all property owned or optioned by the Subdivider pertaining to the proposed subdivision at hand. This information may be required as a separate drawing.
3. Sufficient information to locate accurately the property shown on the plat, including a clearly defined basis of bearing for the survey as well as the date of the survey. The nearest section corner tie must be shown.
4. The names and addresses of the Subdivider, the engineer or surveyor of the subdivision, and the names of the owners of the land immediately adjoining the land to be subdivided shall be shown on the preliminary plat.
5. Contours at two-foot intervals to show the topography of the land shall be shown.
6. The boundary lines of the tract to be subdivided, including total acreage proposed for subdivision.

7. The locations, horizontal alignments, vertical alignments, widths, and other dimensions of all existing or platted streets and other important features such as easements, railroad lines, water courses (including irrigation canals and ditches), exceptional topography, bridges and buildings within and in the vicinity of the tract to be subdivided.
8. Existing power lines, sanitary sewer, storm drains, water supply mains, and culverts within the tract and immediately adjacent thereto.
9. The flood hazard boundaries, if applicable.
10. The locations, widths, and other dimensions of proposed public streets, private streets, utility easements, parks, other open spaces and lots, with proper labeling of spaces dedicated to the public, or designated as private streets.
11. Buffer zones where non-compatible uses adjoin a proposed subdivision.
12. North point, scale, and date.
13. The proposed layout, dimension, and number of each lot.
14. Proposed construction and permanent fencing along appropriate subdivision boundaries as determined by ~~the Planning Commission~~ City code or any agreements. The fencing shall be as indicated in the Subdivision Standards.
15. A review copy of proposed protective covenants, if applicable.
- ~~16. A statement of the existing zoning and conformance with the General Plan.~~
- ~~17.~~ 16. A preliminary storm drainage study, with schematic solutions and the associated calculations.
- ~~18.~~ 17. ~~Storm water quality infrastructure and facilities, including LID facilities and/or storm water treatment facilities as described in the City's LID manual with associated calculations. Calculations shall include a Water Quality Report (WQR), as described in the City's LID Manual.~~
- ~~19.~~ 18. Depending on site conditions or complicating factors, the City may require a written geotechnical report for the proposed development site that includes (but is not limited to) general soils classifications, assessment of the capability of the existing soils to allow infiltration and potential for geological hazards if water is infiltrated at the site.
- ~~20.~~ 19. ~~A storm water maintenance agreement for all conveyance/retention/treatment/detention facilities owned and maintained privately (outside of City right of way or City owned property) between the City and the facility owner(s). Said agreement shall be recorded with the plat and transfer to subsequent owners of said property and/or facilities.~~
- ~~21.~~ 20. Preliminary Plans or written statements regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, and any grading of individual lots.
- ~~22.~~ 21. Preliminary Plans and written statements regarding the proposed groundwater drainage facilities. The City's LID Manual will guide and/or dictate the approach if infiltration cannot be.

19-3-4 Preliminary Plat – Staff Review

~~Before submittal to the Planning Commission, plats shall have review and endorsement by the City staff. Without this endorsement, the plat shall not be reviewed by the Planning Commission.~~

19-3-5 Preliminary Plat Approvals

- ~~1. The preliminary plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision preliminary plat design and forward its recommendation to the City Council. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.~~
- ~~2.~~ 1. The preliminary plat shall be reviewed by the City Council City Staff. ~~The Council~~ City Staff shall either approve or reject the subdivision preliminary plat design. If approved, the City Council City shall express its approval with whatever conditions are attached. If the preliminary plat is disapproved, the City Council City shall indicate its disapproval and reasons therefor. Upon the City Council's City's approval, the Subdivider is authorized to proceed with the preparation of the

final plat and detailed construction drawings and specifications for the improvements required in this Title.

- 3.2. Approval of the preliminary plat by the ~~City Council~~City shall be effective for a maximum period of one (1) year after approval unless, upon application of the Subdivider, the City ~~Council~~ grants an extension. If the final plat has not been submitted within one (1) year, or the approved extension period, the preliminary plat must again be submitted to the ~~Planning Commission~~City and City ~~Council~~ for consideration. However, preliminary approval of a large tract shall not be voided, provided that the final plat of the first phase is submitted for final approval within a one (1) year period.
- 4.3. All approvals shall be in writing and oral statements or approvals by City staff are not authorized and shall not be binding on the City.

19-3-6 Grading Limitation

No excavation, grading, or regrading shall take place on any land for which a preliminary subdivision plat has been submitted until the final plat has been given final approval.

19-4-1 Tentative Final Plat Required

1. Prior to the submission of the final plat, the Subdivider shall submit a digital ~~and hard~~ copy of the tentative final plat to the City ~~Engineer~~ who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plat.
2. The City ~~Engineer~~ shall return one (1) copy of the checked tentative final plat to the Subdivider indicating thereon any changes required.

19-4-2 Final Plat Required

After compliance with the provisions of this Title, the Subdivider shall submit a final plat ~~with two copies~~ thereof to the City ~~Engineer~~. Such plat shall include a certificate by the Subdivider's engineer indicating that all lots meet the requirements of the Zoning Ordinance. ~~The final plat and accompanying information shall be submitted to the City Engineer at least fifteen (15) working days prior to a regularly scheduled Planning Commission meeting in order to be considered at such meeting.~~

19-4-3 Final Plat Requirements

The final plat shall comply with the requirements of the Davis County Recorder. The plat shall be signed by all parties (mentioned in Subsection (7) of this section) duly authorized and required to sign. ~~The final plat and attached documentation shall show; and shall contain the following information:~~

1. A subdivision name approved by the County Recorder and the general location of the subdivision in bold letters at the top of the sheet.
2. Where a subdivision complies with the Planned Residential Unit Development (PRUD) provisions of the Zoning Ordinance and of the regulations, the final plat shall indicate underneath the subdivision name the words Planned Residential Unit Development. In addition, when a subdivision complies with the Condominium Project provisions of this Title, the Record of Survey Map shall indicate underneath the condominium name the words Condominium Project.
3. A north point, scale of the drawing, and the date.
4. Accurately drawn boundaries showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.

5. The widths, lengths, bearings, and curve data on centerlines of proposed streets, and easements; the boundaries, bearing the dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, minimum floor and crawl space elevations, and numbers of all lots, blocks, and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively by numbering approved by the City Engineer. The City shall provide an address number to each residential or business structure.
6. Parcels of land to be dedicated as public parks or to be permanently reserved for private common open space shall also be titled Public Park or Private Common Open Space, whichever is applicable.
7. The standard forms approved by the Planning Commission for all subdivision plats lettered for the following:
 1. Description of land to be included in the subdivision.
 2. Registered professional engineer and/or land surveyors Certificate of Survey.
 3. Owners Dedication Certificate.
 4. Notary Publics acknowledgment.
 5. ~~City Planning Commission~~ Community Development Director approval.
 6. Utility approval as required.
 7. City Attorney approval.
 8. City Engineer approval.
 9. ~~City Council approval~~ Mayor (as a non-discretionary and ministerial act for the acceptance of land and public improvements that may be proposed for dedication to the City) attested by the City Recorder.
 10. A three inch (3") by three inch (3") signature block in the lower right hand corner of the drawing for County recording information.
8. Copy of the Protective Covenants for approval by the City Council and recording if applicable.
- ~~8.9.~~ Storm water quality infrastructure and facilities, including LID facilities and/or storm water treatment facilities as described in the City's LID manual with associated calculations. Calculations shall include a Water Quality Report (WQR), as described in the City's LID Manual.
- ~~9.10.~~ A storm water maintenance agreement for all conveyance/retention/treatment/detention facilities owned and maintained privately (outside of City right of way or City owned property) between the City and the facility owner(s). Said agreement shall be recorded with the plat and transfer to subsequent owners of said property and/or facilities.
- ~~10.11.~~ Final construction drawings regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, utilities, any grading of individual lots and all required improvements as required by section KCC 19-6-3.

19-4-4 Amended Plats

When changes are made in a plat of a subdivision, approval of said subdivision shall be voided and an amended plat thereof shall be processed in accordance with this Title.

19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
- ~~2. The final plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision final plat. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.~~
- ~~3.2.~~ If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and

provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City Engineer.

4.3. No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.

5.4. Approval of the final plat shall be effective until the later of:

1. One (1) year after the date of approval by the Planning Commission; or

2. 1. Thirty (30) days after the last date on which construction of improvements was done; or

3. 2. The last day of the extension period approved by the Planning Commission the City

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

6.5. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City Engineer is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

19-5-1 Arrangement Of Streets

The arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision and the continuation of streets in lands adjoining the subdivision, as determined by the City Engineer. The street arrangement shall not cause unnecessary hardship for maintenance crews or owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Half streets along the boundary of land proposed for subdivision or within any part of a subdivision will not be permitted.

19-5-2 Streets

1. **Major Streets.** Arterial, collector, and significant local streets shall conform to the width designated on the Major Street Plan wherever a subdivision falls in an area for which a Major Street Plan has been adopted. For areas where the street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission City, arterial, collector, or significant local streets shall be provided as required by the Planning Commission City.
2. **Local Streets.** Local streets shall have a minimum width of fifty-five feet (55') with sixty-six feet (66') required for streets that will have greater use as determined by the City Engineer.
3. **Cul-de-sac Streets.** Cul-de-sacs shall not be longer than six hundred feet (600') from the centerline of the adjoining street to the center of the cul-de-sac. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter. If surface water drains into the turnaround due to the grade of the street, necessary catch basins and drainage systems and easements shall be provided.
4. **Temporary dead-ends and turning Area.** Where a street longer than one lot is designed to remain only temporarily as a dead-end street, the following shall apply:
 1. The continuation of that street to another public street connection shall be started within one year of the City accepting the improvements of the temporary dead-end.
 2. 1. Where the street dead-ends into a subsequent phase of the same subdivision, a temporary, graveled 80-foot diameter turnaround and a permanent easement of right-of-way on the subsequent phase property shall be provided. However, if the subsequent subdivision phase

is not recorded at the time of roadway paving in the preceding phase, an 80-foot diameter asphalt-surfaced turnaround shall be placed on the subsequent phase property.

2. Where the street dead-ends against property which is not part of a subsequent subdivision phase, either a bubble inside the subdivision as shown in the Standard Drawings, or an asphalted 80-foot diameter turnaround, along with a permanent easement of right-of-way from the adjacent property owner, shall be placed. If a bubble inside the subdivision is provided, the Subdivider shall pay to the City an amount equal to 115% of the cost of removing the bubble and installing standard street improvements and landscaping.
5. **Intersections.** The intersection of more than two streets at one point shall not be allowed. Streets shall intersect at a ninety degree (90°) angle. Street intersections shall be rounded with a minimum radius of twenty-five feet (25') measured at the back of curbs.
6. **Standard Street Sections.** All streets, whether existing or proposed, shall be made to conform to the City Street Cross Section Standards as adopted by the City. Existing streets shall be profiled and redesigned to full street width far enough beyond the subdivision boundaries to drain and function properly.
7. **Street Grades.** Street grades shall not exceed the following percentages: on arterial streets eight percent (8%); on local and collector streets ten percent (10%). Street grades near intersections shall be designed for adequate stopping and starting by adjusting grades on both sides of the intersection. Grades on all cul-de-sac streets shall be a minimum of 1.0% and on all other streets shall be a minimum of 0.5% unless specifically authorized by the City Engineer. The cross slope of the street cross section is defined on the standard drawings. The maximum difference in curb elevations shall not exceed one foot (1'), and then only with the approval of the City Engineer.
8. **Alleys.** Alleys shall have a minimum width of twenty-six feet (26'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the ~~Planning Commission~~City.
9. **Bridges.** Design and construction of new bridges, whether essential for the overall circulation plan of the City or required only to serve a subdivision, shall be approved in advance by the City.
- ~~10. **Protection Strips.** Where subdivision streets parallel contiguous property of other owners, the Subdivider may retain a protection strip of not less than one foot (1') in width between the street and adjacent property. Protection strips will be allowed only at the discretion of the City Council, after recommendation of the Planning Commission, and in accordance with all City ordinances. An agreement with the City, approved by the City Attorney, shall be made by the Subdivider, contracting to dedicate the one foot or larger protection strip free of charge to the City for street purposes upon payment by the present owners of the contiguous property to the Subdivider of a consideration named in the agreement. Such consideration is to be equal to the cost, at the time of the agreement, of the street improvements properly chargeable to the contiguous property, plus the value of the land from the right-of-way line to the centerline of the street at the time of the agreement, together with interest at a fair rate from the time of agreement until the time of subdivision of such contiguous property. All charges to be associated with the protection strip, as well as the interest rate, shall be recorded as part of the aforementioned agreement. All property owned by the Subdivider shall be included on both the preliminary and final plat.~~
- ~~11.~~10. **Excavations and Fills.** Subdivision development adjacent to the Great Salt Lake or its natural drainage channels, or within any marsh or wetlands which will result in any discharge of excavated or fill materials, may require obtaining a permit from the U.S. Army Corps of Engineers prior to the issuance of local permits for the deposition of fill material into any wetland or stream channel. This determination shall be made a part of the preliminary plat staff review.
- ~~12.~~11. **Names and Numbers.** Names of new streets shall not duplicate existing or planned street names unless a new street is a continuation of, or in the alignment with, the existing or platted street. House numbers shall be assigned in accordance with the House Numbering System in effect in the City. All new streets shall be numbered if they are in alignment with the grid. They shall be named if not in alignment with the grid.

19-5-3 Blocks

1. The maximum length of blocks shall be 1300 feet and the minimum length of blocks shall be 300 feet.
2. The width of blocks shall be sufficient to allow at least two tiers of lots, or as otherwise approved by the ~~Planning Commission~~City because of design, terrain, or other unusual conditions.
3. Blocks intended for business or industrial use shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.

19-5-4 Lots

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be property related to topography and to existing and probable future utilities, rights-of-way, and other requirements.
2. All lots shown on the subdivision plat must conform to the minimum area and width requirements of the Zoning Ordinance for the zone in which the subdivision is located, unless:
 1. A variance is granted; or
 2. It conforms to the Planned Residential Unit Development (PRUD) or Condominium Project provisions.
3. Each residential lot shall abut a paved street or common area of a Condominium Project that abuts a paved street. Interior lots having frontage on two streets shall be prohibited, except where unusual conditions make any other design undesirable.
4. Buildings constructed on corner lots shall comply with the minimum setback for both streets, or the setbacks of a Planned Residential Unit Development (PRUD), as provided in the Zoning Ordinance.
5. Side lines of lots shall be at approximately right angles to the street line, or radial to the street line unless in a Condominium Project.
6. Remnants of lots less than the minimum size required by the zoning after the subdividing of a larger tract shall be added to adjacent lots rather than allowed to remain as unusable parcels. In no event shall the subdivision of land create a lot which does not conform to the Zoning Ordinance requirements.
7. Where the land included in a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the ~~Planning Commission~~City by the County Recorder.
8. Lots deemed by the Commission to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, but such land within the plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.

19-5-5 Easements

Easements for culinary water, sewer, power, irrigation water, drainage, telecommunications, cable television and other utilities shall be provided by the Subdivider and designated on the plat as required to accommodate the utility systems in the subdivision. Where natural drainage channels, interceptor systems, or flood hazard zones cross the subdivision, the Subdivider must obtain the necessary permits to modify such drainage facilities, and designate the channels, systems, or flood hazard zones, and any associated restrictions, on the plat.

19-5-6 Parks And Other Public Places

In subdividing property, the ~~Planning Commission~~City shall give consideration to suitable sites for parks, playgrounds, and other areas for similar public use.

19-5-7 Technical Specifications And Drawings

Click to view the published version of the [Technical Specifications and Drawings Standards](#).

19-6-1 Application Of Improvements Required

This Title applies to all property owners located in any subdivision and owners of property serviced by easements or rights-of-way or improvements set forth in [KCC 19-6-3](#), which have been acquired or installed by a pioneer developer or the City. Its provisions shall apply to all transferees, assignees, or purchasers.

19-6-2 Improvements Made Prior To Recording Final Plat

The improvements required by the City, including the improvements in each and every open space in the subdivision, shall be constructed and installed by the Subdivider and thereafter maintained by the Subdivider until after the warranty period and acceptance by the City. Improvements shall not be installed or constructed until their location and specifications have been approved by the City Engineer. In cases where a pioneer developer or the City has already acquired easements or rights-of-way or installed improvements subject to the Fee for Project Improvements provisions of [KCC 19-6-4](#), no recording of the final plat or issuance of building permits shall be permitted or allowed until the Fee for Project Improvements provisions of said Section have been satisfied.

HISTORY

Amended by Ord. [21-10-07](#) on 10/21/2021

19-6-3 Improvements Required

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

1. Sewage Collection

1. Unless the applicable sewer district deems it to be unfeasible, the Subdivider shall connect to the sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and specifications of, and shall be approved by, the applicable Sewer District and Kaysville City. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.

Individual waste water systems may be allowed in the area of Kaysville City which is five hundred feet (500') or more west of, and at an elevation that cannot flow to, the western most sewer main of the Central Davis Sewer District if:

A review of all alternatives (including new mains and lift stations) has first taken place and the City Engineer, working with the Central Davis Sewer District, finds that a subdivision making a connection to the Sewer District is not feasible; and The use of individual wastewater disposal systems in the proposed area does not pose a public health risk or environmental health risk. Such subdivisions shall then comply with the following:

The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.

All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.

