



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, January 18, 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.

FY2025 BUDGET INTRODUCTORY WORK SESSION - 4:30 PM

Staff will provide an overview of the FY2023 ending fund balances and year-to-date FY2024 financials, and then kick-off discussions with the City Council for the upcoming FY2025 budget.

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 Nate Jackson
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) PRESENTATIONS AND AWARDS
 - a) Kaysville GIVES 2023 Report
- 4) DECLARATION OF ANY CONFLICTS OF INTEREST
- 5) CONSENT ITEMS
 - a) Approval of Minutes of December 7, 2023
- 6) ACTION ITEMS
 - a) Text Amendments to Ordinances within Titles 17, 18 and 19 of the Kaysville City Code (Tabled Item)
- 7) WORK ITEMS
 - a) Amendments to Titles 6 and 8 of the Kaysville City Code
 - b) Amendments to Personnel Appeal Procedures
- 8) COUNCIL MEMBERS REPORTS
- 9) CITY MANAGER REPORT
- 10) RECESS OF CITY COUNCIL MEETING AND CONVENE A MEETING OF THE KAYSVILLE BUSINESS PARK ARCHITECTURAL REVIEW COMMITTEE
- 11) CLOSED SESSION

- a) Strategy session to discuss the purchase, exchange, or lease of real property, in conformance with Utah State Code §52-4-205

12) ADJOURNMENT

KAYSVILLE BUSINESS PARK ARCHITECTURAL REVIEW COMMITTEE MEETING

The agenda shall be as follows:

- 1) OPENING
- 2) APPROVAL OF A SIGN REPLACEMENT AT 780 NORTH KAYS DRIVE FOR CAMPING WORLD
- 3) APPROVAL OF SIGNS AT 498 NORTH KAYS DRIVE FOR AG KAYSVILLE BUILDING LLC
- 4) 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 January 12, 2023.



Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL
December 7, 2023

Minutes of a regular Kaysville City Council meeting held on December 7, 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

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Public Works Director Josh Belnap, Power Resource Service Manager Bruce Rigby, Fire Chief Paul Erickson, Police Chief Sol Oberg, Assistant Police Chief Seth Ellington, Lieutenant Paul Thompson, Lieutenant Preston Benoit, Sergeant Jared Jensen, Officer Matthew Thurgood, Officer Blake Garrison, Officer Jacob Gobles, Information Systems Assistant Ardi Harsono, Bonita Lunt, Steve Lunt, Dale Baxter, Bradley Baxter, Aaron Shupe, Brandon Holt, Sydney Holt, Wes Daugherty, Karen Erickson, Colton Bascom, David Olson, Lea Wright, Brok Peck, Steffanie Peck, Maleia Cook, Dallin Peck, Michelle Cook, Cameron Bledsoe, Michael Hays, Audrey Hays, Garrett Matthews, Kylan Matthews, Colton Alvey, Hayli Alvey, Cameron McKinnon, Dana Taylor, Jason Taylor, Todd Smith, Lisa Marshall

6:40 P.M. - PUBLIC HEARING

FILING OF EMINENT DOMAIN ON CERTAIN MUTTON HOLLOW PROPERTIES FOR TEMPORARY CONSTRUCTION EASEMENTS

City Attorney Nic Mills explained that while the Public Hearing was noticed for the correct time, the notice mailed to affected property owners stated that the public hearing would be held at 7:00 p.m. The council would need to inquire again at 7:00 p.m. if there were any members of the public present wishing to speak on this item.

Mayor Tran opened the public hearing for this item.

Bonita Lunt commented that she lives on Mutton Hollow Road, and the city plans to utilize their front yard as a temporary construction easement during the widening construction of Mutton Hollow Road. The city also intends to install a traffic light at the intersection of Fairfield Road and Mutton Hollow Road. Mrs. Lunt said that they have tried to work with the city concerning the City's plans to restore their property after construction is complete. The city offered the assistance of landscaping architects to help restore the landscaping. The existing landscaping block walls were professionally installed and expensive. There are also big trees on their property. Mrs. Lunt said they have struggled to get this matter settled with the city because there have been no landscape plans presented to them by the city. The city proposed \$30,000 for the temporary easement over three years, but it is still unclear regarding the restoration of landscaping back to its

current state. They were informed that the council would vote that night on whether the city should initiate court hearings to condemn their property.

There were no further comments or questions received by the public.

Council Member Hunt made a motion to close the public hearing for this item at 6:47 p.m., seconded by Council Member Jackson and passed unanimously.

7:00 P.M. – OPENING

Mayor Tran opened the meeting and asked if there were any members of the audience wishing to speak in regards to the public hearing on tonight's agenda, and there were none.

Council Member Adams provided a prayer 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 NEW POLICE OFFICERS JACOB GOBLES AND BLAKE GARRISON

City Recorder Annemarie Plaizier administered the Oath of Office to Officer Jacob Gobles and Officer Blake Garrison.

FIRE DEPARTMENT LIFE SAVE RECOGNITIONS

Fire Chief Paul Erickson made a presentation to the council giving recognition to Fire Department Staff who provided exemplary work during four incidents in 2023 in which the direct actions of the firefighters saved a life. Chief Erickson reviewed each incident and the firefighters involved were awarded a certificate and a save pin.

ANNUAL FISCAL YEAR 2023 AUDIT REPORT

This item was postponed until the next city council meeting.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Blackham made a motion to remove the following consent item for discussion:

- b) Authorizing the purchase of body cameras, dash cameras, and associated equipment for the City's Police Department.

Council Member Oaks 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 Oaks, yea
Council Member Blackham, yea

The motion passed unanimously.

Council Member Oaks made a motion to approve the following consent items:

- a) Approval of Minutes of October 19, 2023.
- c) Authorizing Project Reimbursement Agreement with Davis County for Wilderness Park parking lot project.
- d) A Resolution Authorizing a Tax Certificate and Agreement for UAMPS' Payson Power Project.

Council Member Hunt seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

AUTHORIZING THE PURCHASE OF BODY CAMERAS, DASH CAMERAS, AND ASSOCIATED EQUIPMENT FOR THE CITY'S POLICE DEPARTMENT

Police Chief Sol Oberg explained that the Police Department is seeking approval to purchase a new body camera and a dash camera system, which includes the hardware, software and storage. Their current equipment has reached its end-of-life and was no longer supported Motorola, the parent company. This has necessitated the replacement of all existing hardware and storage for digital content. The majority of camera companies, including Motorola, in which they had contact with have indicated that they had transitioned to a subscription-based model. The proposed model encompasses storage, warranty, and new equipment under a five-year agreement. Despite Motorola's bid being \$33,409 higher than the lowest bid, equating to a \$6,681 increase per year, their system offers additional services and benefits. Their system also includes interoperability with the department's computer-aided dispatch system and radios, which are also Motorola products. The agreement includes replacement hardware for damaged equipment, provides new equipment periodically, and digital storage for video content, replacing the current server in need of replacement. Funds from beer tax money are available to help cover the first-year cost, and

they have submitted a grant application to bridge the additional \$15,000 required for the remaining costs. For the subsequent four years, the annual cost under the agreement would be \$93,018, of which \$25,000-\$28,000 from beer tax funding could be applied each year. The use of beer tax money for dash cameras is consistent with past expenditure patterns and will not impact other programs or services. By remaining with Motorola, it will eliminate the need to transfer data to a different company's system, and will ensure seamless operations to the new Motorola program without the need for additional training. While the initial payment will not be due until July 1, 2024, formalizing the agreement before December 22, 2023 will secure the quoted pricing, which results in a \$70,000 savings for the city. Chief Oberg emphasized that although the purchase would not impact the current budget, it would affect future budgets. Chief Oberg added that the replacement of the body cameras and dash cameras have been part of their capital improvement plan for years and was anticipated to be included in the FY 2025 budget.