~~All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).~~

~~Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.~~

- ~~2. Subdivisions using individual wastewater disposal systems are allowed in the area of Kaysville City which is three hundred feet (300') or more west of and at an elevation that cannot flow to the western most sewer main of the Central Davis Sewer District, if after review of all alternatives, the City Engineer determines that other alternatives are not reasonably available. Such subdivisions shall comply with the following:~~
 - ~~1. The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.~~
 - ~~2. All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.~~
 - ~~3. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).~~
 - ~~4. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.~~
2. **Groundwater.** The Subdivider shall protect the structures from groundwater by:
 1. Digging at least one test hole per acre or part thereof, at locations approved by the City Engineer, and determining the depth of the groundwater table and the permeability and percolation rate of the soils. These tests shall be performed by a qualified soils engineer at the Subdivider's expense. If a groundwater drainage system is installed to City standards, with a lateral provided to each lot for a footing drain, this testing is not required.
 2. Preparing a detailed groundwater plan for the subdivision, showing the minimum level of all floors and crawl spaces. If any floor or crawl space is to be installed within one foot or below the groundwater table or where the permeability and percolation rate of the soil is not adequate, the Subdivider shall install a groundwater drainage system to City standards, with a lateral provided to each lot for a footing drain.
 3. Making improvements to adequately remove groundwater and prevent groundwater entry into buildings, including crawl spaces.
 4. Preventing the discharge of surface water drainage into the groundwater drainage system.
3. **Storm Water.** A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The Subdivider shall implement the portion of that plan applicable to the subdivision by:
 1. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
 2. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, detention basins, LID facilities and other appurtenant structures, to adequately address the WQV and dispose of 100-year frequency storm runoff within the subdivision and from adjacent properties. Said disposal system shall include the retention or treatment of the WQV, as detailed in the [City's LID Manual](#). Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.

3. Providing for restriction of the runoff from the subdivision to 0.20 cubic feet per second per acre per 100-year frequency rainfall event through one or more of the following, at the direction of the City:
 1. Conveyance (including easements) of the runoff to a regional detention/retentions/treatment site and paying the subdivisions proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 2. Dedicating land and constructing regional detention/retention/treatment within the subdivision and conveyance to the main channel if said subdivision contains a proposed detention site. The Subdivider may be compensated for a portion of the cost of the regional detention and conveyance to the main channel for that which is not the proportional share for the subdivision.; or
 3. Conveyance of the ~~funoff~~ runoff to a site within the subdivision dedicated and constructed for detention and/or retention.
4. If the subdivision is within one hundred feet (100') of a natural drainage main channel, complying with all Davis County Flood Control ~~standards~~requirements and ~~shall be being~~ approved by Davis County if the drainage is a recognized Davis County Flood Control channel.
5. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.
6. Unless otherwise directed or agreed to by the City Engineer, and infrastructure not located in a City right of way that is installed or used for the conveyance/treatment/detention of storm water shall require a Storm Water Maintenance Agreement to be approved by the Storm Water Official and shall be recorded with the Davis County Recorder's Office, as per KCC 9-3d-8.
4. **Culinary Water.** The Subdivider shall install water lines to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The location and size of water mains shall be approved by the City Engineer. Unless otherwise directed by the City Engineer, subdivision water lines shall be a minimum of eight inches (8") in diameter and service laterals shall be a minimum of 3/4-inch in diameter. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
5. **Fire Hydrants.** Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as directed by the City Engineer , and installed in such locations as approved by the City. A fire hydrant shall also be placed at the end of every dead-end water line, including the end of cul-sacsde-ends.
6. **Irrigation Water.** In accordance with KCC 18-3-7~~Unless located east of U.S. 89~~, pressure irrigation shall be provided to each lot in residential subdivisions.
 1. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 2. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. In accordance with KCC 9-4-15 KCC 18-3-7, ~~It~~ it shall be illegal for any person to connect together a culinary water system and a non-potable water system by any method.
 3. The Subdivider shall comply with all the requirements of the provider and furnish proof thereof to the City.

4. Unless otherwise directed by the City, irrigation water and infrastructure shall remain isolated from and independent of storm water and infrastructure.
7. **Street Grading and Surfacing.** All streets whether existing or proposed, shall be graded and surfaced, including a Slurry Seal Type III preventative maintenance surface treatment applied on all new asphalt pavement in streets, in accordance with the standards and specifications of Kaysville City and the design for each street. Existing streets shall be modified to drain and function properly.
8. **Curbs and Gutters.** Curbs and gutters shall be installed by the Subdivider on existing and proposed streets in accordance with all the appropriate specifications of Kaysville City. Curb and gutter shall be thirty inches (30") wide standard high back style, and shall be placed in six inches (6") of compacted untreated base course as foundation materials.
9. **Street Drainage.** Street drainage and drainage structures shall be required where deemed necessary by the City Engineer. Drainage facilities and structures shall address storm water quality to comply with State and EPA regulations and requirements, as outlined in the City's LID Manual.
10. **Sidewalks.** Sidewalks shall be installed according to the specifications of Kaysville City. Sidewalks shall be at least four feet (4') wide with four inches (4") of compacted untreated base course material as foundation materials. Depth of sidewalks shall be four inches (4"). except at driveways, which shall be six inches (6"). Sidewalks located less than five feet (5') from the top back of curb shall be six feet (6') wide.
11. **Active Transportation Improvements.** Subdivisions which include or are adjacent to an element of the Kaysville City Active Transportation Plan shall account for and install the applicable improvements including off street shared use paths and street improvements such as striping.
12. ~~**Telecommunications Conduit.** Unless otherwise directed by the City Engineer, conduit for the purpose of housing telecommunications and internet infrastructure shall be installed in accordance with the Kaysville City Standard Drawings.~~
13. **Driveway Approaches.** All driveway approaches shall meet the following specifications:

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

14. **Monuments.** Permanent survey monuments shall be accurately set and established at the intersections of centerlines of streets within the subdivision and intersections with centerlines of

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

15. **Electric Power System**

1. The Subdivider shall pay the cost of electric ~~syS~~stem extensions and street lights, installed by the City, to service the subdivision.
 2. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 1. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 2. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 3. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
 3. The Subdivider shall prepare the site for electrical distribution line installation before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:
 1. Installation of curb and gutter indicating permanent grade.
 2. Markers installed on curb indicating property lines.
 3. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
 4. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
 4. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
 5. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.
16. **Street Signs.** The Subdivider shall pay the cost of traffic control, street identification, and other street signs, installed by the City, in accordance with City standards. The cost will be charged to the Subdivider and shall be paid before the plat is recorded. The improvement assurance in the subdivision will not be released until after payment of the costs incurred to install the necessary street signs has been made.
17. **Fencing of Subdivision.** A permanent solid board, metal chain link (with opaque slats if required), masonry, or other similar fence not less than six feet (6') in height shall be installed prior to the start of building construction along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be non-compatible by the ~~Planning Commission~~City. In addition, temporary construction fencing shall be installed along appropriate boundaries or where required to contain blowing refuse prior to the start of building construction, as recommended by the City ~~Engineer~~. The construction fence shall remain in place until 90% of the lots are built on. The construction fence shall be type "D" field fence as given in the specifications. Upon installation of the permanent fence by the Subdivider, and approval by Kaysville City, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall not hold Kaysville City responsible for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a non-climbable permanent fence coincide, the non-climbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of construction within the subdivision.

18. **Marking of Lots.** Survey markers shall be placed at all lot corners and at lot boundary locations to completely identify the lot boundaries on the ground. Lot corners shall be identified with permanent plugs in the sidewalk or back of the curb or with a metal pipe or rod driven into the ground if sidewalks or curbs are not next to the lot boundary. All lot corners and lot boundaries shall be marked prior to the issuance of building permits, after the completion of all subdivision improvements and during building construction and inspections. It shall be the responsibility of the lot owner to insure that all lot corner and boundary markers are in place. The City is not responsible to replace survey stakes or markers.
19. **Highway Noise Abatement.** Highway noise abatement, as determined through environmental studies and engineering analysis and approved by the ~~Planning Commission~~City, shall be provided in all residential subdivisions within three hundred feet (300') of a freeway or principal arterial. Noise abatement may include distance of noise sensitive uses from noise sources, landscaping, earth berms, and other mitigation. The Subdivider shall pay the entire cost of any noise abatement studies and noise abatement facilities.

19-6-4 Fee For Project Improvements

1. A pioneer developer, at its own expense, with the approval of the City, or the City, at its own expense, may acquire easements or rights-of-way or install any improvements referred to in [KCC 19-6-3](#).
2. In all instances where any such easements or rights-of-way have been acquired or improvements have been installed which are planned and designed to provide service for development of a site and are necessary for the use and convenience of the occupants or users of development of a site, the City may determine the portion of such easements, rights-of-way or improvements that are site improvements and allocate to the site a pro rata cost of such easements or rights-of-way acquisition or improvements. Such pro rata cost shall be referred to as the "Fee for Project Improvements."
3. Notice of the Fee for Project Improvements shall be given to the affected property owners by certified mail, within ten (10) calendar days after receipt of such Notice, the affected property owners may file a written Notice of Appeal with the City Recorder. The City Council shall consider the appeal within thirty (30) calendar days thereafter.
4. Whenever development activity occurs on any such site, the owners thereof shall pay to the City the Fee for Project Improvements as a condition of development approval. The Fee for Project Improvements paid shall reimburse a portion of the cost incurred by the pioneer developer or City as applicable.

19-7-1 Preliminary Plat Application Fee

At the time of filing the preliminary plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such preliminary subdivision plats.

19-7-2 Final Plat Application Fee

At the time of filing the final plat, the Subdivider shall deposit with the City a non-refundable fee made payable to Kaysville City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

19-7-3 Recording Fee

At the time of recording the final plat, the Subdivider shall be responsible for the recording fee.

19-7-4 Inspection Fee

Prior to recording the final plat, the Subdivider shall deposit with the City a construction inspection fee. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of review and inspection of the subdivision improvements.

**KAYSVILLE CITY
ORDINANCE XX-XX-XX**

**AN ORDINANCE AMENDING KAYSVILLE CITY CODE TITLE 17, 18 & 19 AND ALL SECTIONS
PERTAINING TO SUBDIVISIONS TO BE CONSISTENT WITH UTAH STATE CODE 10-9A-6
SUBDIVISIONS**

WHEREAS, the Utah State Legislature passed Senate Bill 147 during the 2023 Legislative Session and amended Utah State Code 10-9a-6 Subdivisions; and

WHEREAS, Utah State Code requires Kaysville City to adopt an amended subdivision code by February 1, 2024; and

WHEREAS, on December 14, 2023 the Planning Commission held a public hearing regarding amendments and voted 6-0 to send a recommendation of approval of the proposed text amendments to the City Council; and

WHEREAS, the City Council of Kaysville City met in an open meeting to discuss the proposed amendments and finds it to be in the best interest of its citizens to amend these sections of the City Code.

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

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

SECTION II: Enactment. Title 17, 18 and 19 shall be amended to read as shown in attachments.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Hunt	_____	_____	_____	_____
Council Member Jackson	_____	_____	_____	_____
Council Member Oaks	_____	_____	_____	_____

Presiding Officer

Attest

Tamara Tran, Mayor, Kaysville City

Annemarie Plaizier, City Recorder,
Kaysville City

CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Rezone at 196 North 200 West and 166 North 200 West from GC (General Commercial) to include a Mixed Use Zoning Overlay

EXECUTIVE SUMMARY:

Sector 317 LLC and 317 Sycamore LLC have submitted a rezone application for a Mixed-Use Overlay rezone for two lots located at 166 & 196 North 200 West. The subject properties combine to .71 acres (30,927 ft²) in size. The applicant's proposed development is a horizontal mixed use project with office space along 200 North and two small multifamily buildings which would include six residential units.

[KCC 17-27 Mixed Use Zoning District Overlay](#) requires the rezone application be accompanied by a development agreement that specifies project details. The project proposal includes:

- A two-story office building consisting of approximately 10,280 square feet (49% of overall total square footage of the project).
- A two-story residential building with three studio units with each having a two-car garage.
- A two-story residential building with three three-bedroom townhomes with each having a two-car garage.
- A total of 48 parking stalls are provided, 36 for the office building and 12 for the residential units.

This Mixed Use rezone application was presented to the Planning Commission at the December 14, 2023 Planning Commission Meeting. The Commission held a public hearing and several comments were received, which included concerns about traffic, safety, protecting single family neighborhoods, storm water and drainage, privacy, density, on-street parking, esthetics and setbacks.

The Public Works Department and City Engineer have reviewed the traffic analysis and do not have any concerns about the project's impacts on traffic and the existing level of service. As part of the development process, the application will be required to manage storm water and connect to the existing storm water system on 200 North. With regard to the project being adjacent to existing single family zoning, the project layout indicates sufficient setbacks that are consistent and compatible with requirements in the R-1 code. The applicant plans to buffer the property to the south with a 6' fence and trees which can help offset some privacy concerns.

For additional project information and details on how the 2022 General Plan supports the rezone

application, please refer to the attached staff report from the December 14, 2023 Planning Commission Meeting. Meeting minutes are not available at this time, but you may view the discussion from the [Planning Commission Meeting here](#).

After debate and discussion on this item, the Planning Commission has issued a 6-0 recommendation of approval to the City Council.

City Council Options:

1. Approve the rezone request and development agreement for .71 acres of property located at 166 & 196 North 200 West from General Commercial (GC) to include a Mixed Use Zoning District Overlay as recommended by the Planning Commission.
2. Approve the rezone request and development agreement for .71 acres of property located at 166 & 196 North 200 West from General Commercial (GC) to include a Mixed Use Zoning District Overlay with modifications or additional regulations.
3. Deny the rezone request and development agreement for .71 acres of property located at 166 & 196 North 200 West from General Commercial (GC) to include a Mixed Use Zoning District Overlay.

Staff Recommendation:

Approval of the rezone request and development agreement for .71 acres of property located at 166 & 196 North 200 West from General Commercial (GC) to include a Mixed Use Zoning District Overlay as recommended by the Planning Commission.

Fiscal Impact:

Increased property tax revenues for commercial buildings and residential units.

ATTACHMENTS:

1. PC RZN 196 166 North 200 West from GC to MU
 2. Oak Lane 196 N 200 W DA PC Recommendation 1.4.24
 3. Oak Lake Location Map
 4. Oak Lane Project Site Plan
 5. Oak Lane Landscaping Plan
 6. Oak Lane Project Renderings
 7. Oak Lane Mixed Use Project Narrative and Statement of Compliance
 8. Oak Lane Traffic Impact Study May 11, 2023
 9. Public Comment - Bryson Thornock
 10. Ordinance 166 & 196 N 200 W RZN MU 1.4.24
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Dan Jessop, Zoning Administrator; Melinda Greenwood, Community Development Director

Date: December 8, 2023

Agenda Item #7: Consideration of a rezone application for 196 North 200 West from General Commercial to Mixed Use Zoning District Overlay

Meeting Date	December 14, 2023
Application Type	Rezone
Applicant Owner	Gonzalo Calquin Sector 317 LLC 317 Sycamore LLC
Address Parcel ID Number	196 & 166 North 200 West 11-919-0003 & 11-919-0004
Lot Size	.71 acres 30,927 ft ²
Current Use	Undeveloped
Current Zoning	GC General Commercial
Density Entitlement	NA
Requested Zoning	GC Mixed Use Overlay
Density Entitlement	Density Approved Through Development Agreement (6 Units Proposed)

1. BACKGROUND

On March 23, 2023 the Planning Commission approved the final plat for the MCW subdivision. The owners now have submitted an application for a Mixed-Use Overlay rezone for two lots which combine to .71 acres (30,927 ft²) in size. The applicant's proposed development offers horizontal mixed use by providing just over 10,000 ft² of office space along 200 North. It also will provide two small multifamily buildings and six residential units. One building will contain three three-bedroom townhome dwellings with each having a two-car garage. The other building will contain three studio apartments over a double garage. The office space is anticipated to house three separate owners or tenants. The multifamily dwellings and office were discussed in public meetings during the subdivision process.



A mixed-use overlay is technically a rezone which adds in a residential use to the General Commercial (GC) zone. All MU projects require a development agreement upfront, which will solidify details of the intended project, phasing and other details.

2. SURROUNDING LAND USE

A review and analysis of the existing character of the area is appropriate. The project parcels are located at 196 and 166 North 200 West and are found on the south side of 200 North and east side of 200 West. The area currently includes a variety of businesses including Goldenwest Credit Union, the new Mister Car Wash, fueling stations, Vasa Fitness, and other commercial services. The existing zoning and surrounding area characteristics are discussed in more detail in the bulleted list which follows.

- **Adjacent** – Directly adjacent to the subject property are General Commercial zoned properties with R-T zoned single-family dwellings to the south.
- **North** – Properties to the north are General Commercial properties including Vasa Fitness, and a strip mall with Emerald Pool and Spa, Domino's, and other store fronts.
- **South** – Directly south of the parcel are single family dwellings zoned R-T Old Kaysville Townsite Residential District.
- **East** – Properties to the east are all zoned General Commercial and include the new Mister Car Wash and an existing credit union.
- **West** – Jiffy Lube and other General Commercial businesses are in the strip mall on the opposite side of 200 West.

The townhomes and studio units will act as a buffer for the existing single-family dwellings in the R-T zone, providing matching residential uses and protecting them from the commercial use on the northern parcel. The rezone approval would not detrimentally impact the surrounding neighborhoods. Alternatively, based on the highly commercial nature of the area, the addition of residential apartments and new office space would bring new customers and help the City with compliance for the state's 2024 Moderate Income Housing reporting requirements.

3. 2022 GENERAL PLAN

a. FUTURE LAND USE MAP

The 2022 General Plan Future Land Use Map indicates the property is to be used as a mixed-use development, so the proposed MU zone change is supported by 2022 General Plan.

b. GUIDING PRINCIPLES

The 2022 General Plan has several additional elements which support the rezone application and proposed project. The **guiding principles** state the City should look to:

***Enrich our city center and downtown** - We will enhance our city center with commercial and mixed-use development.*



2022 Future Land Use Map

The project is located in the city center area, this is a mixed-use project, and will provide opportunities for added office and commercial services and infill residential.

Provide diverse housing options - *We will work to preserve our existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.*

The proposed townhomes and studio units will increase the housing supply in the city center and add additional options which do not currently exist.

C. GOALS, OBJECTIVES AND IMPLEMENTATION MEASURES

The 2022 General Plan has a section of goals, objectives and implementation measures at the end of each chapter. Staff has reviewed these sections to determine if there is further support for the rezone request.

- i. **Chapter 1 Land Use & Placemaking Plan**
outlines specific goals and implementation measures which supports the mixed use rezone application and proposed project.

GOAL 2: MAKE KAYSVILLE CITY CENTER DISTINCT AND IDENTIFIABLE FROM ADJACENT NEIGHBORHOODS AND SURROUNDING CITIES

Chapter 1 Goal 2 is defined as: **Make Kaysville City Center Distinct and Identifiable from Adjacent Neighborhoods and Surrounding Cities** with specific details paid to the location of this project fronting 200 North. **Objective 2.1** recommends we look to ***Improve commercial Frontage and streetscapes along key corridors such as Main Street and 200 North.***

The project is further supported by the *Implementation Measure: Preserve the best of what exists and develop new commercial and mixed use buildings to create a “street edge” along the major corridors.*

The proposed setbacks for the buildings with the parking tucked behind creates a feeling of accessibility to pedestrians and will start to create the street edge identified in the implementation measure.

Objective 2.3: Carefully integrate new development with existing uses in established neighborhoods. *Implementation Measure: Respect the unique character and context of each City Center neighborhood. Redevelopment should be sensitively designed and located, particularly when incorporating parking and in proximity to adjacent established residential neighborhoods. Appropriate placement of uses and the provision of aesthetically-appealing buffers between differing uses are tools for consideration.*

The project is laid out so the less intense residential use borders the property to the south which currently has a single family residence and matching residential use.

Objective 2.2: Create a distinct city center and expand the “heart of the community” to include areas beyond the historic core.

This is a redevelopment infill project located in the City Center and will add professional office space which is not included in the immediate vicinity. It will enhance housing availability and options and will create additional property tax revenues for the City.

GOAL 7: Ensure Land Uses are compatible and/or utilize adequate buffers to enhance compatibility has the following ***Objective 7.1: Provide land use transitions and development buffers between incompatible land uses.***



Implementation Measure: Buffer residential uses from commercial and similar uses through the use of transitional land uses and/or physical buffers (tree rows, walls, fences, berms, etc.).

Implementation Measure: Ensure commercial uses that are in proximity to residential zones are incidental to the primary use and do not negatively impact existing character and qualities.

The goal and implementation measures have been satisfied with the layout of the project, which has the residential uses adjacent to each other, a 6' fence and 8' of landscaping which further buffers the existing residence. Lastly, the commercial building is located at the far north end of the project site.

Chapter 1, Goal 8 continues with **“Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live.”** With only 2 percent of housing consisting of apartments with 10 or more units, Kaysville is limited in its existing housing options and affordability. The provision of six new residential units in varying sizes would diversify housing options and cost levels, fulfilling this goal.

Chapter 1 Goal 9 asks City leaders to: **Encourage Diverse Commercial Uses to Meet the Needs of the Community and Visitors** and ***Objective 9.1*** continues to say: ***Focus primary commercial uses in the City Center and secondary uses in smaller existing/future nodes.*** The *Implementation Measure* adds additional information to support the project: *Encourage mixed use and flex development in the City Center.*

As the subject property is located within the City Center concept and the project would diversify the services presently delivered in our community, the project supports positive outcomes for this goal.

- ii. **Chapter 3: Housing and Neighborhoods** was amended in November of 2022 to account for state requirements for moderate income housing elements which must be included in general plans. Chapter 3 reports that 92% of housing in Kaysville is single family housing. This project would provide some needed housing which is outside the customary housing product offered in the city. The goals and objectives in this chapter offer generous support for this rezone and project.

Chapter 3, Goal 1 states Kaysville should aim to “**Provide a full range of housing opportunities to meet economic, lifestyle, and lifecycle needs and expectations for residents.**” Objectives prescribed for this goal include:

Objective 1.1: Allow for higher density and mixed use within the City Center to diversify housing stock. The addition of housing to the GC zone will generate options which do not currently exist in the area.

Objective 1.3: Rezone for densities necessary to facilitate the production of moderate income housing. This project offers six units on .71 acres, which equates to 8.4 units per acre. For a comparison, the R-1-6 zone is 7.2 units per acre and the R-M zone is 15.5 units per acre. The density and type of housing offered by the project should facility housing that is more affordable than single family housing on large lots.

Objective 1.4: (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

The location of this project is in the main commercial center of the City. It is also in close proximity to the parking and ride lot at 200 North and UTA Bus Route 627. Further, the GC MU rezone and the proposed project creates an avenue to meet these objectives and approval would allow the City to report encouraging progress back to the State in subsequent Moderate Income Housing reports.

- iii. **Chapter 5 Economic Development & Prosperity** contains three goals and several objectives that support the proposed project, including:

Goal 1: Promote Kaysville City Center redevelopment to strengthen commercial areas. This is a redevelopment project on the main thoroughfare of the city and will add office use in an area that currently lacks that commercial use. The project will strengthen the commercial area by adding more jobs and diversifying uses in the vicinity.

Goal 3: Allow for mixed use development in identified areas to generate more rooftops and prevent Sales leakage. The project is located within an area shown as mixed-use in the 2022 General Plan. While not a significant number of units in

comparison to other projects, the generation of six additional dwelling units will produce additional population which will spend their money in Kaysville.

The 2022 General Plan contains substantial principals, goals, objectives and specific implementation measures to support the requested GC MU rezone and the mixed use project as proposed.

4. PROJECT SPECIFICS AND DEVELOPMENT AGREEMENT DETAILS

a. COMMERCIAL SPACE

This mixed-use project include Building A, a two-story office building consisting of 10,280 ft² of space and 36 parking stalls. The commercial space provided in this project is 49% of the total square footage of the project.

b. RESIDENTIAL SPACE

Six residential units are proposed with a combined square footage of 10,600 feet. Building B is located on the west side of the southern parcel and is a bank of three townhomes which have two-car garages for each unit. Building C is on the opposite side of the parcel, adjacent to Mister Car Wash and has three studio units, each with a two-car garage. The combined square footage of the residential space is 51% of the project total.

Building Use	Ft²	Additional Details
Building A - Office	10,280	Two-story; 32' tall
Building B - 3 three-bed townhomes	7,639	Two-story with basement; two-car garage; 33'3" tall
Building C - 3 studios	2,961	Two-story; two-car garage; 23'9" tall

c. PARKING

The owners have provided the attached site plan showing parking stalls in perspective to the three buildings. The required parking stall for the office is met with 36 stalls provided. The combined parking requirement for the residential units is 11 stalls and 12 stalls are provided. The residential and offices uses are complimentary in nature, and while the parking requirements are met, shared parking due to the complimentary uses will allow for a project that is neither under parked of grossly over parked.

d. AMENITIES

The application is proposing benches to be provided in the active recreation area located just south of the residential buildings.

e. TRAFFIC

A traffic impact analysis has been provided and is attached. The Public Works Department and City Engineer have reviewed the project impacts and do not have any concerns regarding the project.

f. LANDSCAPING

A landscape plan has been submitted and is attached. Turf will only be provided in an active recreation area. The applicant agrees to use water wise vegetation and materials. The project will further buffer the residential property to the south by providing fencing and trees.

g. PHASING

The Development Agreement stipulates that the office building must be permitted prior to the residential units or simultaneously with the residential buildings.

5. TITLE 17-27 MIXED USE ZONING DISTRICT OVERLAY

[KCC 17-27-2 Project Evaluation/Review Process](#) requires a number of documents and details to be submitted with the application. The applicant has submitted all the required items and those are attached to this staff report.

The [Mixed Use Zoning District Overlay](#) also requires a development agreement (DA) to be accompanied with the zone change application, and that agreement is attached to this memo.

The [purpose statement of the MU overlay zoning code](#) says the district is designed:

“...to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choice.”

The project exceeds the minimum commercial space requirement of 30%, providing 51% of the overall square footage as an office building.

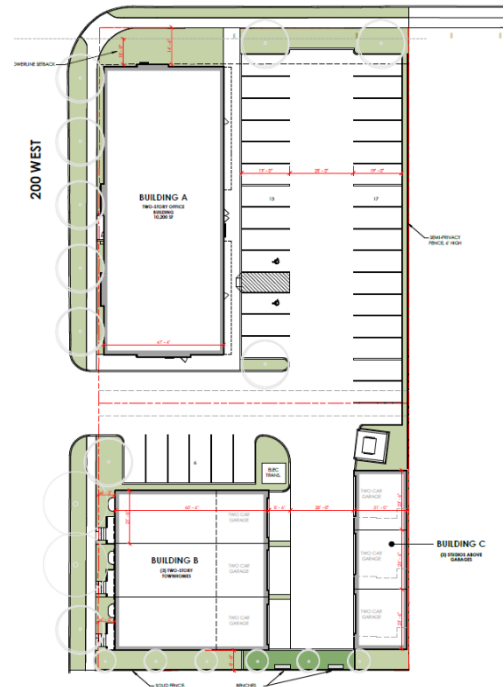
Staff has completed a compliance review of the proposed project in relation to the zoning regulations such as height, parking, open space, planned uses and building design criteria. Staff believes the project, proposed site plan and development agreement meet the regulations in zoning code and are reasonable for the project location.

6. PUBLIC NOTICE AND PUBLIC COMMENT

Public notices were mailed on Friday December 1, 2023. To date, one comment has been received which spoke to traffic concerns, safety and parking.

7. RECOMMENDATION

Based on the findings outlined in this staff report, staff recommends the Planning Commission forward a recommendation of approval to the City Council for the development agreement and the



rezone of 196 and 166 North 200 West from GC General Commercial to General Commercial Mixed Use Overlay.

Findings for a recommendation of approval include:

- a. The Mixed Use Zoning District Overlay is compliant with Map 2.2 Future Land Use Map approved with the 2022 General Plan.
- b. The project is in keeping with the following Guiding Principles of the 2022 General Plan:
 - i. Enrich our city center and downtown - We will enhance our city center with commercial and mixed-use development and investing in streetscape and parking.
 - ii. Provide diverse housing options - We will work to preserve our existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.
- c. Chapters 1, 3 and 5 of the 2022 General Plan contain adequate goals, policy objectives and implementation measures which support approval of the rezone request.

ATTACHMENTS:

1. Draft Development Agreement for 196 and 166 North 200 West
2. Project Location Map 196 and 166 North 200 West
3. Oak Lane Site Plan
4. Oak Lane Landscape Plan
5. Oak Lane Project Renderings
6. Project Narrative and Statement of Compliance
7. Traffic Impact Analysis

**DEVELOPMENT AGREEMENT
FOR 166 & 196 NORTH 200 WEST**

THIS AGREEMENT is made and entered into this ____ day of _____, 2023 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the “City”) and Sector 317 LLC and 317 Sycamore LLC (hereinafter the “Developer”).

RECITALS

WHEREAS, Developer is desirous of developing a mixed-use project consisting of three residential townhomes and commercial office facilities (the “Project”) on certain real property located at 196 North 200 West and 166 North 200 West, in the City of Kaysville, County of Davis, State of Utah and more particularly described as parcel number 11-919-0003 which is .415 acres in size and parcel number 11-919-0004 which is .296 acres for a combined total of .711 acres; and

WHEREAS, the Property Location Map is attached hereto as Exhibit A and the legal description is attached as Exhibit B; and

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

WHEREAS the City is willing to grant the Mixed Use Zoning District Overlay (MU) rezone of the property and authorize the development of the Project 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 Project 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 in Exhibit B as 196 North 200 West and 166 North 200 West, in the City of Kaysville, County of Davis, State of Utah and more particularly described as parcel number 11-919-0003 which is .415 acres in size and parcel number 11-919-0004 which is .296 acres for a combined total of .711 acres.
- B. Project Description. The Project proposed is a horizontal mixed-use development as shown in Exhibit C (the “Site Plan”) and shall include an office building, a residential

building with three townhomes and a residential building with three studio units and shall be constructed in substantial conformance to the attached concept site plan and renderings.

- a. Commercial Space. The Project includes Building A, a two-story office building with approximately 10,280 square feet, which is 49% of the total square footage of the Project.
- b. Residential Space. The Project entails a total of six dwelling units and 10,600 square feet of residential building space, which is 51% of the total square footage of the project. Specifically, the project includes:
 - i. Building B: One two-story townhome building with three three-bedroom units totaling approximately 7,639 square feet; and
 - ii. Building C: One two-story building with three studio units totaling approximately 2,961 square feet.
- c. Substantial Conformance. Substantial Conformance noted in section 1.B shall mean and include minimal fluctuations in overall project square footage, which is subject to final design.
 - i. A reduction in the number of residential units or residential building square footage may be approved by Community Development Director.
 - ii. An increase in the total commercial square footage shall be acceptable and approved by Community Development Director subject to the provision of adequate parking.
 - iii. Reductions in the total commercial square footage provided may not fall below 40% without an amendment to this agreement, which shall be approved by the City Council.

2. DEVELOPMENT STANDARDS AND GUIDELINES

- A. Adoption of Development Standards. As allowed by Kaysville City Code 17-27-7, the City hereby adopts, as the development standards, regulations and guidelines for the Project (the "Development Standards"), the following standards in addition to all other applicable City Ordinances, standards and guidelines:
 - i. Compliance with Approved Site Plans. Developer shall develop the site in general conformance with the concept site plan outlined in section 1B and attached to this Agreement as Exhibit C.
 - ii. Architecture. Developer shall construct the Project in substantial compliance and conformance with the architectural style, renderings and color and materials shown in Exhibit D.

- iii. Building Materials. Developer shall construct all buildings in substantial compliance with materials shown in the concept renderings depicted in Exhibit D, which show a combination of fiber cement, brick veneer, stone veneer, ACM panels, stucco/EIFS, glass, and metal and wood accents.
- iv. Building Height. Developer shall construct the buildings in compliance with the following:
 - a. Building A, the office building, shall not exceed 35' in height, except to allow for flexibility in overall average height for architectural details and variations.
 - b. Residential Buildings B and C shall not exceed 35' as defined by Kaysville City Ordinances except to allow for flexibility in overall average height for architectural details and variations.
- v. Amenities Plan. Developer agrees to providing the following amenities for residents living in the apartments in the development:
 - a. Benches in the landscaped grass area located south of the townhomes.
- vi. Parking.
 - a. Required Parking. Calculations of required parking based on the adopted Kaysville City Code 17-27 Mixed Use Zoning and 17-32 Off-Street Parking and Loading. Total required parking of 47 total stalls is demonstrated in the breakdown noted below and 48 stalls shall be provided.
 - i. Building A, Office: 3.5 stalls per 1,000 square feet is required; 36 parking spaces are required and 36 stalls are provided.
 - ii. Building B, Townhomes: 2.5 parking stalls per each 3-bedroom unit is required; 8 parking stalls are required and 6 stalls (3 two-car garages) are provided.
 - iii. Building C, Studio Units: 1 stall per studio unit is required; 3 parking stalls are required and 6 stalls (3 two-car garages) are provided.
 - b. Parking Reduction. No parking reduction shall be granted.
- vii. Density. Developer may construct up to 6 residential dwelling units within Project. Each townhome unit in Building B may have up to 3 bedrooms. Building C consists of 3 studio units. The overall residential unit count shall not exceed 6 units. Any increase in the count of residential dwelling units or bedroom count shall be approved by the City Council through an amendment to this agreement.
- viii. Commercial Uses. Developer agrees to provide a two-story office building consisting of 10,280 square feet. Removal of the office from the Project shall be approved by the City Council through an amendment to this agreement. Any changes to the commercial spacing for the office resulting in a substantial reduction of square footage shall only be approved by the City Council through an amendment to this agreement.

- ix. Traffic Mitigation. Developer agrees to construct any road improvements or traffic mitigation measures on 200 West as necessitated by the Project. Any such improvements shall be built to adopted City standards.
 - x. Landscaping.
 - a. Developer agrees to use turf only in active recreation areas for the Project as defined in Kaysville City Code 17-5 Water Efficient Landscape Standards.
 - b. Developer shall not install turf or grass in park strip or parking lot areas but will use water wise vegetation and materials.
 - c. Developer agrees to use water wise vegetation and materials in other landscaping areas where reasonable.
 - d. Developer agrees to plant vegetation and trees throughout the Project lot as indicated in the landscape plan outlined in Exhibit C.
 - xi. Fencing.
 - a. A six-foot tall solid fence shall be installed on the south end of the property addressed as 166 North 200 West and identified as parcel identification number 11-919-0004.
 - b. A six-foot tall semi-privacy fence shall be installed along the east side property line for both project parcels.
 - xii. Subdivision for Mixed-Use Overlay. Development of the Project may require a subdivision of the Property for the purposes of individually owned townhomes and studio units.
 - a. Developer shall apply for a subdivision of the Property and shall follow all process and code requirements for the subdivision, including payment of fees, and submission of all outlined documents required for a subdivision.
 - b. This development agreement shall be subject to the entirety of the two parcels outlined in section 1A and will continue to run with the land regardless of subdivisions or how many lots are created in the future.
 - c. This agreement shall be recorded along with any subdivision plat and the plat shall have language placed on it to maintain the integrity of this agreement and Project.
- B. Phasing of Project.
The office building shall be permitted prior to or simultaneously with the residential buildings. Building permits for the townhomes shall not be issued until the office building permit is issued.
- C. Findings of Compatibility. In adopting the Development Standards identified in Section 2, the City hereby expressly finds that the development of the Project, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable mixed-use Project in an appropriate location and is in harmony with the 2022

General Plan. The City further finds that the development of the Project, 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.