Council Member Adams asked about other bids received.

Chief Oberg responded that the department had initially explored other vendors due to Motorola's initial bid being much higher, even though they have had a positive history working with Motorola. Motorola's equipment is very robust and they feel good about contracting with them again. Additionally, the interconnectivity between the radios and cameras offered by Motorola was deemed highly beneficial, further supporting their decision to continue the partnership.

Council Member Hunt commented that she had a conversation with Chief Oberg before the meeting and expressed appreciation for the efforts made to find the most cost-effective system that meets the needs of the department. Committing to this will contribute to budget savings.

Council Member Hunt made a motion to approve the authorization of the purchase of body cameras, dash cameras, and associated equipment for the police department. The motion was seconded by Council Member Adams.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

REZONE OF 7.74 ACRES AT 367 SOUTH ANGEL STREET FROM A-5 TO R-1-20 FOR DW MANAGEMENT

This rezone application for 367 South Angel Street was withdrawn by the applicant.

A RESOLUTION AUTHORIZING THE FILING OF EMINENT DOMAIN FOR MUTTON HOLLOW PROPERTIES, AS NECESSARY, FOR TEMPORARY CONSTRUCTION EASEMENTS

Mayor Tran opened the public comment period for this item.

Steve Lunt said that he lives on Mutton Hollow, and the city is seeking to use a portion of their front yard as a temporary construction easement. Mr. Lunt said that they are uncertain of how much property the city is looking at using as they have received varying answers during discussions. The city requested that they provide an estimate for landscaping replacement costs after the city completes their construction project, but providing an accurate estimate is challenging without knowing the amount of area that will be encroached on their property. The city mentioned a \$30,000 payment, but Mr. Lunt said that it is unclear whether this amount is solely for leasing the temporary easement or intended to cover yard repair costs. There has been a question regarding who would be responsible for the repairs, to which the city has indicated they would handle it. However, given that much of the existing landscaping is custom work, Mr. Lunt expressed that they would prefer to handle the repairs themselves. When asked for an estimate, Mr. Lunt said that they had contacted different groups, and they provided an estimate of around \$120,000 for the repairs. The city has expressed the opinion that the offered \$30,000 amount is generous. Mr. Lunt said that their property, measuring at about an acre, would be significantly affected by the temporary easement. He expressed disappointment at both sides having to spend money on lawyers on this matter. Mr. Lunt said that they do not oppose the construction project, but want assurance that their yard will be restored to its original state. As of now, they have not received any guarantees regarding the outcome.

Dale Baxter, residing at the corner of Mutton Hollow and Fairfield Road, expressed concern about the impact of the road widening and the installation of a traffic signal at the nearby intersection. Due to these changes, there would no longer be space for street parking near his home. Additionally, the widening of the road would result in a shorter driveway on his property, making it challenging for him to park his vehicles without obstructing the sidewalk. This will make it more difficult for him to maneuver in and out of his property, raising concerns about safety. He will no longer have any visitor parking. Mr. Baxter said that he recognized the necessity of road widening and sidewalk installation here, but this encroachment makes it more difficult for him to effectively manage his own property.

Lisa Marshall said that she also lives on Mutton Hollow and received a notice about the public hearing tonight, but had not received much information prior to receiving the notice. Ms. Baxter said that she had come tonight to get more information about what this was about and get more insight on how this would impact her property.

There were no further comments or questions from the public.

Public Works Director Josh Belnap explained that the city has been working on this project for a few years and in the past year completed a project replacing underground utilities on Mutton Hollow Road. As part of the project, they have considered installing traffic control devices at the intersections of Mutton Hollow Road and Fairfield Road, and Mutton Hollow Road and Main

Street. Efforts have been made to contact affected property owners. There are three properties in the Mutton Hollow and Fairfield Road area without sidewalks, and the city would like to install sidewalks due to their proximity to the junior high and elementary school, and safety concerns for students walking to and from school. The reason for this item on tonight's agenda is not to definitively state the city's pursuit of condemnations on these properties. It is our intent to continue working with each property owner to find a mutually agreeable solution. This step in the process is necessary to keep the project moving forward, especially if an impasse is reached with property owners.

Attorney Nic Mills added that the city has been working with J-U-B Engineers for a number of years now on this Mutton Hollow road project. Negotiations with several other property owners in the area for temporary easements have been ongoing, with these three properties being the last to finalize agreements. The city hopes to commence with the road project in May, and we are hopeful and optimistic that we can successfully find resolutions with all three property owners.

Council Member Jackson asked about how much of the land would need to be used as a temporary easement on these properties.

Nic Mills responded that the city is still in negotiations with the property owners. They are still in the process of determining the extent of the property to be used and deciding who will be responsible for making the repairs to the properties after the completion of the project.

Mayor Tran added that this also allows the city the ability to announce any bids for the project so that the project is completed in a timely process and not put on hold longer while we wait for both parties to finish negotiations.

Council Member Adams asked if any other property owners received compensation for the use of their land.

Nic Mills responded that any compensation offered has varied based on the degree of impact to the frontage of their properties. Some property owners have received in-kind compensation, including the replacement of landscaping elements like sprinkler lines or trees that may have been removed or damaged. Other compensation has included monetary amounts. The nature of compensation has been tailored to specific circumstances of each property and potential impact.

Josh Belnap added that these three properties are more impacted because the city requires a larger construction easement to facilitate the installation of street improvements.

Nic Mills said that both the Lunt's and the Baxter's are represented by counsel, and negotiations with them will continue. Efforts have been made to make contact with Ms. Marshall, and since she is in the audience tonight, the city will contact her to provide more information and initiate negotiations. The aim is to keep everyone informed about the proceedings to avoid any surprises.

Council Member Blackham commented that adding the sidewalks and street improvements here will make it safer for students traveling to and from school. This road project will be for the betterment of the city.

Council Member Hunt asked about the safety concerns mentioned about the Baxter's driveway.

Josh Belnap responded that they had explored the possibility of reevaluating the planned road layout for the Mutton Hollow and Fairfield Road intersection. The idea was to consider consolidating some turn movements in the road plan to potentially minimize the required road widening. Additional survey work was conducted, and traffic models were drafted to explore this possibility. However, it was ultimately recommended to stick with the original plan for safety reasons. It is best if we align both sides of Mutton Hollow as closely as possible at this intersection. We are trying to work with property owners alleviate the impacts on their properties. To address safety concerns regarding the Baxter's driveway, one potential resolution is to install a circular driveway or add another access point to the property, facilitating better entry and exit. It is not ideal that the Baxter's will lose their roadside parking, unfortunately there has not been another identified way to install a signal at this intersection while maintaining roadside parking for their property.