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 Project in accordance with the approved site plan, construction drawings and building plans are vested.

3. MAINTENANCE AND CARE OF THE PROJECT AND PROPERTY

Developer agrees to keep property, grounds and buildings in good condition, maintaining, repairing, replacing, etc. all commonly owned ground, property, amenities, landscaped areas, parking areas, driveways, sidewalks, park strips, lighting, benches, etc. Developer agrees to remain in compliance with Kaysville City code.

4. APPLICABILITY AND AMENDMENTS

This agreement runs with the land and shall be considered a master plan for all properties outlined in Section 1A and is applicable and enforceable in perpetuity. Any substantial or significant changes to the Project outside of those defined in this agreement shall be approved by the City Council in an amendment to this agreement.

5. ON-SITE PROJECT IMPROVEMENTS

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

6. 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, on 166 North 200 West and 196 North 200 West with the construction of the on-site improvements.

7. REPRESENTATIONS OF DEVELOPER

- A. Authority. Developer hereby represents that Developer has authority to proceed with the Project.
- B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Project. Developer agrees to begin construction of the Project as soon as practicable and complete occupancy approval with at least on commercial building by July 1, 2026.

8. 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.

9. BINDING EFFECT

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

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

Owner: Sector 317 LLC and 317 Sycamore LLC

By: _____

Title

Attest:

Kaysville City

By:

Annemarie Plaizier
City Recorder

Tamara Tran
Mayor

On the _____ day of _____, 2023, personally appeared before me TAMARA TRAN, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for himself and herself that he, the said TAMARA TRAN, 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 TAMARA TRAN 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 _____, 2023, personally appeared before me,
_____, the signer of the foregoing Development Agreement
for _____, who duly acknowledged to me that he executed the same for and
on behalf of Sector 317 LLC and 317 Sycamore LLC.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

Exhibit A – Property Location Map

Exhibit B – Legal Description of the Project property

ALL OF LOT 3, MCW KAYSVILLE SUBDIVISION.

ALL OF LOT 4, MCW KAYSVILLE SUBDIVISION.

Exhibit C – Site Plans & Landscape Plan

Exhibit D – Architectural Renderings

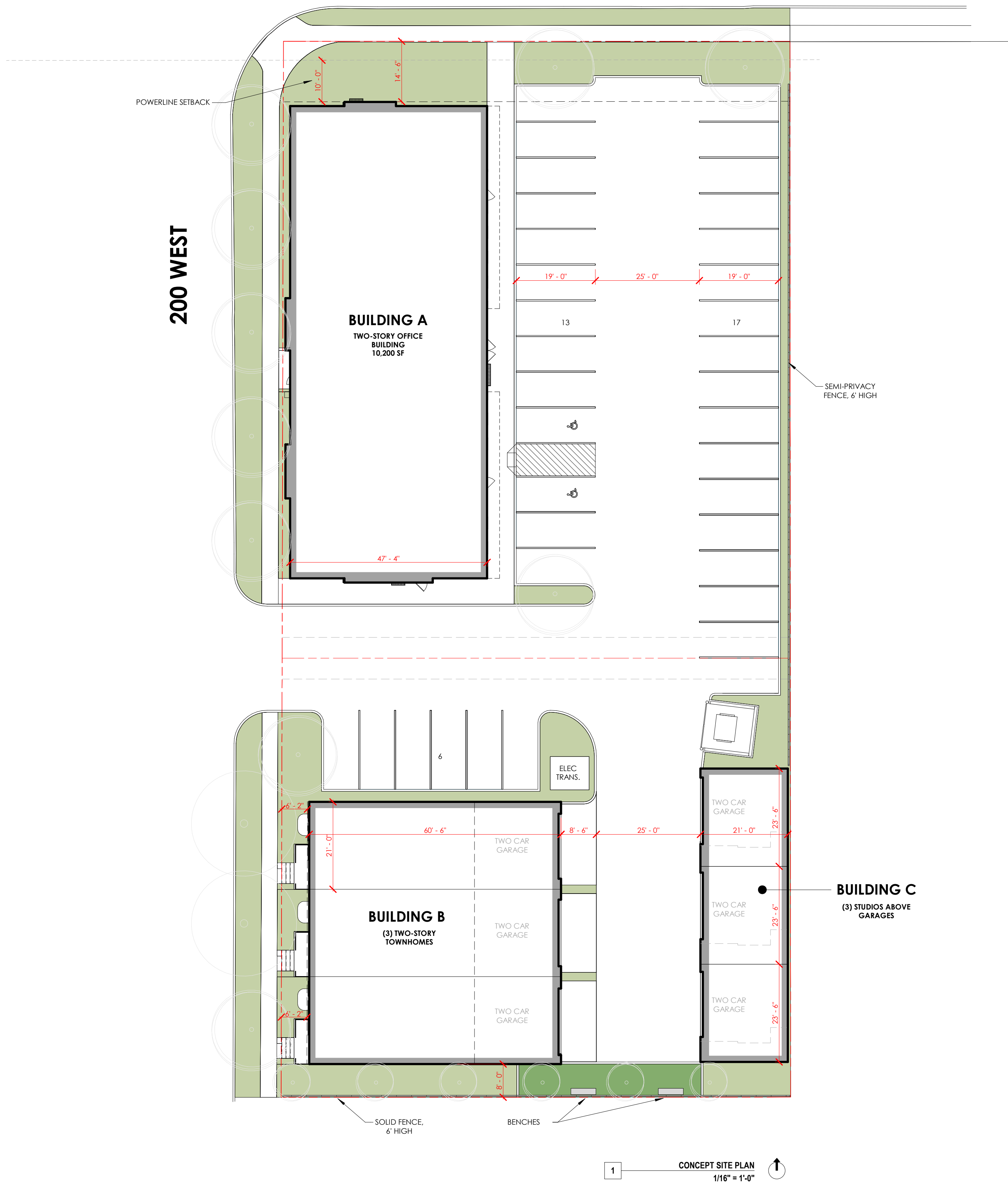
Exhibit E – Traffic Impact Study

Exhibit F – Application materials – Statement of Compliance

Oak Lane Mixed Use Project



200 NORTH



SITE INFORMATION	
ZONE:	GENERAL COMMERCIAL MIXED USE OVERLAY
LOT AREA:	30,964 SF
COMMERCIAL LOT AREA:	17,911 SF (57.8%)
RESIDENTIAL LOT AREA:	13,052 SF (42.2%)
BUILDING AREAS:	
TOTAL BUILDING AREA:	20,880 SF
COMMERCIAL:	
BUILDING A (COMM):	10,280 SF (49%) [30% REQ'D]
RESIDENTIAL:	
BUILDING B (RES):	7,639 SF
BUILDING C (RES):	2,961 SF
TOTAL RESIDENTIAL AREA:	10,600 SF (51%)
REQ'D OPEN SPACE:	3,096 SF 3,565 SF PROVIDED
RESIDENTIAL UNITS	
STUDIOS	3 UNITS
TOWNHOMES	3 UNITS
TOTAL RESIDENTIAL UNITS:	6 UNITS

PARKING	
OFFICES:	3.5 SPACES FOR EACH 1,000 SF OF FLOOR AREA
10,280 SF = 10.2 x 3.5	36 STALLS REQUIRED
SURFACE STALLS	36 STALLS PROVIDED
RESIDENTIAL:	
3 BED UNITS	x 3 = 2.5 STALLS/ UNIT = 8 STALLS REQ'D
3 STUDIOS UNIT	x 3 = 1 STALL/UNIT = 3 STALLS REQ'D
	= 12 STALLS PROVIDED



OAK LANE OFFICE & TOWNHOMES

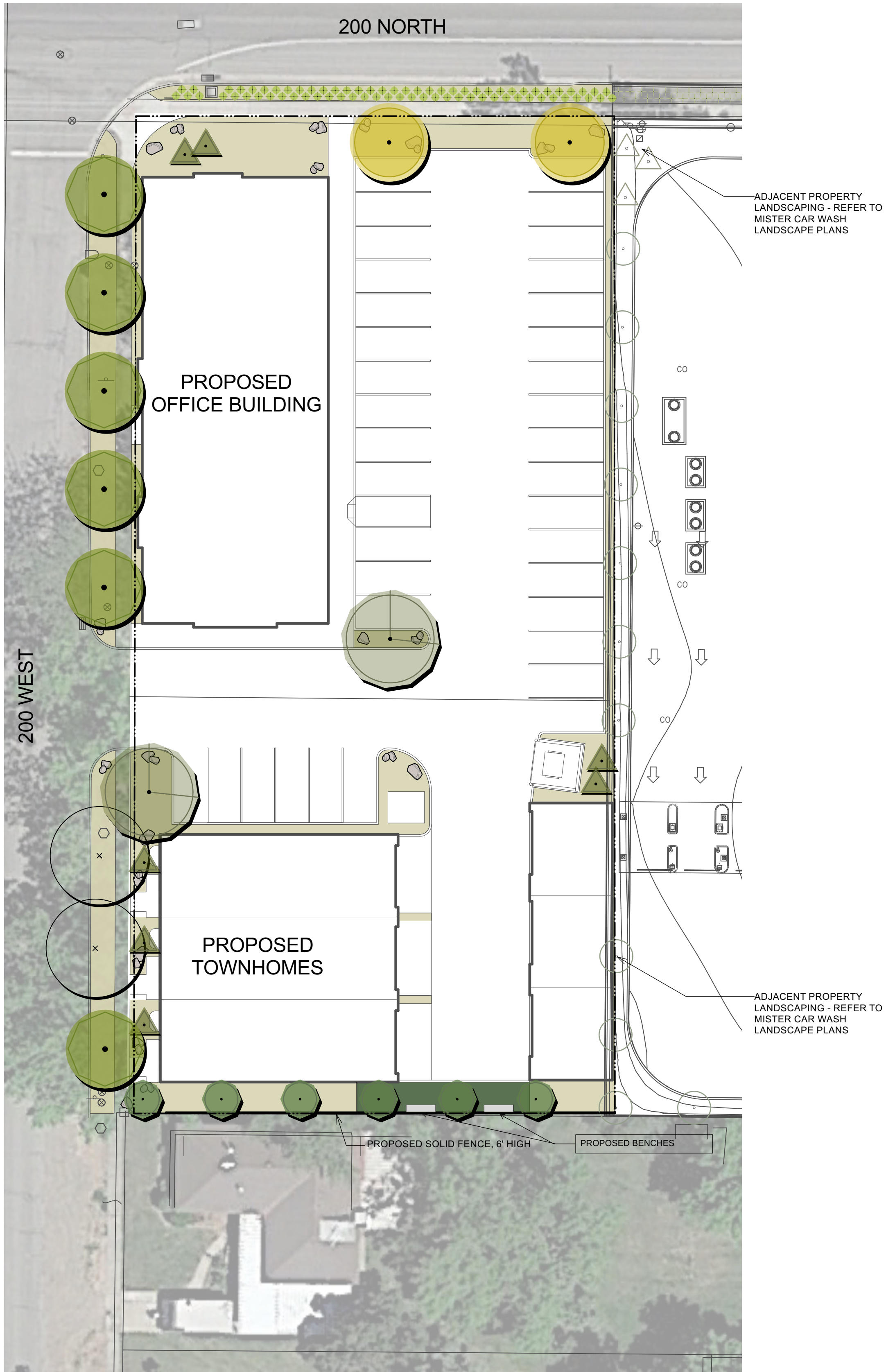
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196 NORTH 200 WEST, KAYSVILLE, UT

NOVEMBER 28, 2023



ARCHITECTURE • PLANNING



PRELIMINARY LANDSCAPE SCHEDULE

SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	SIZE
DECIDUOUS TREES				
	6	MANCHURIAN ASH	FRAXINUS MANDSHURICA	2" CAL
	2	CORAL SUN GOLDEN RAIN TREE	KOELREUTERIA PANICULATA 'CORAL SUN'	2" CAL
	18	SKINNY GENES® OAK	QUERCUS X BIMUNDORUM 'JFS-KW2QX'	2" CAL
	2	ALLEE LACEBARK ELM	ULMUS PARVIFLORA 'ELMER II'	2" CAL
	2	EXISTING DECIDUOUS TREE TO REMAIN		
EVERGREENS TREES				
	10	BRISTLECONE PINE	PINUS ARISTATA	6' HT.
ORNAMENTAL GRASSES				
	159	ATLAS FESCUE	FESTUCA MAIREI	1 GAL.
SYMBOL	QTY.	DESCRIPTION	SOURCE	SIZE
	36	"BROWNS CANYON" BOULDERS	ONE SOURCE MATERIALS, ONESOURCEMATERIALS.COM, (385) 447-9374 OR APPROVED EQUAL	2'-4'
LANDSCAPE AREAS				
	5,587 S.F.	PLANTING BED AREA CONSISTING OF 'COPPER CANYON' CRUSHED ROCK AND 50% PLANT COVERAGE, CRUSHED ROCK AND PLANT MATERIAL TO MATCH PHASE 1 PALETTE.		
	350 S.F.	LAWN SOD		

KAYSVILLE CITY DATA

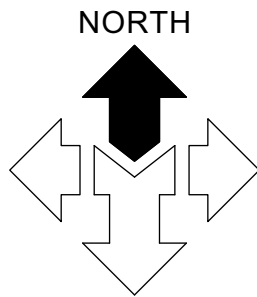
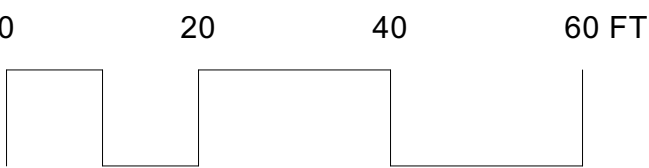
TITLE 17: PLANNING AND ZONING		
CH. 19: GC GENERAL COMMERCIAL DISTRICT		
CH. 27: MIXED USE ZONING DISTRICT OVERLAY		
CH. 32: OFF-STREET PARKING AND LOADING		
TITLE 18: BUILDING REGULATIONS		
CH. 4-11: LANDSCAPING		
ZONED AS	GENERAL COMMERCIAL (GC) WITH MIXED USE OVERLAY	
TOTAL SITE AREA	30,964 S.F.	
ON-SITE LANDSCAPE AREA	3,461 S.F. = 18%	
	REQUIRED	PROVIDED
GENERAL:		
REQUIRED OPEN SPACE - 10% MIN.	30,964 S.F. X 10% = 3,096 S.F	3,461 S.F. = 11%
REAR YARD ABUTTING RESIDENTIAL DISTRICT - MIN 20' WIDE		
PARKSTRIP:		
REQUIRED TREES - 1 PER 30' (EXCLUDING DRIVES)		
200 WEST	215' / 30 = 7	7
PARKING LOT:		
MINIMUM LANDSCAPE AREA - 10 S.F. PER STALL	36 STALLS X 10 S.F. = 360 S.F.	885 S.F.
PLANTING BED COVERAGE	MIN. 50%	50%

AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.

Call
BEFORE YOU
DIG
1-800-662-4111

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.



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Structural Engineering • Land Surveying & HDS



MIXED-USE KAYSVILLE

175 WEST 200 NORTH STREET
KAYSVILLE, UTAH

REVISIONS	
REV	DESCRIPTION

PROJECT NO: 22609.A
DRAWN BY: TG
CHECKED BY: SS
DATE: APRIL 2023
PROPERTY NO:

PRELIMINARY
LANDSCAPE
PLAN

PL-1

A1	CONCEPT SITE PLAN
A2	OFFICE ELEVATIONS
A3-A6	OFFICE RENDERINGS
A7	TOWNHOME ELEVATIONS
A8	TOWNHOME RENDERING
A9	GARAGE/STUDIOS ELEVATIONS
PL-1	PRELIMINARY LANDSCAPE PLAN



OAK LANE OFFICE & TOWNHOMES

MIXED-USE OVERLAY DISTRICT APPLICATION

196 NORTH 200 WEST, KAYSVILLE, UT

NOVEMBER 28, 2023

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4 OFFICE SOUTH ELEVATION
1/8" = 1'-0"



1 OFFICE WEST ELEVATION
1/8" = 1'-0"



5 OFFICE NORTH ELEVATION
1/8" = 1'-0"



2 OFFICE EAST ELEVATION
1/8" = 1'-0"



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NOVEMBER 28, 2023



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A1	CONCEPT SITE PLAN
A2	OFFICE ELEVATIONS
A3-A6	OFFICE RENDERINGS
A7	TOWNHOME ELEVATIONS
A8	TOWNHOME RENDERING
A9	GARAGE/STUDIOS ELEVATIONS
PL-1	PRELIMINARY LANDSCAPE PLAN



OAK LANE OFFICE & TOWNHOMES

MIXED-USE OVERLAY DISTRICT APPLICATION

196 NORTH 200 WEST, KAYSVILLE, UT

NOVEMBER 28, 2023

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4 OFFICE SOUTH ELEVATION
1/8" = 1'-0"



1 OFFICE WEST ELEVATION
1/8" = 1'-0"



5 OFFICE NORTH ELEVATION
1/8" = 1'-0"



2 OFFICE EAST ELEVATION
1/8" = 1'-0"

OAK LANE OFFICE & TOWNHOMES

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OFFICE ELEVATIONS | A2
196 NORTH 200 WEST, KAYSVILLE, UT

NOVEMBER 28, 2023



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NOVEMBER 28, 2023





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196 NORTH 200 WEST, KAYSVILLE, UT
NOVEMBER 28, 2023





OAK LANE OFFICE & TOWNHOMES

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OFFICE RENDERING | A5
196 NORTH 200 WEST, KAYSVILLE, UT
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196 NORTH 200 WEST, KAYSVILLE, UT

NOVEMBER 28, 2023



3 TOWNHOMES NORTH ELEVATION
1/8" = 1'-0"



2 TOWNHOMES WEST ELEVATION
1/8" = 1'-0"



1 TOWNHOMES FRONT PERSPECTIVE



6
1/8" = 1'-0"

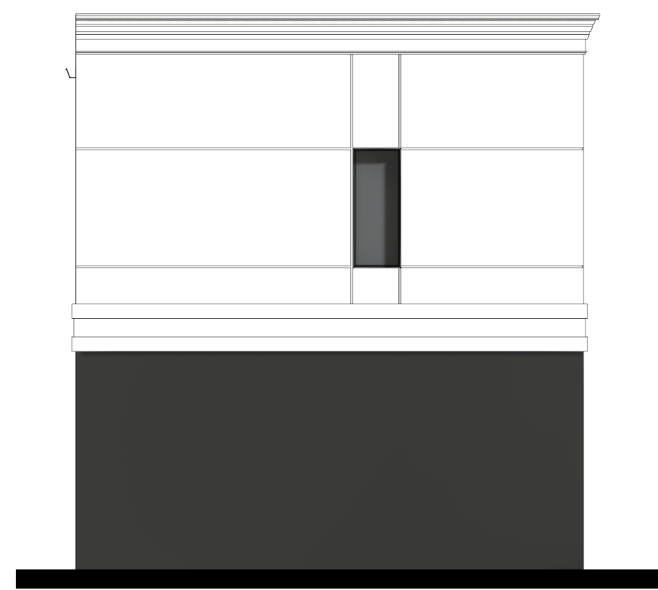


5 TOWNHOMES EAST ELEVATION
1/8" = 1'-0"

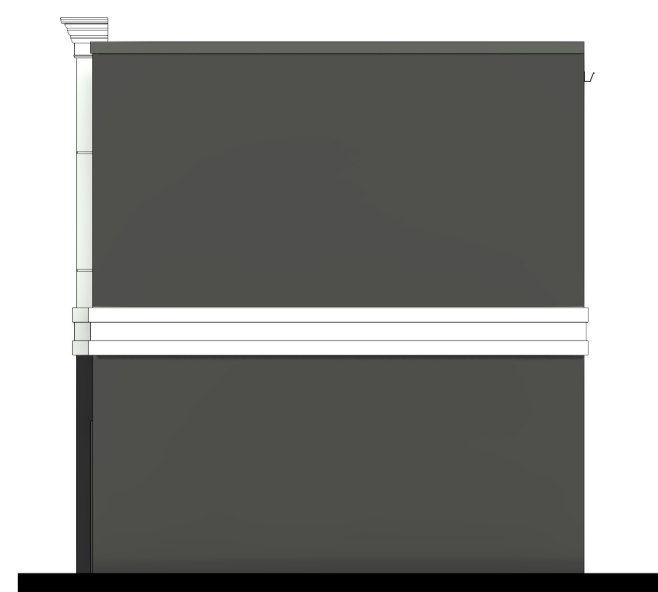


4 TOWNHOME REAR PERSPECTIVE





5 GARAGE LEFT ELEVATION
1/8" = 1'-0"



4 GARAGE RIGHT ELEVATION
1/8" = 1'-0"



3 GARAGE FRONT ELEVATION
1/8" = 1'-0"



6 GARAGE REAR ELEVATION
1/8" = 1'-0"



1 GARAGE PERSPECTIVE

Oak Lane Office and Townhomes Mixed-Use Zoning District Overlay

Project Description:

Zone:	General Commercial
Subject properties:	119190003, 119190004
Lot Area:	30,964 SF (0.71 acres)
Proposed Commercial lot area:	17,911 SF (57.8%)
Proposed Residential lot area:	13,052 SF (42.2%)
Total Building Area:	19,600 SF
Commercial Bldg. Area:	10,200 SF (52%) – 30% minimum required.
Residential Bldg. Area:	9,400 SF (48%)
Required Open Space:	3,096 SF 3,565 SF Open Space provided.
Accessory Buildings:	1,480 SF (4.8% of lot area) (KCC 17-31-5)



All applications and project proposals to include a property within the MU zone shall be submitted with information and a written narrative indicating compatibility with:

1. **The Kaysville City General Plan:** Per the general plan, the project provides a standalone commercial building along 200 N, while standalone residential is provided to the south adjacent to the existing residential zone.
 1. *The Commercial/Residential Mixed Use Character Area is a new land use type for Kaysville as part of the City Center. It is intended to mix both small-scale commercial and multifamily residential uses in creating a vibrant downtown destination district and is specifically targeted to the downtown area. This City Center character area is further detailed in the Kaysville City Center section.*
 2. *Mixed Use – Commercial/Residential: These areas are envisioned to encompass a wide range of commercial and residential uses that will help transform the City Center to a true live/work place. These are transitional uses that purposefully blur the line between residences and business. Specific buildings and uses are envisioned to be similar in scale and height to those in Commercial/Office areas. The mix of uses should be primarily vertical within buildings, although the inclusion of standalone commercial and residential buildings is also anticipated. In particular, standalone commercial is anticipated along major roads such as North Main Street and 200 North, while standalone residential is envisioned adjacent to existing residential neighborhoods. Other existing uses in the area may remain but are anticipated to eventually transition to this commercial/residential mix. A new Community Hub is envisioned on the northwest corner of Main Street and 200 North, which will be the place where a range of transportation modes are linked with plazas to encourage interactions and events.*
2. **The Kaysville City Zoning Ordinances:**
 1. The property is currently zoned General Commercial and has been designated in the MU Overlay area. This project follows all the provisions of the MU District Overlay when used with a General Commercial zone.
3. **The purpose of the MU Zone.**
 1. *The purpose of the Mixed Use (MU) zoning district is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choices. Developers are encouraged to offer ownership potential such as a condominiums for both commercial and residential uses.*
 1. The proposed development offers horizontal mixed-use by providing just over 10,000 sf of office space along 200 N. The 3 townhomes will be subdivided and independently owned. The office space is anticipated to house 3 separate owners or tenants.
4. **Sound planning practices**
 1. The proposed development follows sound planning practices by implementing the Kaysville city ordinances and the provisions of the mixed-use zone. The project prioritizes commercial uses on the larger streets, giving businesses more exposure to vehicles and pedestrians on 200 N. The project is accessed from 200 W which will not create a negative impact on 200 N. (See traffic study).

5. Surrounding land-uses

1. The proposed development creates a very effective transition from commercial to residential as you move south. The office building fronts 200 North and will be the predominant structure visible from 200 North. The office building will have Mister Carwash to the east, Jiffy Lube to the West, and Vasa Fitness to the North. The townhomes will create a subtle transition into the historic neighborhood. The architecture of the townhomes is enhanced to create a product that will add value to the existing community.

The following items are provided:

1. A concept site plan with project information
2. A concept landscape plan
3. Conceptual building elevations and renderings
4. Materials
5. Traffic Study

Kaysville Oak Lane Office & Townhomes

Traffic Impact Study

Prepared for:



Kaysville City
23 E. Center St.
Kaysville, UT 84037
Office: 801-497-7126

Prepared by:



Hunt Day
3445 Antelope Drive St 200
Syracuse, UT 84075
801.664.4724
Thomas Hunt, PE

May 11, 2023

Dexter Fisher
23 E. Center St.
Kaysville, UT 84047
Office: 801-497-7126

RE: Oak Lane Offices & Townhomes –Kaysville, UT – Traffic Impact Study

As per your request, we are submitting to you this report of the traffic impact study for the proposed office and townhome development located on the south east corner of 200 North 200 West in Kaysville, UT. This land is currently developed with 3 single family homes, and it is proposed that a 10,200 SF office building and 3 townhome units be built at this location. A traffic study was performed at the intersections of 300 West/200 North, 300 West/100 North, 200 West/200 North, and 200 West/100 North to determine the impact the development would have on the existing roadway and traffic patterns.

To perform this report, manual traffic counts were obtained on multiple days during the AM and PM peak hours on multiple days in April 2023. Based on this information, an analysis of how the existing intersection currently functions versus the proposed development conditions was completed. This analysis shows that the proposed development does not negatively impact the overall Level of Service at the intersection and should be permitted. No mitigation measures are needed.

It is my professional opinion that upon completion of this project, it will not significantly alter the existing traffic patterns, and should be permitted per the traffic data and improvements contained within this report.

If you have any questions, or we can be of further assistance, please let us know.

Sincerely,



Thomas Hunt, P.E.
Principal Engineer
Hunt Day
3445 Antelope Drive St 200
Syracuse, UT 84075
Thomas@huntday.co



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200 North & 200 West | Kaysville, UT

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200 North & 200 West | Kaysville, UT

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Executive Summary

The proposed development is located on the southeast corner of 200 North and 200 West in Kaysville, UT. This development will consist of 10,200 SF of office building and 3 townhomes. The project is anticipated to be open in early 2024. The purpose of this study is to assess the existing traffic flow and distribution, forecast the additional traffic generated from the development on opening day for this development (2024) to determine the projected Level of Service to determine the impact this development would have on the existing traffic flow and what mitigations may be needed.

Key Findings

- **Existing 2023 Traffic conditions:**
 - 200 North & 300 West: Operating at a Level of Service C in the AM and C in the PM.
 - 200 North & 200 West: Operating at a Level of Service A in the AM and A in the PM.
 - 100 North & 300 West: Operating at a Level of Service A in the AM and A in the PM.
 - 100 North & 200 West: Operating at a Level of Service A in the AM and A in the PM.
- **Proposed Development 2024 conditions:** The proposed development will generate 17 AM and 16 PM trips during the peak hours. The development has little impact on the Level of Service with a very minimal increase in delay.
 - 200 North & 300 West: Will operate at a Level of Service C in the AM and C in the PM.
 - 200 North & 200 West: Will operate at a Level of Service A in the AM and A in the PM.
 - 100 North & 300 West: Will operate at a Level of Service A in the AM and A in the PM.
 - 100 North & 200 West: Will operate at a Level of Service A in the AM and A in the PM.

In Summary, the proposed development has little impact on the Level of Service at the studied intersections with a slight increase in delay in the Peak Hours.



Introduction and Summary

This report presents the findings of the Traffic Impact Study (TIS) performed for the proposed Oak Lane Offices and Townhomes development at this location. The study areas are:

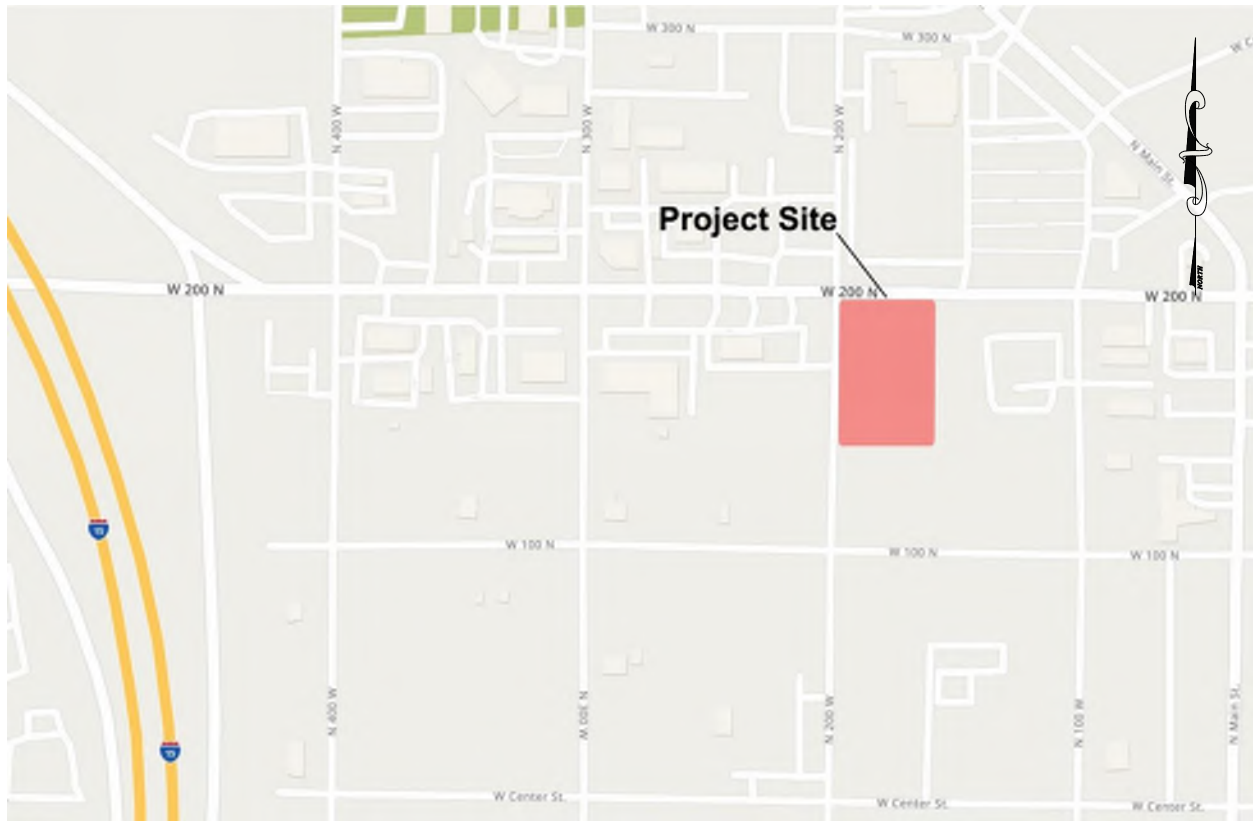
- 200 North/300 West (signalized)
- 200 North/200 West (North/South stop controlled)
- 100 North/300 West (North/south stop controlled)
- 100 North/200 West (North/South stop controlled)

This report addresses the impacts based on Level of Service (LOS) values calculated by delay per vehicles.

This project location is shown in Figure #1 below.



Figure #1 Vicinity Map
200 North & 200 West | Kaysville, UT



Study Area Conditions

200 North/300 West: This is a 4-way signalized intersection.

200 North Eastbound & Westbound have a dedicated left turn lane, a dedicated thru lane and a shared thru/right turn lane in both directions.

300 West Northbound and Southbound have a dedicated left turn lane and a shared thru/right turn lane.

200 North/200 West: This is a 4-way unsignalized intersection that is stop controlled in the north/south directions.

200 North Eastbound & Westbound have a TWLTL, a dedicated thru lane and a shared thru/right turn lane in both directions.

200 West Northbound & Southbound is stop sign controlled and all turning movements share a lane.

100 North/300 West: This is a 4-way unsignalized intersection that is stop controlled in the north/south directions.

100 North Eastbound & Westbound is free flowing and all turning movements share a lane.

300 West Northbound & Southbound is stop sign controlled and all turning movements share a lane.

100 North/300 West:

100 North Eastbound & Westbound is free flowing and all turning movements share a lane.

300 West Northbound & Southbound is stop sign controlled and all turning movements share a lane.

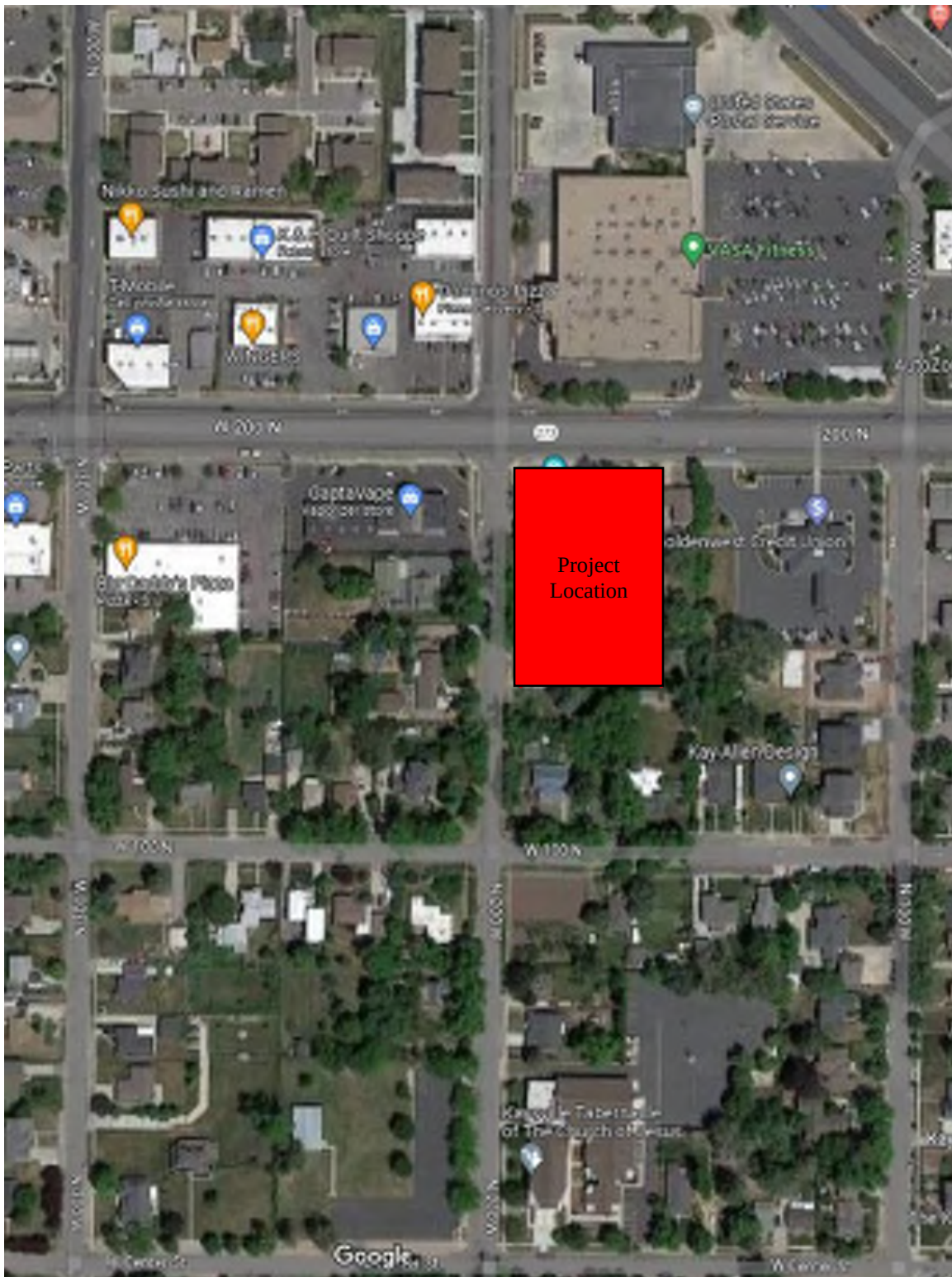
See Figure #2 for the existing layout of this roadway network.