Mayor Tran expressed her hope that residents can see the city's genuine concern for them and their properties and that the city is making efforts to negotiate as best we can to address residents' concerns and find equitable solutions.

Council Member Adams made a motion to approve a Resolution authorizing the filing of eminent domain for Mutton Hollow properties, as necessary, for temporary construction easements. The motion was seconded by Council Member Blackham.

Council Member Adams commented that in the end we are not taking any of the land from these property owners because we will be temporarily utilizing Kaysville's right-of-way of these properties.

Josh Belnap added that the initial road design indicates that we will be able to fit the curb, gutter and sidewalk installation within the city right-of-way. We do not want to overburden landowners on things that are theirs to begin with, which is why we are working to negotiate to find a way to mitigate the impacts on their properties.

Council Member Jackson commented that there are many children that walk to the schools here and multiple crossing guards overseeing the nearby Fairfield Road intersection. Installing the sidewalk and road improvements is very important for the safety of the children.

Council Member Hunt stated that she hopes that both parties can come to a resolution so that the city does not have to file eminent domain on any of these properties.

The vote on the motion was as follows:

Council Member Jackson, yea
Council Member Oaks, yea
Council Member Blackham, yea
Council Member Adams, yea

Council Member Hunt, yea

The motion passed unanimously.

COUNCIL MEMBERS REPORTS

Council Member Blackham shared that he and Council Member Hunt had the opportunity to attend the opening of a local business, Gigi Pip. Those in attendance were excited to have this business had come to our city. This business started in 2015 in the owner's home, and now have a warehouse off Deseret Drive.

Mayor Tran thanked all who participated in Kaysville Gives this year. The program saw an increase in requests from families experiencing hardships this year, and the program will be able to provide Christmas assistance to over 140 families in our area. Young Automotive has been working with Kaysville Gives for the last couple of years to allow the use of their building as a staging area. We have some amazing volunteers and are grateful for their help. They received over 700 gift requests, with majority of those requests focused on basic needs. This is the seventh year of the Kaysville Gives program, and the community has consistently demonstrated generosity in supporting the program.

CITY MANAGER REPORT

City Manager Jaysen Christensen said that city Staff would potentially like to hold a work session with the city council on December 21 to discuss the agreement for the use of the old library property. This discussion will likely take some time, and therefore would like to begin the meeting at 5:30 p.m. The developer hopes to open their Bamberger Food Hall by July 4, which will bring six new food eateries to Kaysville. The developer has indicated that they have had many businesses interested in locating here. Mr. Christensen added that Staff also wants to initiate discussions in January in regards to the FY 2025, and are proposing to conduct these discussions over several work sessions.

The Council decided to hold a work session on Friday, February 2 beginning at 8:00 a.m.

Jaysen Christensen said that city Staff is excited to introduce the new outage management system to the public. A mock outage is scheduled for December 14, and he invited the council members to participate in this simulation.

ADJOURNMENT

Council Member Oaks made a motion to adjourn the city council meeting at 8:24 p.m. The motion passed unanimously.

CITY COUNCIL STAFF REPORT



MEETING DATE: January 18, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Josh Belnap

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

EXECUTIVE SUMMARY:

During the 2023 Utah Legislative Session, SB 174 was passed, requiring all cities to amend their subdivision codes and development review processes. Staff has reviewed internally, and deliberated with the Council on January 4th about the proposed changes. In particular, Staff and Council had specific questions about how to still allow for public comment in the development review process.

After further internal review and coordination with elected officials, Staff is now recommending a process where instead of sending the development to the Planning Commission, Staff will instead post a physical notice at the development site, and that notice will link to a City web page where stakeholders can review development details and submit a comment. Staff would serve as the Administrative Land Use Authority, so they would review these comments as part of the subdivision review and incorporate wherever possible.

City Council Options:

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

Staff Recommendation:

Approve

Fiscal Impact:

N/A

ATTACHMENTS:

1. Title 17 - Ordinance with Amendments
2. Title 18 - Redlined Copy
3. Title 18 - Clean Copy
4. Title 18 - Ordinance with Clean Copy Amendments
5. Title 19 - Clean Copy
6. Title 19 - Redlined Copy
7. Title 19 - Ordinance with Clean Copy Amendments

**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

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~~ 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~~ 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](#).

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](#).

**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** “18-3-3 Roadway Improvements” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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)..
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.

SECTION 2: **AMENDMENT** “18-3-6 Sanitary Sewerage” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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:
 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 Sewer District, including development fees and street repairs.

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

A M E N D M E N T

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, 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.

SECTION 4: AMENDMENT “18-4-8 Storm Water” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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](#).

SECTION 5: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 6: 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 7: 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.

19-1-2 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 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 an arterial street or 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. After a preliminary plat is submitted, the City shall provide a public comment opportunity, which shall:
 1. Include posting a notice at the proposed development site with instructions on how and when comments may be submitted.
 2. Encourage comments to identify specific sections of City code or standards which are applicable to the comment.
 3. Encourage a subdivider to meet with stakeholders prior to submitting a tentative final plat and solicit feedback regarding their proposed development.
8. The Subdivider pays the final plat fee at the City Office.
9. The Subdivider submits the tentative final plat to the City.
10. City Staff checks the tentative final plat for compliance with conditions and returns copy to the Subdivider.
11. The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
12. 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.
13. 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.
14. Upon completion of staff review, the City will notify the Subdivider.
15. The City Attorney will review the documents submitted to ensure adequacy and sign the plat when approved.
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.
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.
18. The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
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.
20. 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.
21. The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City.
22. The Public Works Superintendent certifies that the improvements are completed.
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.
24. The City accepts the improvements and the Improvement Warranty Period begins.

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.
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 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.
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 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 (as approved by the City) 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 between driveways in a cul-de-sac	6 feet, 10 feet of clear space for snow storage from plowing required on either side of the center line (20 feet total) at the end of the cul-de-sac	
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.

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.

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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 [an arterial street](#) or 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. After a preliminary plat is submitted, the City shall provide a public comment opportunity, which shall:
 1. Include posting a notice at the proposed development site with instructions on how and when comments may be submitted.
 2. Encourage comments to identify specific sections of City code or standards which are applicable to the comment.
 - 6.3. Encourage a subdivider to meet with stakeholders prior to submitting a tentative final plat and solicit feedback regarding their proposed development.
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 (120)~~ 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 ensure 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 (110~~5~~%) 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 (110~~5~~%) 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*.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~~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~~ 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 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~~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, T~~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 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 (as approved by the City) 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.~~

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
<u>Minimum distance between driveways in a cul-de-sac</u>	<u>6 feet, 10 feet of clear space for snow storage from plowing required on either side of the center line (20 feet total) at the end of the cul-de-sac</u>	
Minimum distance to the point of intersection of two property lines at any street intersection	20 feet	40 feet

~~13.12.~~ **Driveway Approaches.** All driveway approaches shall meet the following specifications:

~~14.13.~~ **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.

~~15.14.~~ **Electric Power System**

1. The Subdivider shall pay the cost of electric ~~syS~~ 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.

~~16.15.~~ **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.

~~17.16.~~ **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 ~~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.