Existing Traffic Volumes

Both AM and PM Peak hours were observed on 4 different days in April 2023. The highest observed traffic counts during those peak hours were used during this study. The existing traffic volumes assisted in determining the existing LOS and studying future impact. The count data and existing turning movement counts are included in the appendix.



Figure #2 Existing Roadway Network



Analysis of Existing Conditions

Level of Service Analysis

For this traffic impact study, the LOS was determined by calculating the average delay time per vehicle in seconds using Synchro 11. Each LOS is associated with a designated range of delay times in seconds per vehicle. Table 1 (below) is used to determine the LOS for a signalized intersection based on the delay in seconds per vehicle. Table 2 (below) is used to determine the LOS for an unsignalized intersection based on the delay in seconds per vehicle. According to the Highway Capacity Manual, most facilities are designed for a service flow rate at LOS D or better to ensure acceptable operating conditions to users.

Table 1 - Signalized Intersections Level of Service

LOS	Intersection Delay per Vehicle (sec/veh)	General Description
A	≤ 10	Free Flow
B	> 10 - 20	Stable Flow (slight delays)
C	> 20 - 35	Stable Flow (acceptable delays)
D	> 35 - 55	Approaching unstable (tolerable delay)
E	> 55 - 80	Unstable Flow (intolerable delay)
F	> 80	Forced Flow (congested and failure)

Source: Highway Capacity Manual (HCM) 2010.

Table 2 - Unsignalized Intersections Level of Service

LOS	Intersection Delay per Vehicle (sec/veh)	General Description
A	≤ 10	Free Flow
B	> 10 - 15	Stable Flow (slight delays)
C	> 15 - 25	Stable Flow (acceptable delays)
D	> 25 - 35	Approaching unstable (tolerable delay)
E	> 35 - 50	Unstable Flow (intolerable delay)
F	> 50	Forced Flow (congested and failure)

Source: Highway Capacity Manual (HCM) 2010.

Study Area Level of Service

The existing intersection was analyzed using Synchro 11. The results, indicating the current level of service, are shown in Table 3 and the appendix.



Existing AM Peak

Existing AM Peak
Oak Lane Office

Kaysville, UT
5/11/2023



Existing AM Peak
Hunt Day

C:\Users\Thomas.WD.000\Hunt Day Dropbox\Projects\131-01 Oak Lane Traffic Impact Study\03-Engineering\Traffic Impact Study\Existing AM Peak.syn

Existing PM Peak

Existing PM Peak
Oak Lane Office

Kaysville, UT
5/11/2023



Existing PM Peak
Hunt Day

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Table 3 – Existing Level of Service for Study Area

<i>Studied Intersection</i>	<i>AM Peak Hour</i>		<i>PM Peak Hours</i>	
	<i>Delay (sec/veh)</i>	<i>LOS</i>	<i>Delay (sec/veh)</i>	<i>LOS</i>
<i>200 North / 300 West</i>	<i>20.2</i>	<i>C</i>	<i>25.8</i>	<i>C</i>
<i>200 North / 200 West</i>	<i>0.8</i>	<i>A</i>	<i>0.9</i>	<i>A</i>
<i>100 North / 300 West</i>	<i>8.4</i>	<i>A</i>	<i>8.2</i>	<i>A</i>
<i>100 North / 200 West</i>	<i>6.2</i>	<i>A</i>	<i>3.5</i>	<i>A</i>

Source: Delay times and LOS determined using Synchro 11.

Queuing

The queuing report shows that at no time does it exceed the storage bay distance or block any other roadways.

Summary of Existing Conditions

Based upon the existing traffic conditions in both the AM and PM peak hours, the overall Level of Service operates at an acceptable Level of Service.



Projected Traffic

Trip Generation

The number of new trips generated for the proposed development was determined using trip generation figures obtained from ITE Trip Generation Manual 10th Edition.

It is proposed that the development will consist of 3 Townhome Units and 10,200 SF of Office Space. The number of new trips generated for the proposed development was determined using trip generation figures obtained from ITE Trip Generation Manual 10th Edition. The calculations for this can be found in the Appendix. These results can be seen in Table 4 below. For additional information and calculations see the Appendix.

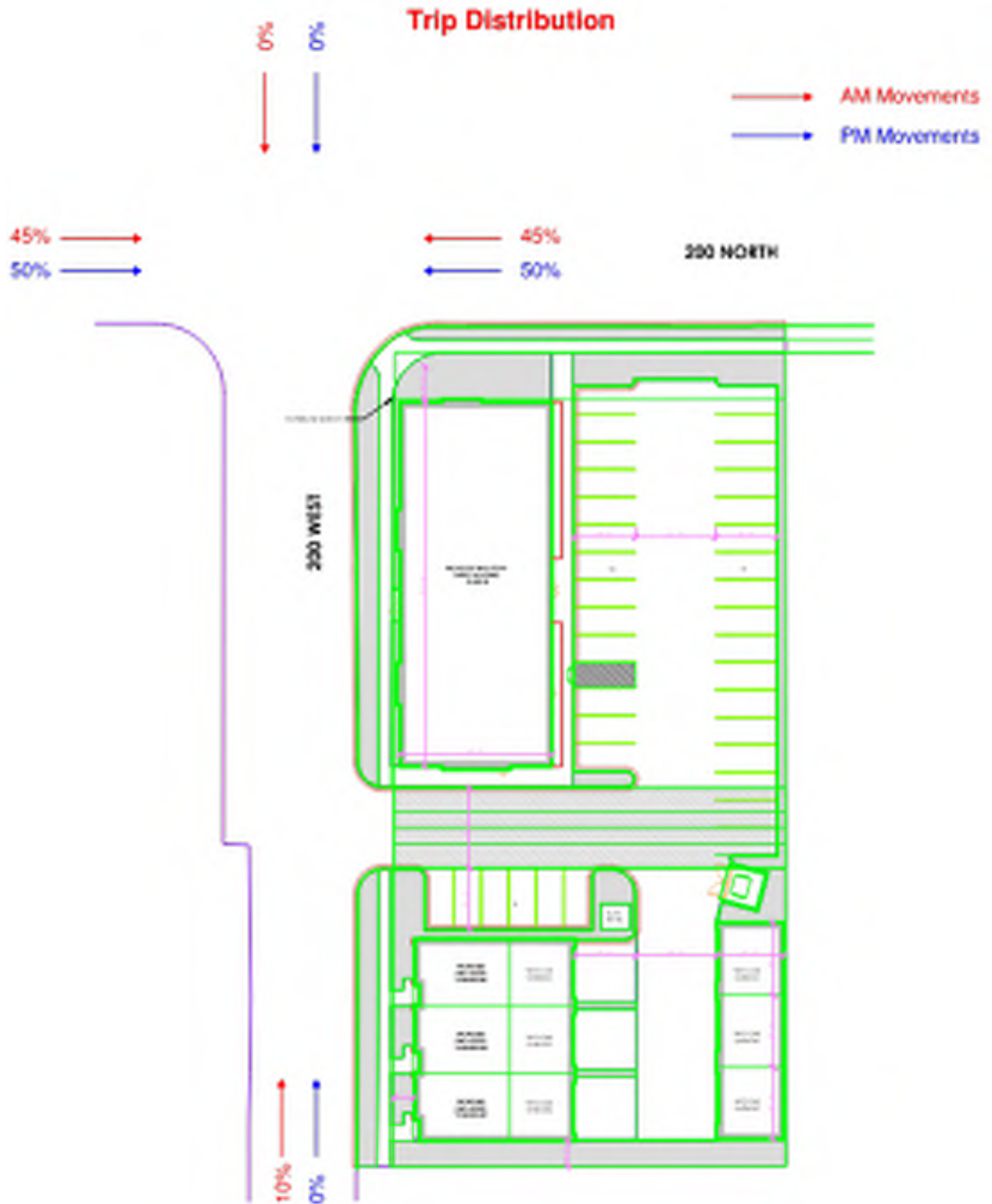
Table 4 – Project Trip Generation

<i>Land Use</i>	<i>AM Trips Entering</i>	<i>AM Trip Exiting</i>	<i>PM Trips Entering</i>	<i>PM Trips Exiting</i>
<i>Low-Rise Dwelling Units</i>	1	1	1	1
<i>Office General</i>	13	2	3	11
<i>TOTAL</i>	14	3	4	12

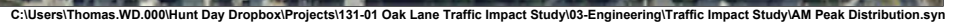
The new trips estimated to be generated from the proposed developments were distributed onto the roadway network based on the proposed site access locations, existing turning movements, existing traffic patterns, and proximity to major roadways. The trip distribution percentages and amounts are found on Figure 4 and 5 below.

The projected new trips were added to the existing 2023 background traffic to represent opening day of this project. The projected combined vehicle movements are shown in Figure 6 below.





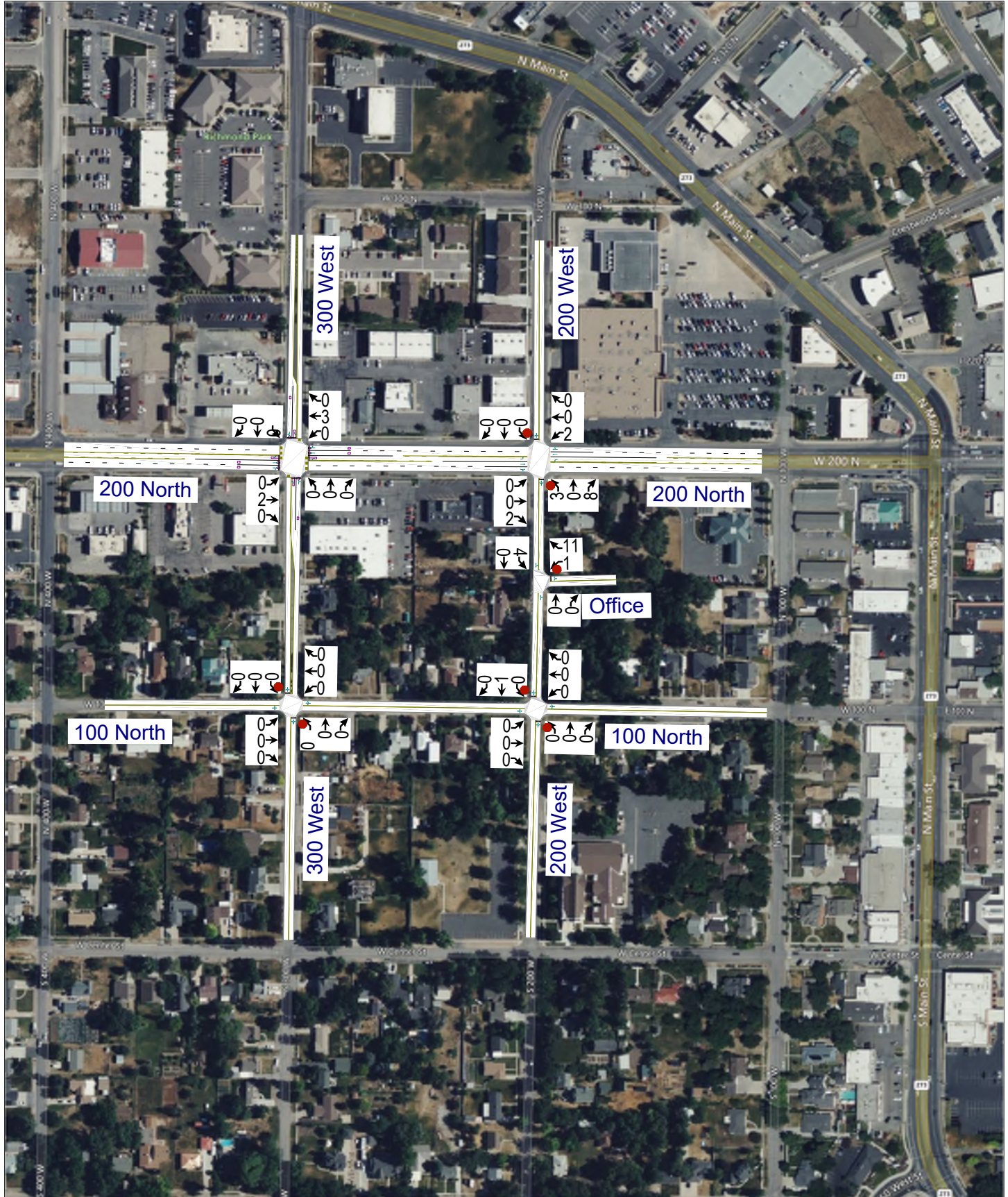
Kaysville, UT
5/11/2023



Distribution PM Peak

Distribution PM Peak
Oak Lane Office

Kaysville, UT
5/11/2023



Distribution PM Peak
Hunt Day

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Proposed AM Peak

Proposed AM Peak
Oak Lane Office

Kaysville, UT
5/11/2023



Proposed AM Peak
Hunt Day

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**Proposed PM Peak
Oak Lane Office**

Kaysville, UT
5/11/2023



Proposed PM Peak Hunt Day

C:\Users\Thomas.WD.000\Hunt Day Dropbox\Projects\131-01 Oak Lane Traffic Impact Study\03-Engineering\Traffic Impact Study\Proposed PM Peak.syn

Results – w/Development in 2024

Based on current conditions, combined with the projected traffic flows from the proposed development at full build-out, we have prepared a study of the studied intersection and new accesses. The results of the study are shown in Table 5.

Table 5 – Existing & Proposed Level of Service for Study Area (2024 w/Development)

<i>Peak Hour</i>	<i>Studied Intersection</i>	<i>Existing</i>		<i>Proposed</i>	
		<i>Delay (sec/veh)</i>	<i>LOS</i>	<i>Delay (sec/veh)</i>	<i>LOS</i>
AM PEAK	<i>200 North / 300 West</i>	<i>20.2</i>	<i>C</i>	<i>20.2</i>	<i>C</i>
	<i>200 North / 200 West</i>	<i>0.8</i>	<i>A</i>	<i>0.9</i>	<i>A</i>
	<i>100 North / 300 West</i>	<i>8.4</i>	<i>A</i>	<i>8.4</i>	<i>A</i>
	<i>100 North / 200 West</i>	<i>6.2</i>	<i>A</i>	<i>6.2</i>	<i>A</i>
	<i>Office Access</i>	<i>-</i>	<i>-</i>	<i>2.2</i>	<i>A</i>
PM PEAK	<i>200 North / 300 West</i>	<i>25.8</i>	<i>C</i>	<i>25.9</i>	<i>A</i>
	<i>200 North / 200 West</i>	<i>0.9</i>	<i>A</i>	<i>1.0</i>	<i>A</i>
	<i>100 North / 300 West</i>	<i>8.2</i>	<i>A</i>	<i>8.2</i>	<i>A</i>
	<i>100 North / 200 West</i>	<i>3.5</i>	<i>A</i>	<i>3.6</i>	<i>A</i>
	<i>Office Access</i>	<i>-</i>	<i>-</i>	<i>1.8</i>	<i>A</i>

Source: Delay times and LOS determined using Synchro 11.

Queuing

The queuing report shows at no time does traffic back up or block any other roadways or accesses.

Summary of Proposed Conditions

Based upon the existing traffic conditions and the minor amount of additional traffic being added from this development in both the AM and PM peak hours, the overall Level of Service in all locations remains close to the same with a slight increase in delay.



Conclusions & Recommendations

Our principal findings from our traffic impact analysis have determined that during the peak hours the studied intersection and access will operate at an acceptable Level of Service with only a slight increase in delay.