~~18.17.~~ **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.

~~19.18.~~ **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**

WHEREAS,

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

SECTION 1: **AMENDMENT** “19-1-1 Public Welfare” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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.

SECTION 2: **AMENDMENT** “19-1-4 Development Sequence” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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.

SECTION 3: **AMENDMENT** “19-1-6 Violations and Penalties” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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

misdeemeanor 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.

SECTION 4: AMENDMENT “19-1-7 Definitions” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

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 an arterial street or 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.

SECTION 5: AMENDMENT “19-1-9 Appeals” of the Kaysville
City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 6: AMENDMENT “19-2-1 Subdivision Development Process” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.
 - a. 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.
 - b. At the pre-application meeting, the staff shall provide or have available on the city 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
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:
 - a. The preliminary plat prepared by a registered engineer or surveyor and supporting documents as specified in [KCC 19-3-3](#).
 - b. A copy of the preliminary plat fee receipt.
 - c. The Owner’s affidavit
 - d. 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. After a preliminary plat is submitted, the City shall provide a public comment opportunity, which shall:
 - a. Include posting a notice at the proposed development site with instructions on how and when comments may be submitted.
 - b. Encourage comments to identify specific sections of City code or standards which are applicable to the comment.
 - c. Encourage a subdivider to meet with stakeholders prior to submitting a tentative final plat and solicit feedback regarding their proposed development.
6. 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.
7. Upon completion of the staff review, the City will notify the Subdivider and provide comments on any necessary modifications or required additional information.
 8. The Subdivider pays the final plat fee at the City Office.
 9. The Subdivider submits the tentative final plat to the City.
 10. City Staff checks the tentative final plat for compliance with conditions and returns copy to the Subdivider.
 11. The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
 12. The Subdivider submits the following to the City:
 - a. The final plat prepared by a registered engineer or land surveyor in accordance with [KCC 19-4-3](#).
 - b. 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.
 - c. Open space improvement drawings if applicable.
 - d. 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.
 - e. Title report.
 - f. Written results of a test for suspect soils in the area upon which public improvements will be constructed.
 - g. Agreements if applicable.
 - h. Copy of final plat fee receipt.
 13. 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.
 - a. 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;
 - i. 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 one licensed engineer, agreed upon and designated by the two designated engineers as appointed by the City and applicant
 - ii. A member of the panel assembled by the City may not have an interest in the application that is the subject of the appeal.
 - iii. The land use applicant shall pay:
 1. 50% of the cost of the panel; and
 2. the City's published appeal fee; or

- b. 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 will notify the Subdivider.
- 15. The City Attorney will review the documents submitted to ensure adequacy and sign the plat when approved.
- 16. The Subdivider must then pay the following fees at the City Office:
 - a. Development fees.
 - b. Recording fees.
 - c. Inspection fees.
 - d. Utility extension fees.
- 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.
- 18. The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
- 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.
- 20. 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:
 - a. 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.
 - b. Meet all requirements for the issuance of a building permit under the building and fire code.
 - c. 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.
 - d. No final building inspection will be scheduled nor conducted and no occupancy allowed until all subdivision phase improvements have been completed and certified.
- 21. The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City.
- 22. The Public Works Superintendent certifies that the improvements are completed.
- 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.
- 24. The City accepts the improvements and the Improvement Warranty Period begins.
- 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.
- 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.

SECTION 7: **AMENDMENT** “19-2-2 Improvement Completion Assurance” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 8: **AMENDMENT** “19-2-4 Improvement Warranty” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

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

SECTION 9: **AMENDMENT** “19-2-5 As-Built Drawings” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 10: **AMENDMENT** “19-2-6 Condominium Projects - Subdivision” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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](#).

SECTION 11: AMENDMENT “19-2-7 Lot line Adjustments and Lot Consolidations” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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:
 - a. 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:
 - i. City Engineer approval
 - ii. City Attorney approval
 - b. A copy of the lot line adjustment/lot consolidation fee receipt.
 - c. Preliminary Title Report.
 - d. 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:
 - a. One (1) year after the date of approval by the City; or
 - b. The last day of extension period approved by the City.
 - c. 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.

SECTION 12: **AMENDMENT** “19-3-1 Preliminary Consultation” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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:
 - a. Copies of applicable land use regulations;
 - b. A complete list of standards required for the project
 - c. Preliminary and final application checklists; and
 - d. Feedback on the concept plan

SECTION 13: **AMENDMENT** “19-3-2 Preliminary Plat Filing” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 13: **AMENDMENT** “19-3-3 Preliminary Plat Requirements” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

19-3-2 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.
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.

SECTION 13: **AMENDMENT** “19-3-4 Preliminary Plat – Staff Review” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

19-3-4 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.

SECTION 14: **AMENDMENT** “19-3-5 Preliminary Plat Approvals” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

19-3-5 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.

SECTION 15: **AMENDMENT** “19-3-6 Preliminary Plat Approvals” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

Section Deleted

SECTION 16: **AMENDMENT** “19-4-1 Tentative Final Plat Required” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 17: **AMENDMENT** “19-4-2 Final Plat Required” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 18: **AMENDMENT** “19-4-3 Final Plat Requirements” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

19-4-2 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 for all subdivision plats lettered for the following:
 - a. Description of land to be included in the subdivision.
 - b. Registered professional engineer and/or land surveyors Certificate of Survey.
 - c. Owners Dedication Certificate.
 - d. Notary Publics acknowledgment.
 - e. Community Development Director approval.
 - f. Utility approval as required.
 - g. City Attorney approval.
 - h. City Engineer approval.
 - i. 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.
 - j. 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](#).

SECTION 19: AMENDMENT “19-4-5 Final Plat Approvals” of the
Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 20: **AMENDMENT** “19-5-2 Streets” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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:
 - a. 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.
 - b. 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.

SECTION 21: **AMENDMENT** “19-5-3 Blocks” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 22: **AMENDMENT** “19-5-4 Lots” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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:
 - a. A variance is granted; or
 - b. 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.

SECTION 23: **AMENDMENT** “19-5-6 Parks And Other Public Places” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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.

SECTION 24: **AMENDMENT** “19-6-3 Improvements Required” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

19-6-3 Improvements Required

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

1. Sewage Collection

- a. 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:

- a. Digging at least one test hole per acre or part thereof, at locations approved by the City Engineer, and determining the depth of the groundwater table and the permeability and percolation rate of the soils. These tests shall be performed by a qualified soils engineer at the Subdivider's expense. If a groundwater drainage system is installed to City standards, with a lateral provided to each lot for a

- footing drain, this testing is not required.
- b. Preparing a detailed groundwater plan for the subdivision. showing the minimum level of all floors and crawl spaces. If any floor or crawl space is to be installed within one foot or below the groundwater table or where the permeability and percolation rate of the soil is not adequate, the Subdivider shall install a groundwater drainage system to City standards, with a lateral provided to each lot for a footing drain.
 - c. Making improvements to adequately remove groundwater and prevent groundwater entry into buildings, including crawl spaces.
 - d. Preventing the discharge of surface water drainage into the groundwater drainage system.
3. **Storm Water.** A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The Subdivider shall implement the portion of that plan applicable to the subdivision by:
- a. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
 - b. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, 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.
 - c. 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:
 - i. 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
 - ii. 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
 - iii. Conveyance of the runoff to a site within the subdivision dedicated and constructed for detention and/or retention.
 - d. 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.
 - e. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.
 - f. 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.
 - a. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 - b. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. 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.
 - c. The Subdivider shall comply with all the requirements of the provider and furnish proof thereof to the City.
 - d. 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 (as approved by the City) 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	12 feet	12 feet
Minimum distance between driveways in a cul-de-sac	6 feet, 10 feet of clear space for snow storage from plowing required on either side of the center line (20 feet total) at the end of a cul-de-sac	
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**

- a. The Subdivider shall pay the cost of electric system extensions and street lights, installed by the City, to service the subdivision.
- b. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 - i. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 - ii. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 - iii. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
- c. The Subdivider shall prepare the site for electrical distribution line installation

before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:

- i. Installation of curb and gutter indicating permanent grade.
 - ii. Markers installed on curb indicating property lines.
 - iii. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
 - iv. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
 - d. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
 - e. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.
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 and 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.

SECTION 25: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 26: 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 27: EFFECTIVE DATE This Ordinance shall be in full force and effect from and after the required approval and publication according to law, but no sooner than February 4, 2024.

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 18, 2024

TYPE OF ITEM: Work Items

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Amendments to Titles 6 and 8 of the Kaysville City Code

EXECUTIVE SUMMARY:

In reviewing other ordinance changes, Staff has identified additional ordinances that they feel need to be amended. First is an amendment to Section 6-2-10. Currently, the Fire Chief uses the Fire Code to prevent the installation of new obstacles or barricades (like gates or barriers) that would impact their department's ability to respond to emergencies. This amendment would further clarify that the Fire Chief and the City do not allow those items, and to provide a means for evaluating potential hazards on previously approved items. This amendment was drafted with the help of the Police and Fire Chiefs.

The other item is housekeeping on the City's street designation plan. With US 89, several new frontage roads were added, the connector roads near the Farmington border have been added, and the West Davis Corridor has changed from SR 67 to SR 177, and we wanted to reflect that and other changes in the plan, as it has not been updated in over a decade. This plan, among other things, helps solidify what road widths need to be maintained with future development projects.

City Council Options:

1) Move to Action, 2) Move to Action with suggested changes

Staff Recommendation:

Move to Action

Fiscal Impact:

N/A

ATTACHMENTS:

1. Title 6 - Redlined Copy
 2. Title 8 - Redlined Copy
-

6-2-10 Parking Or Blocking Streets Or Highways

In addition to the parking provisions contained in the Utah Traffic Code, as adopted by this municipality, it shall be unlawful for any person to:

1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.
2. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.
3. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property having access to such street or highway.
4. Obstruct, in any manner, roads that would provide the only access to properties for Police, Fire or other emergency response personnel, equipment or materials.
 - a. This includes unapproved parking or storage that violates minimum widths and clearances (as defined by the IFC), as well as the installation of gates, barriers or other items which might obstruct access.
 - ~~a.b.~~ If upon further assessment any prior approvals of the aforementioned are deemed as a hazard by the Police Chief or Fire Chief, the same shall be removed or modified, so as to eliminate or sufficiently mitigate the hazard.

8-3-2 Existing And Proposed Streets Designated as Arterial, Collector, Or Significant Local Streets

Name of Street	Begin	End	Minimum Right-of-Way
Principal Arterial Streets			
I-15	-	-	UDOT*
U.S. 89	-	-	UDOT
SR-67 SR-177	-	-	UDOT
Minor Arterial Streets			
Main Street	Layton City	200 N. Street	100'
Main Street (SR-273)	200 N. Street	Farmington City	UDOT
200 N. Street	SR-67 SR-177	I-15	80'
200 N. Street (SR-273)	I-15	Main Street	UDOT
-200 N. Street	Main Street	Fruit Heights	80'
North Station Lane	Farmington City (SR-177)	Farmington City	66'
Collector Streets			
Angel Street	Layton City	SR-67 Sunset Drive	66'
Flint Street	Layton City	Sunset Drive	66'
Sunset Drive	Flint Street	SR-67 North Station Lane	66'
Fairfield Road	Layton City	200 N. Street	80'
Burton Lane	Sunset Drive	D&RGWRR	66'
-	D&RGWRR	Frontage Road	UDOT 70'
-	Frontage Road	Main Street (SR-273)	70'
Shepard Lane	Sunset Drive	Farmington City	66'
Frontage Road	Burton Lane	Farmington City	66'
Mountain Road	Fruit Heights	Davis County	66'
-	Davis County	Layton City	66'
Woodridge Drive	Elias Road	Davis County	66'
300 W. Street	100 S. Street	200 N. Street	66'
Crestwood Road	Main Street	Burton Lane	66'
-	500 E. Street	Mountain Road	60'

Significant Local Streets

Webb Lane	SR-67 Angel Street	Flint Street	66'
Smith Lane	Angel Street	Sunset Drive	66'
Old Mill Lane	Flint Street	600 W. Street 400 W. Street	66'
Deseret Drive	Old Mill Lane	Burton Lane	66'
Western Drive	Angel Street	Deseret Drive	66'
Seabiscuit Drive	Mare Drive	Sunset Drive Angel Street	66'
600 W. Street	200 N. Street	Old Mill Lane	66'
300 W./600 N. Street	200 N. Street	Fairfield Road	60'
300 W. Street	100 S. Street	200 N. Street	66'
Mutton Hollow	Main Street 900 W. Street	Fairfield Road Davis County	66'
Laurelwood Drive	Main Street (SR-273)	Fruit Heights	66'
50 W. Street	Main Street (SR-273)	Burton Lane	70'
Frontage Road	Burton Lane	Farmington City	66'
Crestwood Road	Main Street	Burton Lane	66'
-	500 E. Street	U.S. 89	60'
Thornfield Road	Mutton Hollow Davis County	Crestwood Road	66'
500 E. Street	Crestwood Road	Main Street (SR-273)	66'
550 S. Street	Main Street (SR-273)	50 W. Street	60'
350 S. Street	Main Street (SR-273)	50 W. Street	70'
Haight Creek Drive	Main Street (SR-273)	1475 S. Street	66'
Wellington Drive	Leola Street	200 N. Street	60'
Kays Drive	200 N. Street	Chester Lane	70'
-	Chester Lane	Old Mill Lane	55'
-	Old Mill Lane	Mindy Circle	70'

CITY COUNCIL STAFF REPORT



MEETING DATE: January 18, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Nic Mills

SUBJECT/AGENDA TITLE: Amendments to Personnel Appeal Procedures

EXECUTIVE SUMMARY:

City Staff recently attended training regarding personnel appeals. There, the presenter advocated for cities using an outside hearing officer to determine personnel appeals. This does several things:

1. It eliminates the appearance of bias against employees. Often, the process involves Department Heads, City Managers, and City Councils hearing these appeals. This leads to an argument that the process is biased against the employee, as City administrators frequently enjoy collegial relationships.
2. It improves confidentiality for the employee. A Hearing Officer limits the number of people that hear about the alleged misconduct drastically.
3. The Hearing Officer has more flexibility in how and when they hear the appeal. The Hearing Officer does not need to meet noticing requirements or closed meeting requirements.
4. The Hearing Officer gives the parties a solid legal analysis of the issue. The Hearing Officer will issue a written opinion. This opinion helps frame the legal issues and helps to limit litigation costs if the administrative appeal does not resolve the case.
5. It avoids potential conflicts of interest. In some cases, the City Council may be required to sanction and authorize severance efforts early on. This may create an awkward situation should the council later become the appeal authority in that situation.