There are no blockages or queueing delays at any of the intersections or accesses and no mitigation measures are needed.

Therefore, it is our professional opinion that this project will not significantly alter the existing traffic patterns at any of the intersections and should be permitted per the traffic data contained within this report.



Appendix



Trip Generation Summary

Alternative: Alternative 1

Phase:

Open Date: 5/10/2023

Project: Oak Lane TIS

Analysis Date: 5/10/2023

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Generator				Weekday PM Peak Hour of Generator			
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
220	LOW-RISE 1		11	11	22		1	1	2		1	1	2
	3 Dwelling Units												
710	OFFICEGENERAL 1		49	48	97		13	2	15		3	11	14
	10 1000 Sq. Ft. GFA												
Unadjusted Volume			60	59	119		14	3	17		4	12	16
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			60	59	119		14	3	17		4	12	16

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Generator Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Generator Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

AM Peak Existing
3: 200 West & 200 North

Oak Lane Office
5/11/2023

														
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR		
Lane Configurations														
Traffic Volume (veh/h)	48	978	6	14	1145	5	2	3	6	6	2	47		
Future Volume (Veh/h)	48	978	6	14	1145	5	2	3	6	6	2	47		
Sign Control	Free			Free			Stop			Stop				
Grade	0%			0%			0%			0%				
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly flow rate (vph)	52	1063	7	15	1245	5	2	3	7	7	2	51		
Pedestrians														
Lane Width (ft)														
Walking Speed (ft/s)														
Percent Blockage														
Right turn flare (veh)														
Median type	TWLTL			TWLTL										
Median storage veh)	2			2										
Upstream signal (ft)	581													
pX, platoon unblocked				0.79				0.79	0.79	0.79	0.79	0.79		
vC, conflicting volume	1250				1070				1875	2450	535	1922	2452	625
vC1, stage 1 conf vol							1170	1170				1278	1278	
vC2, stage 2 conf vol							704	1280				644	1174	
vCu, unblocked vol	1250				560				1578	2305	0	1637	2307	625
tC, single (s)	4.1				4.1				7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)							6.5	5.5				6.5	5.5	
tF (s)	2.2				2.2				3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	91				98				99	98	99	96	99	88
cM capacity (veh/h)	553				796				202	152	858	165	178	428
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1						
Volume Total	52	709	361	15	830	420	12	60						
Volume Left	52	0	0	15	0	0	2	7						
Volume Right	0	0	7	0	0	5	7	51						
cSH	553	1700	1700	796	1700	1700	317	347						
Volume to Capacity	0.09	0.42	0.21	0.02	0.49	0.25	0.04	0.17						
Queue Length 95th (ft)	8	0	0	1	0	0	3	15						
Control Delay (s)	12.2	0.0	0.0	9.6	0.0	0.0	16.8	17.5						
Lane LOS	B				A				C	C				
Approach Delay (s)	0.6				0.1				16.8	17.5				
Approach LOS							C	C						
Intersection Summary														
Average Delay				0.8										
Intersection Capacity Utilization				49.1%			ICU Level of Service			A				
Analysis Period (min)				15										

AM Peak Existing
6: 200 West & 100 North

Oak Lane Office
5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	6	1	2	7	1	2	5	1	1	18	4
Future Volume (Veh/h)	5	6	1	2	7	1	2	5	1	1	18	4
Sign Control	Free			Free			Stop			Stop		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	7	1	2	8	1	2	5	1	1	20	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage (veh)												
Upstream signal (ft)	582											
pX, platoon unblocked												
vC, conflicting volume	9			8			44	30	8	34	30	8
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	9			8			44	30	8	34	30	8
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	99	100	100	98	100
cM capacity (veh/h)	1611			1612			935	859	1075	965	859	1073
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	13	11	8	25								
Volume Left	5	2	2	1								
Volume Right	1	1	1	4								
cSH	1611	1612	900	891								
Volume to Capacity	0.00	0.00	0.01	0.03								
Queue Length 95th (ft)	0	0	1	2								
Control Delay (s)	2.8	1.3	9.0	9.2								
Lane LOS	A	A	A	A								
Approach Delay (s)	2.8	1.3	9.0	9.2								
Approach LOS			A	A								
Intersection Summary												
Average Delay				6.2								
Intersection Capacity Utilization				13.3%	ICU Level of Service				A			
Analysis Period (min)				15								

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	78	967	12	5	1171	18	105	8	18	47	5	174
Future Volume (veh/h)	78	967	12	5	1171	18	105	8	18	47	5	174
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	85	1051	13	5	1273	20	114	9	20	51	5	189
Adj No. of Lanes	1	2	0	1	2	0	1	1	0	1	1	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	282	1814	22	359	1732	27	266	128	285	418	10	385
Arrive On Green	0.09	0.51	0.51	0.07	0.49	0.49	0.25	0.25	0.25	0.25	0.25	0.25
Sat Flow, veh/h	1774	3580	44	1774	3566	56	1184	515	1145	1375	41	1549
Grp Volume(v), veh/h	85	519	545	5	631	662	114	0	29	51	0	194
Grp Sat Flow(s),veh/h/ln	1774	1770	1855	1774	1770	1853	1184	0	1661	1375	0	1589
Q Serve(g_s), s	2.0	15.6	15.6	0.0	21.7	21.7	6.9	0.0	1.0	2.2	0.0	7.9
Cycle Q Clear(g_c), s	2.0	15.6	15.6	0.0	21.7	21.7	14.9	0.0	1.0	3.3	0.0	7.9
Prop In Lane	1.00		0.02	1.00		0.03	1.00		0.69	1.00		0.97
Lane Grp Cap(c), veh/h	282	896	940	359	859	900	266	0	413	418	0	395
V/C Ratio(X)	0.30	0.58	0.58	0.01	0.73	0.74	0.43	0.00	0.07	0.12	0.00	0.49
Avail Cap(c_a), veh/h	282	896	940	359	859	900	266	0	413	418	0	395
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	15.7	13.1	13.1	16.6	15.6	15.6	30.8	0.0	21.8	23.1	0.0	24.4
Incr Delay (d2), s/veh	2.7	2.7	2.6	0.1	5.6	5.3	5.0	0.0	0.3	0.6	0.0	4.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	8.2	8.5	0.1	11.8	12.4	2.6	0.0	0.5	0.9	0.0	3.9
LnGrp Delay(d),s/veh	18.4	15.8	15.7	16.7	21.2	21.0	35.8	0.0	22.2	23.7	0.0	28.7
LnGrp LOS	B	B	B	B	C	C	D		C	C		C
Approach Vol, veh/h		1149			1298			143			245	
Approach Delay, s/veh		16.0			21.1			33.0			27.7	
Approach LOS		B			C			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs		2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s		23.4	9.6	43.0		23.4	11.2	41.4				
Change Period (Y+Rc), s		4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s		18.9	5.1	38.5		18.9	6.7	36.9				
Max Q Clear Time (g_c+I1), s		16.9	2.0	17.6		9.9	4.0	23.7				
Green Ext Time (p_c), s		0.1	0.0	7.0		0.8	0.0	7.2				
Intersection Summary												
HCM 2010 Ctrl Delay			20.2									
HCM 2010 LOS			C									

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	25	6	2	1	2	13	4	96	1	5	20	2
Future Volume (Veh/h)	25	6	2	1	2	13	4	96	1	5	20	2
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	7	2	1	2	14	4	104	1	5	22	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	16			9			86	80	8	126	74	9
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	16			9			86	80	8	126	74	9
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	98			100			100	87	100	99	97	100
cM capacity (veh/h)	1602			1611			868	796	1074	752	802	1073
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	36	17	109	29								
Volume Left	27	1	4	5								
Volume Right	2	14	1	2								
cSH	1602	1611	800	807								
Volume to Capacity	0.02	0.00	0.14	0.04								
Queue Length 95th (ft)	1	0	12	3								
Control Delay (s)	5.5	0.4	10.2	9.6								
Lane LOS	A	A	B	A								
Approach Delay (s)	5.5	0.4	10.2	9.6								
Approach LOS			B	A								
Intersection Summary												
Average Delay			8.4									
Intersection Capacity Utilization			20.8%		ICU Level of Service				A			
Analysis Period (min)			15									

PM Peak Existing
3: 200 West & 200 North

Oak Lane Office

5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	66	1152	5	14	1143	18	6	3	24	6	2	35
Future Volume (Veh/h)	66	1152	5	14	1143	18	6	3	24	6	2	35
Sign Control	Free			Free			Stop			Stop		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	72	1252	5	15	1242	20	7	3	26	7	2	38
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	TWLTL			TWLTL								
Median storage veh)	2			2								
Upstream signal (ft)	581											
pX, platoon unblocked				0.69			0.69			0.69		
vC, conflicting volume	1262			1257			2088			2690		
vC1, stage 1 conf vol							1398			1398		
vC2, stage 2 conf vol							690			1292		
vCu, unblocked vol	1262			460			1672			2549		
tC, single (s)	4.1			4.1			7.5			6.5		
tC, 2 stage (s)							6.5			5.5		
tF (s)	2.2			2.2			3.5			4.0		
p0 queue free %	87			98			96			98		
cM capacity (veh/h)	547			753			183			129		
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1				
Volume Total	72	835	422	15	828	434	36	47				
Volume Left	72	0	0	15	0	0	7	7				
Volume Right	0	0	5	0	0	20	26	38				
cSH	547	1700	1700	753	1700	1700	373	323				
Volume to Capacity	0.13	0.49	0.25	0.02	0.49	0.26	0.10	0.15				
Queue Length 95th (ft)	11	0	0	2	0	0	8	13				
Control Delay (s)	12.6	0.0	0.0	9.9	0.0	0.0	15.7	18.0				
Lane LOS	B			A			C			C		
Approach Delay (s)	0.7			0.1			15.7			18.0		
Approach LOS							C			C		
Intersection Summary												
Average Delay				0.9								
Intersection Capacity Utilization				49.2%			ICU Level of Service			A		
Analysis Period (min)				15								

PM Peak Existing
6: 200 West & 100 North

Oak Lane Office

5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	12	19	11	2	42	16	5	8	11	3	14	4
Future Volume (Veh/h)	12	19	11	2	42	16	5	8	11	3	14	4
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	13	21	12	2	46	17	5	9	12	3	15	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage veh												
Upstream signal (ft)	582											
pX, platoon unblocked												
vC, conflicting volume	63			33			123	120	27	128	118	54
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	63			33			123	120	27	128	118	54
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			100			99	99	99	100	98	100
cM capacity (veh/h)	1540			1579			829	763	1048	822	765	1012
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	46	65	26	22								
Volume Left	13	2	5	3								
Volume Right	12	17	12	4								
cSH	1540	1579	888	809								
Volume to Capacity	0.01	0.00	0.03	0.03								
Queue Length 95th (ft)	1	0	2	2								
Control Delay (s)	2.1	0.2	9.2	9.6								
Lane LOS	A	A	A	A								
Approach Delay (s)	2.1	0.2	9.2	9.6								
Approach LOS			A	A								
Intersection Summary												
Average Delay			3.5									
Intersection Capacity Utilization			17.8%		ICU Level of Service				A			
Analysis Period (min)			15									

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	88	1163	18	28	1134	22	64	52	28	32	58	296
Future Volume (veh/h)	88	1163	18	28	1134	22	64	52	28	32	58	296
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	96	1264	20	30	1233	24	70	57	30	35	63	322
Adj No. of Lanes	1	2	0	1	2	0	1	1	0	1	1	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	298	1612	25	285	1581	31	173	339	178	435	78	400
Arrive On Green	0.08	0.45	0.45	0.07	0.45	0.45	0.29	0.29	0.29	0.29	0.29	0.29
Sat Flow, veh/h	1774	3566	56	1774	3551	69	994	1150	605	1305	266	1358
Grp Volume(v), veh/h	96	627	657	30	614	643	70	0	87	35	0	385
Grp Sat Flow(s),veh/h/ln	1774	1770	1853	1774	1770	1851	994	0	1756	1305	0	1623
Q Serve(g_s), s	2.0	22.0	22.0	0.6	21.5	21.6	5.1	0.0	2.7	1.5	0.0	16.0
Cycle Q Clear(g_c), s	2.0	22.0	22.0	0.6	21.5	21.6	21.1	0.0	2.7	4.2	0.0	16.0
Prop In Lane	1.00		0.03	1.00		0.04	1.00		0.34	1.00		0.84
Lane Grp Cap(c), veh/h	298	800	838	285	788	824	173	0	517	435	0	478
V/C Ratio(X)	0.32	0.78	0.78	0.11	0.78	0.78	0.40	0.00	0.17	0.08	0.00	0.81
Avail Cap(c_a), veh/h	298	800	838	285	788	824	173	0	517	435	0	478
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	12.9	17.0	17.0	12.2	17.2	17.2	33.6	0.0	19.1	20.7	0.0	23.8
Incr Delay (d2), s/veh	2.8	7.6	7.3	0.7	7.5	7.2	6.9	0.0	0.7	0.4	0.0	13.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	12.3	12.8	0.4	12.1	12.5	1.7	0.0	1.4	0.6	0.0	9.0
LnGrp Delay(d),s/veh	15.8	24.5	24.2	12.9	24.7	24.4	40.4	0.0	19.8	21.0	0.0	37.3
LnGrp LOS	B	C	C	B	C	C	D		B	C		D
Approach Vol, veh/h		1380			1287			157			420	
Approach Delay, s/veh		23.8			24.3			29.0			36.0	
Approach LOS		C			C			C			D	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs		2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s		26.0	9.5	37.5		26.0	10.0	37.0				
Change Period (Y+Rc), s		4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s		21.5	5.0	33.0		21.5	5.5	32.5				
Max Q Clear Time (g_c+I1), s		23.1	2.6	24.0		18.0	4.0	23.6				
Green Ext Time (p_c), s		0.0	0.0	5.3		0.9	0.0	5.3				
Intersection Summary												
HCM 2010 Ctrl Delay			25.8									
HCM 2010 LOS			C									

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	25	8	4	4	21	26	13	93	8	26	52	26
Future Volume (Veh/h)	25	8	4	4	21	26	13	93	8	26	52	26
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	9	4	4	23	28	14	101	9	28	57	28
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	51			13			166	124	11	170	112	37
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	51			13			166	124	11	170	112	37
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	98			100			98	87	99	96	93	97
cM capacity (veh/h)	1555			1606			721	751	1070	696	763	1035
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	40	55	124	113								
Volume Left	27	4	14	28								
Volume Right	4	28	9	28								
cSH	1555	1606	764	796								
Volume to Capacity	0.02	0.00	0.16	0.14								
Queue Length 95th (ft)	1	0	14	12								
Control Delay (s)	5.0	0.5	10.6	10.3								
Lane LOS	A	A	B	B								
Approach Delay (s)	5.0	0.5	10.6	10.3								
Approach LOS			B	B								
Intersection Summary												
Average Delay			8.2									
Intersection Capacity Utilization			26.0%		ICU Level of Service				A			
Analysis Period (min)			15									

AM Peak Proposed
3: 200 West & 200 North

Oak Lane Office

5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	48	978	12	20	1145	5	4	3	7	6	2	47
Future Volume (Veh/h)	48	978	12	20	1145	5	4	3	7	6	2	47
Sign Control	Free			Free			Stop			Stop		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	52	1063	13	22	1245	5	4	3	8	7	2	51
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	TWLTL			TWLTL								
Median storage veh	2			2								
Upstream signal (ft)	581											
pX, platoon unblocked				0.79			0.79			0.79		
vC, conflicting volume	1250			1076			1892			538		
vC1, stage 1 conf vol							1174			1292		
vC2, stage 2 conf vol							718			645		
vCu, unblocked vol	1250			562			1596			0		
tC, single (s)	4.1			4.1			7.5			6.9		
tC, 2 stage (s)							6.5			5.5		
tF (s)	2.2			2.2			3.5			3.3		
p0 queue free %	91			97			98			99		
cM capacity (veh/h)	553			793			198			856		
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1				
Volume Total	52	709	367	22	830	420	15	60				
Volume Left	52	0	0	22	0	0	4	7				
Volume Right	0	0	13	0	0	5	8	51				
cSH	553	1700	1700	793	1700	1700	301	344				
Volume to Capacity	0.09	0.42	0.22	0.03	0.49	0.25	0.05	0.17				
Queue Length 95th (ft)	8	0	0	2	0	0	4	16				
Control Delay (s)	12.2	0.0	0.0	9.7	0.0	0.0	17.6	17.7				
Lane LOS	B			A			C	C				
Approach Delay (s)	0.6			0.2			17.6	17.7				
Approach LOS							C	C				
Intersection Summary												
Average Delay				0.9								
Intersection Capacity Utilization				48.8%			ICU Level of Service			A		
Analysis Period (min)				15								

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	6	1	2	7	2	2	6	1	1	18	4
Future Volume (Veh/h)	5	6	1	2	7	2	2	6	1	1	18	4
Sign Control	Free			Free			Stop			Stop		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	7	1	2	8	2	2	7	1	1	20	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage (veh)												
Upstream signal (ft)	582											
pX, platoon unblocked												
vC, conflicting volume	10			8			44	32	8	35	31	9
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	10			8			44	32	8	35	31	9
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	99	100	100	98	100
cM capacity (veh/h)	1610			1612			934	858	1075	961	858	1073
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	13	12	10	25								
Volume Left	5	2	2	1								
Volume Right	1	2	1	4								
cSH	1610	1612	890	890								
Volume to Capacity	0.00	0.00	0.01	0.03								
Queue Length 95th (ft)	0	0	1	2								
Control Delay (s)	2.8	1.2	9.1	9.2								
Lane LOS	A	A	A	A								
Approach Delay (s)	2.8	1.2	9.1	9.2								
Approach LOS			A	A								
Intersection Summary												
Average Delay				6.2								
Intersection Capacity Utilization				13.3%	ICU Level of Service				A			
Analysis Period (min)				15								