For those reasons, City Staff believes that this amendment would be in the City's best interest.

City Council Options:

1) Move the Ordinance and Resolution to an Action Item; 2) Move the Ordinance and Resolution to an Action Item with any modifications that the Council deems appropriate; 3) Decline to move either to an Action Item and remand to staff with further direction.

Staff Recommendation:

Staff recommends that the City Council move these items to Action Items.

Fiscal Impact:

City Staff anticipates that this amendment will result in very little cost to the City. We anticipate that

the services of a Hearing Officer would cost less than \$1,500 per year. In many years, the cost will likely be nothing.

ATTACHMENTS:

1. Resolution - Amending Section 5.03 of the Personnel Rules & Regulations
 2. Ordinance - Amending Title 2-7, Sections 1-3 of KCC
-

RESOLUTION 24-~~XX-XX~~

A RESOLUTION AMENDING SECTION 5.03 OF THE PERSONNEL RULES & REGULATIONS REGARDING EMPLOYEE GRIEVANCE PROCEDURES

WHEREAS, the Kaysville City Council desires that City Personnel are afforded the opportunity to dispute their grievances in a timely and fair manner; and

WHEREAS, the City Council desires to utilize the services of an administrative law judge to insure that employees' appeals are handled efficiently, expeditiously, and discreetly; and

WHEREAS, it is deemed to be in the best interest of the citizens of Kaysville City to adopt and approve the policy outlined below.

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

The Kaysville City Personnel Policies and Procedures Section 5.03 shall be amended as followed:

5.03 Employee Grievance Procedure

...

PROCEDURES

All grievances shall be handled in the following manner:

STEP 1 - The employee with a complaint or grievance shall report in writing and discuss the issue with the immediate supervisor after the affected employee first knew or became aware of the act or condition upon which the grievance is based. The immediate supervisor shall render a decision within five (5) workdays of the date they became aware of the grievance by the employee's report.

STEP 2 - If no mutually agreeable settlement is reached under Step 1, then the grievance shall be filed in writing to the employee's department head by the affected employee, specifying which term(s) or condition(s) of their employment they feel have been violated or might require relief, within five (5) workdays after receiving the decision from their immediate supervisor. The department head shall have five (5) workdays after receiving the written grievance to thoroughly investigate the matter, place their finding in writing, and notify the parties concerned of their decision.

STEP 3 - If no mutually agreeable settlement is reached under Step 2, the employee may petition in writing, within five (5) workdays after receipt of the department head's determination and decision, that the department head's decision be reviewed by the City Manager. The City Manager shall investigate the case, request all pertinent facts, and after review thereof, render a decision within ten (10)-workdays after receipt of the written appeal. The decision of the City Manager shall be submitted in writing to all parties.

STEP 4 - If no mutually agreeable settlement is reached under Step 3, the employee or other party may petition in writing, within five (5)-workdays after receipt of the City Manager's determination and decision, that the City Manager's decision be reviewed by the **Personnel Hearing Officer**~~City Council~~. The **Personnel Hearing Officer**~~City Council~~ shall investigate the case, request all pertinent facts, and hold a hearing thereon and after review thereof, render a decision within thirty (30) workdays after receipt of the written appeal. The decision of the **Personnel Hearing Officer**~~City Council~~ shall be submitted in writing to all parties concerned and shall be final and binding on all parties to the grievance.

...

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ **day of** _____,
2024.

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

ORDINANCE 24-XX-XX

AN ORDINANCE AMENDING TITLE 2, CHAPTER 7, SECTIONS 1, 2, AND 3 OF THE KAYSVILLE CITY CODE REGARDING APPELLATE PROECUDURES FOR EMPLOYEES FACING DISCIPLINARY ACTION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Kaysville City Council desires to recognize the rights of its employees to a fair appeal process; and

WHEREAS, the City Council desires to utilize the services of an administrative law judge to insure the that employees appeals are handled efficiently, expeditiously, and discreetly; and

WHEREAS, the City Council of Kaysville City finds it to be in the best interest of its citizens to enact the changes outlined below.

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: Amendment. Title 2, Chapter 7, Sections 1, 2, and 3 shall be amended to read as follows:

2-7-1 Creation Of Appeal Board Personnel Hearing Officer

There is hereby created ~~an Appeal Board Personnel Hearing Officer~~ to hear appeals in connection with the appeal of discharges, suspensions for more than two days without pay or involuntary transfers to positions with less remuneration under the Kaysville City Personnel Rules and Regulations. The ~~Appeal Board Personnel Hearing Officer~~ shall ~~be an Administrative Law Judge as defined by the Kaysville City Code.~~ ~~consist of the members of the Kaysville City Council.~~

2-7-2 Appeal Board Procedures

Whenever an appeal is taken by any employee of Kaysville City to which Section 10-3-1105, Utah Code Annotated applies, the ~~Appeal Board Personnel Hearing Officer~~ shall thereupon process the appeal according to Section 10-3-1106, Utah Code Annotated. ~~The Mayor shall be a nonvoting member of the Appeal Board except on each matter for which there is a tie vote of the other board members present at a board meeting.~~

2-7-3 Procedure And Standards Of Review At Appeal Hearing

1. Procedure. The City shall first present evidence in support of the employment action. The employee may then present evidence in support of the appeal. The City may thereafter offer rebuttal evidence. Formal rules of evidence shall not apply and procedures applicable to administrative hearings will be followed.
2. Standard of Review. If the employment action is supported by substantial evidence, the action will be sustained. "Substantial evidence" is defined as that quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion. Substantial evidence is more than a mere scintilla of evidence and something less than a preponderance of the evidence."

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

SECTION IV: Effective Date. This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ day of _____, 20__.

—

ATTEST:

Tamara Tran, Mayor

Annemarie Plaizier, City Recorder



KAYSVILLE BUSINESS PARK

ARCHITECTURAL REVIEW COMMITTEE STAFF REPORT

ARC MEETING DATE: January 18, 2024

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Approval of a sign replacement for Camping World at 780 North Kays Drive, Kaysville Business Park

EXECUTIVE SUMMARY:

The Architectural Review Committee is responsible for approving all signs in the Kaysville Business Park. Camping World has submitted a building permit for a replacement of the sign that currently exists on their property.

The proposed sign is:

- 44 feet tall
- 204 ft² (12 ft. x 17 ft.)

The new sign will be the same height as the existing sign, but will be 32% smaller and is proposed to be reduced by a total of 96 ft² from its current 300 ft² to 204 ft².

Staff has reviewed the sign plan and finds it compliant with [KCC 17-32 Sign Regulations](#) and the [Kaysville Business Park Development Guide](#).