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	0	3	11	2	12	22
Future Volume (Veh/h)	0	3	11	2	12	22
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	0	3	12	2	13	24
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	63	13			14	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	63	13			14	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	100	100			99	
cM capacity (veh/h)	935	1067			1604	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	3	14	37			
Volume Left	0	0	13			
Volume Right	3	2	0			
cSH	1067	1700	1604			
Volume to Capacity	0.00	0.01	0.01			
Queue Length 95th (ft)	0	0	1			
Control Delay (s)	8.4	0.0	2.6			
Lane LOS	A		A			
Approach Delay (s)	8.4	0.0	2.6			
Approach LOS	A					
Intersection Summary						
Average Delay		2.2				
Intersection Capacity Utilization		18.5%	ICU Level of Service	A		
Analysis Period (min)		15				

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	78	972	12	5	1173	18	105	8	18	48	5	174
Future Volume (veh/h)	78	972	12	5	1173	18	105	8	18	48	5	174
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	85	1057	13	5	1275	20	114	9	20	52	5	189
Adj No. of Lanes	1	2	0	1	2	0	1	1	0	1	1	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	282	1814	22	357	1732	27	266	128	285	418	10	385
Arrive On Green	0.09	0.51	0.51	0.07	0.49	0.49	0.25	0.25	0.25	0.25	0.25	0.25
Sat Flow, veh/h	1774	3581	44	1774	3567	56	1184	515	1145	1375	41	1549
Grp Volume(v), veh/h	85	522	548	5	632	663	114	0	29	52	0	194
Grp Sat Flow(s),veh/h/ln	1774	1770	1855	1774	1770	1853	1184	0	1661	1375	0	1589
Q Serve(g_s), s	2.0	15.7	15.7	0.0	21.7	21.8	6.9	0.0	1.0	2.3	0.0	7.9
Cycle Q Clear(g_c), s	2.0	15.7	15.7	0.0	21.7	21.8	14.9	0.0	1.0	3.3	0.0	7.9
Prop In Lane	1.00		0.02	1.00		0.03	1.00		0.69	1.00		0.97
Lane Grp Cap(c), veh/h	282	896	940	357	859	900	266	0	413	418	0	395
V/C Ratio(X)	0.30	0.58	0.58	0.01	0.74	0.74	0.43	0.00	0.07	0.12	0.00	0.49
Avail Cap(c_a), veh/h	282	896	940	357	859	900	266	0	413	418	0	395
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	15.7	13.1	13.1	16.7	15.7	15.7	30.8	0.0	21.8	23.1	0.0	24.4
Incr Delay (d2), s/veh	2.7	2.8	2.6	0.1	5.6	5.4	5.0	0.0	0.3	0.6	0.0	4.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	8.2	8.6	0.1	11.9	12.4	2.6	0.0	0.5	0.9	0.0	3.9
LnGrp Delay(d),s/veh	18.4	15.9	15.8	16.7	21.2	21.0	35.8	0.0	22.2	23.7	0.0	28.7
LnGrp LOS	B	B	B	B	C	C	D		C	C		C
Approach Vol, veh/h		1155			1300			143			246	
Approach Delay, s/veh		16.0			21.1			33.0			27.7	
Approach LOS		B			C			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs		2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s		23.4	9.6	43.0		23.4	11.2	41.4				
Change Period (Y+Rc), s		4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s		18.9	5.1	38.5		18.9	6.7	36.9				
Max Q Clear Time (g_c+I1), s		16.9	2.0	17.7		9.9	4.0	23.8				
Green Ext Time (p_c), s		0.1	0.0	7.0		0.8	0.0	7.2				
Intersection Summary												
HCM 2010 Ctrl Delay			20.2									
HCM 2010 LOS			C									

AM Peak Proposed
16: 300 West & 100 North

Oak Lane Office

5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	25	6	2	1	2	13	4	96	1	5	20	2
Future Volume (Veh/h)	25	6	2	1	2	13	4	96	1	5	20	2
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	7	2	1	2	14	4	104	1	5	22	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage veh												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	16			9			86	80	8	126	74	9
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	16			9			86	80	8	126	74	9
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	98			100			100	87	100	99	97	100
cM capacity (veh/h)	1602			1611			868	796	1074	752	802	1073
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	36	17	109	29								
Volume Left	27	1	4	5								
Volume Right	2	14	1	2								
cSH	1602	1611	800	807								
Volume to Capacity	0.02	0.00	0.14	0.04								
Queue Length 95th (ft)	1	0	12	3								
Control Delay (s)	5.5	0.4	10.2	9.6								
Lane LOS	A	A	B	A								
Approach Delay (s)	5.5	0.4	10.2	9.6								
Approach LOS			B	A								
Intersection Summary												
Average Delay			8.4									
Intersection Capacity Utilization			20.8%		ICU Level of Service				A			
Analysis Period (min)			15									

PM Peak Proposed
3: 200 West & 200 North

Oak Lane Office
5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	66	1152	7	16	1143	18	9	3	32	6	2	35
Future Volume (Veh/h)	66	1152	7	16	1143	18	9	3	32	6	2	35
Sign Control	Free			Free			Stop			Stop		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	72	1252	8	17	1242	20	10	3	35	7	2	38
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	TWLTL			TWLTL								
Median storage veh)	2			2								
Upstream signal (ft)	581											
pX, platoon unblocked				0.69			0.69			0.69		
vC, conflicting volume	1262			1260			2094			2696		
vC1, stage 1 conf vol							1400			1286		
vC2, stage 2 conf vol							694			1296		
vCu, unblocked vol	1262			461			1678			2556		
tC, single (s)	4.1			4.1			7.5			6.5		
tC, 2 stage (s)							6.5			5.5		
tF (s)	2.2			2.2			3.5			4.0		
p0 queue free %	87			98			94			98		
cM capacity (veh/h)	547			751			182			128		
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1				
Volume Total	72	835	425	17	828	434	48	47				
Volume Left	72	0	0	17	0	0	10	7				
Volume Right	0	0	8	0	0	20	35	38				
cSH	547	1700	1700	751	1700	1700	382	322				
Volume to Capacity	0.13	0.49	0.25	0.02	0.49	0.26	0.13	0.15				
Queue Length 95th (ft)	11	0	0	2	0	0	11	13				
Control Delay (s)	12.6	0.0	0.0	9.9	0.0	0.0	15.8	18.1				
Lane LOS	B			A			C	C				
Approach Delay (s)	0.7			0.1			15.8	18.1				
Approach LOS							C	C				
Intersection Summary												
Average Delay				1.0								
Intersection Capacity Utilization				49.9%			ICU Level of Service			A		
Analysis Period (min)				15								

PM Peak Proposed
6: 200 West & 100 North

Oak Lane Office
5/11/2023

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	12	19	11	2	42	16	5	8	11	3	15	4
Future Volume (Veh/h)	12	19	11	2	42	16	5	8	11	3	15	4
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	13	21	12	2	46	17	5	9	12	3	16	4
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)					582							
pX, platoon unblocked												
vC, conflicting volume	63			33			124	120	27	128	118	54
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	63			33			124	120	27	128	118	54
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			100			99	99	99	100	98	100
cM capacity (veh/h)	1540			1579			828	763	1048	822	765	1012
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	46	65	26	23								
Volume Left	13	2	5	3								
Volume Right	12	17	12	4								
cSH	1540	1579	888	807								
Volume to Capacity	0.01	0.00	0.03	0.03								
Queue Length 95th (ft)	1	0	2	2								
Control Delay (s)	2.1	0.2	9.2	9.6								
Lane LOS	A	A	A	A								
Approach Delay (s)	2.1	0.2	9.2	9.6								
Approach LOS			A	A								
Intersection Summary												
Average Delay			3.6									
Intersection Capacity Utilization			17.8%		ICU Level of Service				A			
Analysis Period (min)			15									

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	1	11	36	0	4	21
Future Volume (Veh/h)	1	11	36	0	4	21
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	12	39	0	4	23
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	70	39			39	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	70	39			39	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	100	99			100	
cM capacity (veh/h)	932	1033			1571	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	13	39	27			
Volume Left	1	0	4			
Volume Right	12	0	0			
cSH	1024	1700	1571			
Volume to Capacity	0.01	0.02	0.00			
Queue Length 95th (ft)	1	0	0			
Control Delay (s)	8.6	0.0	1.1			
Lane LOS	A		A			
Approach Delay (s)	8.6	0.0	1.1			
Approach LOS	A					
Intersection Summary						
Average Delay		1.8				
Intersection Capacity Utilization		14.5%		ICU Level of Service		A
Analysis Period (min)		15				

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	88	1165	18	28	1137	22	64	52	28	32	58	296
Future Volume (veh/h)	88	1165	18	28	1137	22	64	52	28	32	58	296
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	96	1266	20	30	1236	24	70	57	30	35	63	322
Adj No. of Lanes	1	2	0	1	2	0	1	1	0	1	1	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	298	1612	25	284	1581	31	173	339	178	435	78	400
Arrive On Green	0.08	0.45	0.45	0.07	0.45	0.45	0.29	0.29	0.29	0.29	0.29	0.29
Sat Flow, veh/h	1774	3566	56	1774	3551	69	994	1150	605	1305	266	1358
Grp Volume(v), veh/h	96	628	658	30	616	644	70	0	87	35	0	385
Grp Sat Flow(s),veh/h/ln	1774	1770	1853	1774	1770	1851	994	0	1756	1305	0	1623
Q Serve(g_s), s	2.0	22.0	22.0	0.6	21.6	21.6	5.1	0.0	2.7	1.5	0.0	16.0
Cycle Q Clear(g_c), s	2.0	22.0	22.0	0.6	21.6	21.6	21.1	0.0	2.7	4.2	0.0	16.0
Prop In Lane	1.00		0.03	1.00		0.04	1.00		0.34	1.00		0.84
Lane Grp Cap(c), veh/h	298	800	838	284	788	824	173	0	517	435	0	478
V/C Ratio(X)	0.32	0.79	0.79	0.11	0.78	0.78	0.40	0.00	0.17	0.08	0.00	0.81
Avail Cap(c_a), veh/h	298	800	838	284	788	824	173	0	517	435	0	478
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	13.0	17.0	17.0	12.2	17.2	17.2	33.6	0.0	19.1	20.7	0.0	23.8
Incr Delay (d2), s/veh	2.9	7.6	7.3	0.7	7.6	7.3	6.9	0.0	0.7	0.4	0.0	13.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	12.3	12.9	0.4	12.1	12.6	1.7	0.0	1.4	0.6	0.0	9.0
LnGrp Delay(d),s/veh	15.8	24.6	24.3	12.9	24.8	24.5	40.4	0.0	19.8	21.0	0.0	37.3
LnGrp LOS	B	C	C	B	C	C	D		B	C		D
Approach Vol, veh/h		1382			1290			157			420	
Approach Delay, s/veh		23.9			24.4			29.0			36.0	
Approach LOS		C			C			C			D	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs		2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s		26.0	9.5	37.5		26.0	10.0	37.0				
Change Period (Y+Rc), s		4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s		21.5	5.0	33.0		21.5	5.5	32.5				
Max Q Clear Time (g_c+I1), s		23.1	2.6	24.0		18.0	4.0	23.6				
Green Ext Time (p_c), s		0.0	0.0	5.3		0.9	0.0	5.3				
Intersection Summary												
HCM 2010 Ctrl Delay			25.9									
HCM 2010 LOS			C									

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	25	8	4	4	21	26	13	93	8	26	52	26
Future Volume (Veh/h)	25	8	4	4	21	26	13	93	8	26	52	26
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	9	4	4	23	28	14	101	9	28	57	28
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	51			13			166	124	11	170	112	37
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	51			13			166	124	11	170	112	37
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	98			100			98	87	99	96	93	97
cM capacity (veh/h)	1555			1606			721	751	1070	696	763	1035
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	40	55	124	113								
Volume Left	27	4	14	28								
Volume Right	4	28	9	28								
cSH	1555	1606	764	796								
Volume to Capacity	0.02	0.00	0.16	0.14								
Queue Length 95th (ft)	1	0	14	12								
Control Delay (s)	5.0	0.5	10.6	10.3								
Lane LOS	A	A	B	B								
Approach Delay (s)	5.0	0.5	10.6	10.3								
Approach LOS			B	B								
Intersection Summary												
Average Delay			8.2									
Intersection Capacity Utilization			26.0%		ICU Level of Service				A			
Analysis Period (min)			15									



Hunt Day

Thomas Hunt, PE
3445 Antelope Drive Suite 200
Syracuse, UT 84050
801.664.4724

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Monday, December 4, 2023 2:36:22 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	[REDACTED]
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	In regards to 196 N 200 W and 166 N 200 W from General Commercial to Mixed Use Zoning We all want a nice Kaysville. Let's think about this proposal at scale... (If everyone did the same thing, that is put more traffic load on the lots) we'd essentially be turning downtown Kaysville into a nightmare to visit due to increased traffic demands/ lack of parking. Let's require a balanced traffic mitigation response in the form of 'snow-plowable' speed bumps, 4 way stops, more traffic lights on 2nd North, something that will leave Kaysville downtown a nice easy and safe place to visit, High School kids are already cutting through the neighbor driving at unsafe speeds let's keep Kaysville safe.
Upload an Attachment	Field not completed.
Upload an Attachment	Field not completed.
Upload an Attachment	Field not completed.

Email not displaying correctly? [View it in your browser.](#)

ORDINANCE NO. 24-XX-XX

AN ORDINANCE REZONING 166 & 196 NORTH 200 WEST, A CERTAIN PORTION OF KAYSVILLE CITY TO THE GENERAL COMMERCIAL ZONING DISTRICT WITH A MIXED USE ZONING DISTRICT OVERLAY, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on December 14, 2023, with a vote of 6-0, the Kaysville City Planning Commission made a recommendation of approval of the zone change at 166 & 196 North 200 West from General Commercial to include a Mixed Use Zoning District Overlay; and

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

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to rezone the subject property at 166 & 196 North 200 West from General Commercial to include a Mixed Use Zoning District Overlay; and

WHEREAS, the City Council, after due consideration of said rezone application, has concluded that it is in the best interest of the City and the inhabitants thereof that said Mixed Use Zoning District Overlay zone be implemented at the property addressed as 166 & 196 North 200 West and known as Tax ID # 11-919-0004 & 11-919-0003;

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: Rezone. The real property at 166 & 196 North 200 West and known as Tax ID #11-919-0004 & 11-919-0003, as shown on the attached map which is made a part hereof, containing approximately .71 acres (30,927 ft²) of land, shall remain zoned General Commercial but have the addition of a Mixed Use Overlay District applied to the entirety of the property.

SECTION III: Development Agreement. The attached Development Agreement and project approved in conjunction with this rezone ordinance shall become zoning legislation and as specified, will replace, augment or supersede existing regulations and requirements for the project.

SECTION IV: 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.

ORDINANCE NO. 24-XX-XX

SECTION VI: This Ordinance shall take effect upon execution of the ordinance.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this 4th day of January, 2024.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder



CITY COUNCIL STAFF REPORT



MEETING DATE: January 4, 2024

TYPE OF ITEM: Work Items

PRESENTED BY: Jaysen Christensen, City Manager

SUBJECT/AGENDA TITLE: Discussion of Davis County's Proposed Homeless Cold Shelter at 20 North 600 West

EXECUTIVE SUMMARY:

Begriming with the 2024/25 winter, Davis County will be required by the state to provide a physical shelter for the homeless during Code Blue events (when temperatures drop to 15 degrees or lower for more than two hours within a 24-hour period). The County with the assistance of the Homeless Task Force, which the Mayor has been serving on, has been working on identifying a location for the County's permanent cold shelter. The Saunders Billboard property in Clearfield was recommended by the Task Force; however, Davis County cities were unwilling to accept Saunders' conditions for selling the property, including that cities make exceptions to their prohibition on outdoor digital signs along I-15.

Another location that was identified is the Fremont Elementary School, fronting I-15 at 160 W 2525 N in Sunset. This could end up being the permanent cold shelter site; however, the site will continue to serve as an active school through the end of the current school year. The County is also waiting on state funding to purchase and renovate this site.

Should a permanent location not be ready in time for the 2024/25 winter, the County recently advised the City that it is looking at its existing diesel emissions testing building at 20 N 600 W in Kaysville (immediately north of Deseret Mill and Pasta) as a location it could retrofit and use an interim cold shelter while a permanent facility is prepared. There are a number of concerns we have about this location, even as a temporary location. It does not have good access to bus transit or businesses and services that could serve the homeless population. Additionally, we do not know exactly where the large concentrations of homeless currently are in Davis County and how close or far the proposed Kaysville location is to these areas. It would seem to better serve the target population if the shelter were close to existing concentrations of homelessness and close to existing transit and support services. We also don't know yet how many beds are being proposed. They are currently estimating around 60 beds, but the County still needs to conduct a point-in-time count to get a better estimate of the number of individuals it would need to provide cold shelter for.

There are a number of questions we still have, but we felt this item is important enough to put on the agenda right away for public discussion.

City Council Options:

This item is set or discussion only.

Staff Recommendation:

This item is for discussion and information only. There is no recommendation at this time.

Fiscal Impact:

NA

ATTACHMENTS:

None