Committee Options:

1. Approve the sign replacement for Camping World at 780 North Kays Drive.
2. Deny the sign replacement request.

Recommended Option: Option 1, approval of the sign replacement for Camping World at 780 North Kays Drive.

Fiscal impact: Building permit fees.

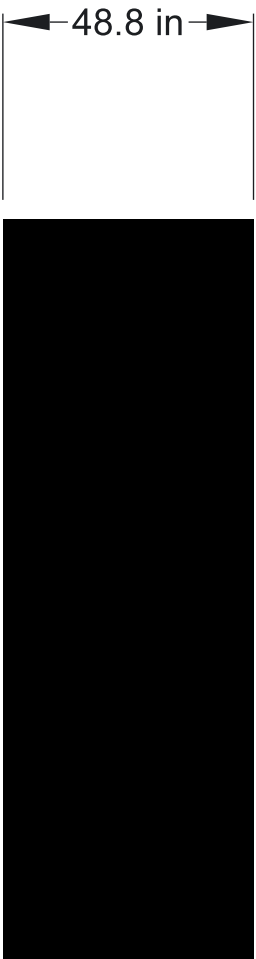
Attachments:

1. Camping World Pole Sign Site Plan
2. Camping World Sign Plans

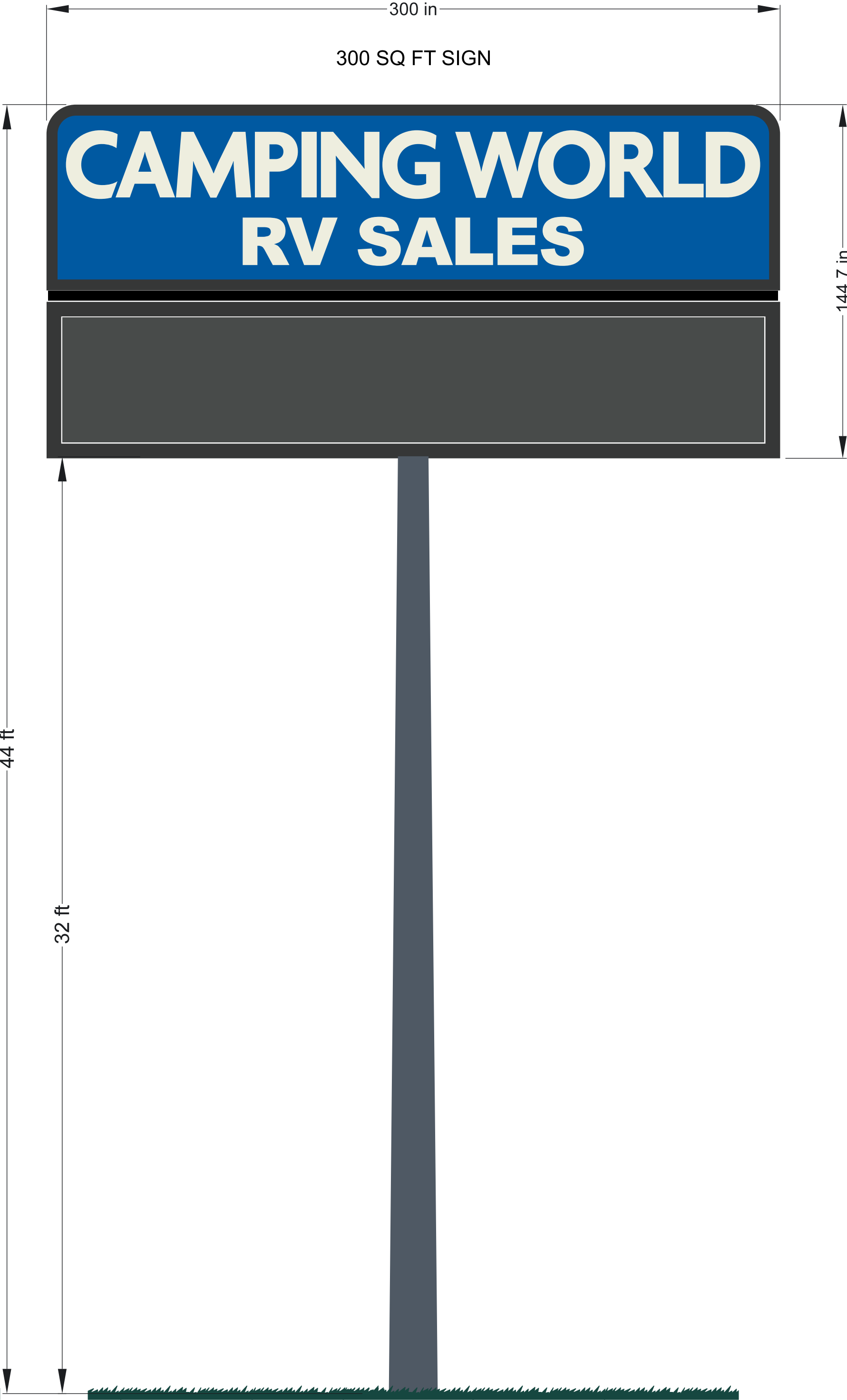
EXISTING
CAMPING WORLD
PYLON SIGN



SITE PLAN - CAMPING WORLD PYLON SIGN



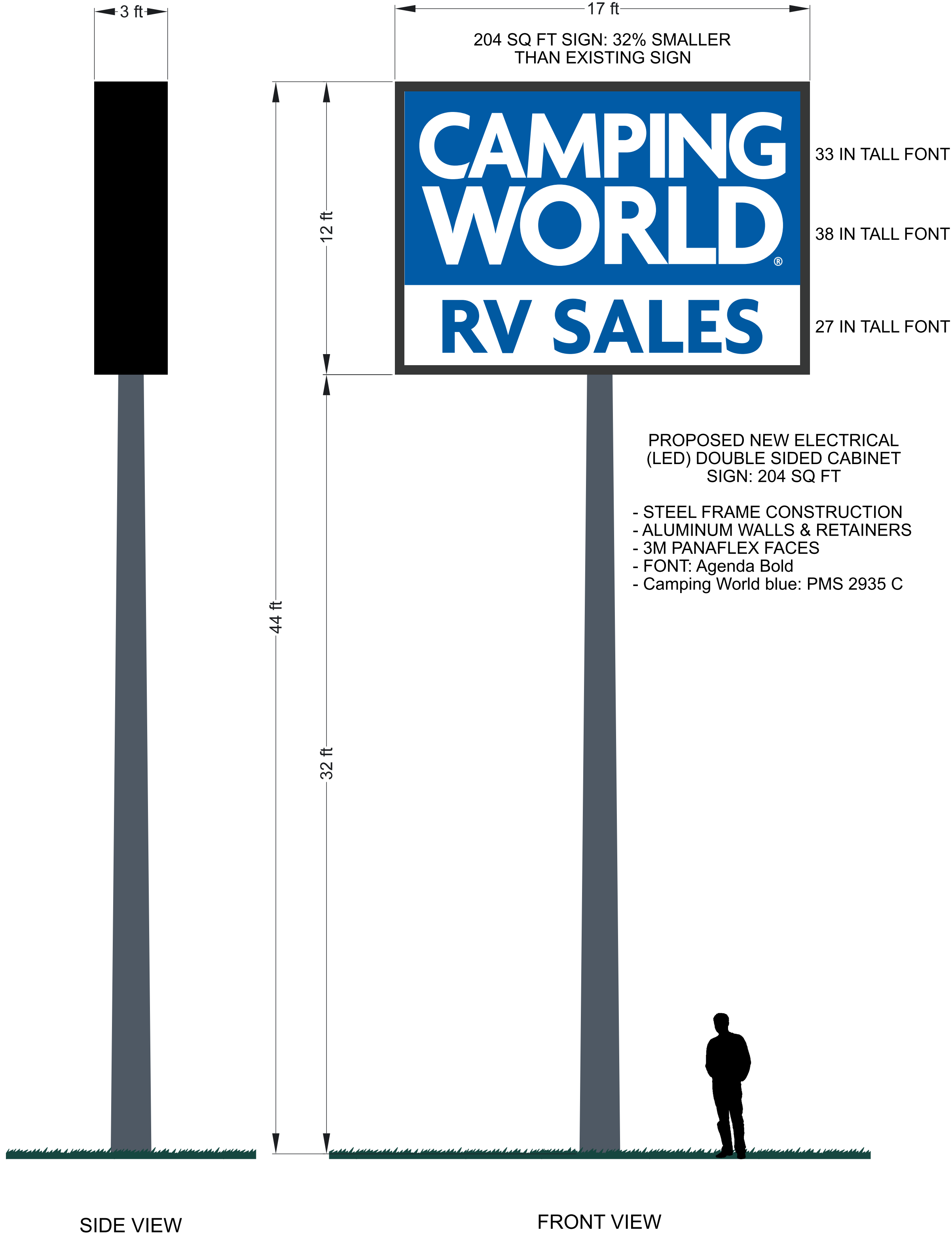
SIDE VIEW



FRONT VIEW

DRAWING SHOWN ABOVE IS EXISTING CONFIGURATION OF CAMPING WORLD POLE SIGN

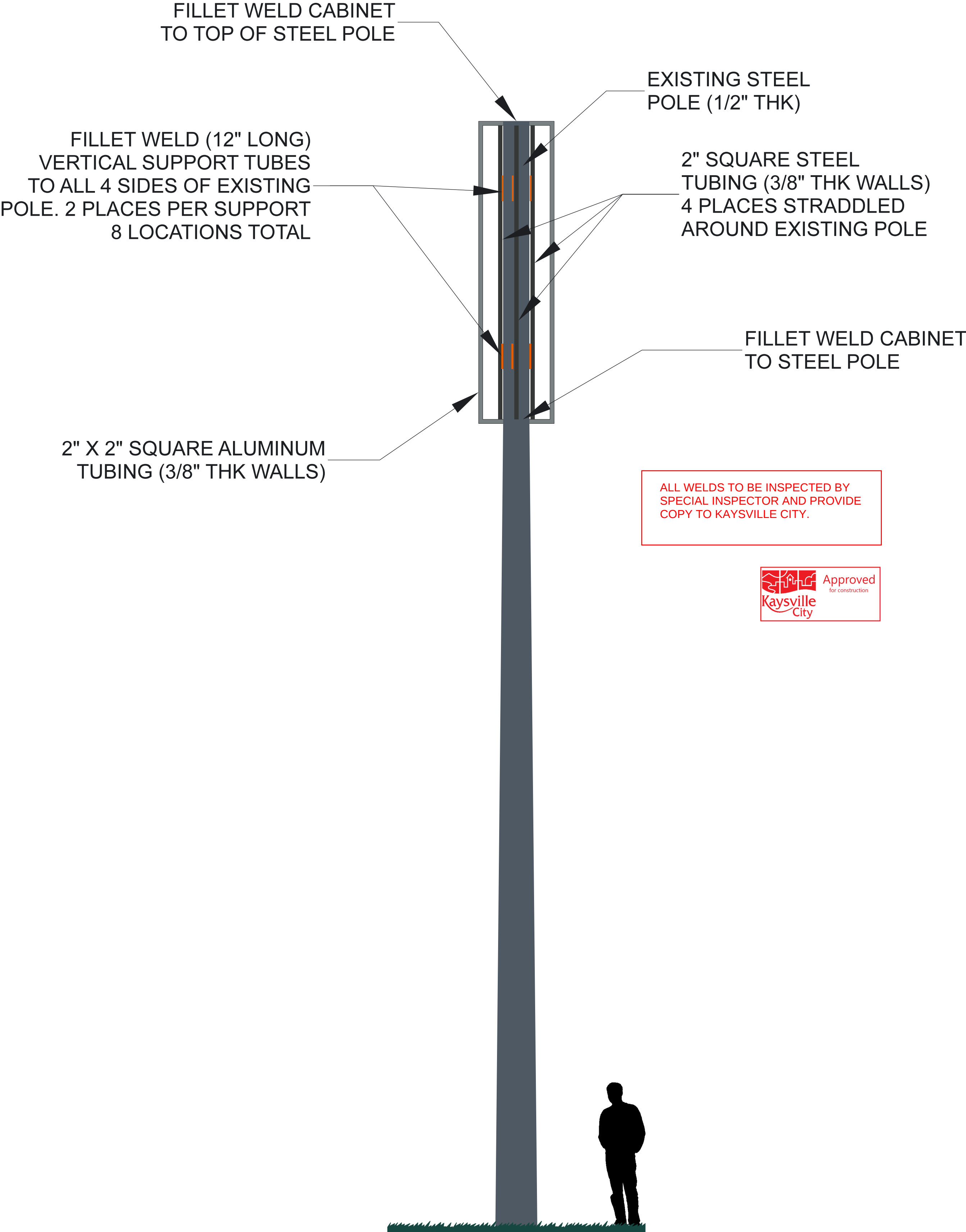
VitalSIGNS <i>and Graphics</i> 2487 S. 1620 W. Ste F, Ogden, UT 84401 ph. 801.627.1800 fx. 801.627.1860 email: vitalsignsutah@gmail.com	Project/Address Camping World Pylon Sign Cabinet: 780 N Kays Dr, Kaysville, UT 84037	Date DEC 6, 2023
	Drawn By TSL	Scale NONE
	Customer Jaysa Burros C: 831-419-5144	Page 1 OF 1



Approval Signature: _____ Date: _____

PLEASE CHECK SPELLING, COLORS, QUANTITIES, AND MATERIALS BEFORE APPROVING

VitalSIGNS and Graphics 2487 S. 1620 W. Ste F, Ogden, UT 84401 ph. 801.627.1800 fx. 801.627.1860 email: vitalsignsutah@gmail.com	Project/Address Camping World Pylon Sign Cabinet: 780 N Kays Dr, Kaysville, UT 84037	Date NOV 30, 2023
	Drawn By TSL	Scale NONE
	Customer Jaysa Burros C: 831-419-5144	Page 1 OF 1



Engineer's Note: all welds to be 3/16" minimum

SIDE VIEW
WELD DETAILS



KAYSVILLE BUSINESS PARK

ARCHITECTURAL REVIEW COMMITTEE STAFF REPORT

ARC MEETING DATE: January 18, 2024

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Approval of signs for 498 North Kays Drive

EXECUTIVE SUMMARY:

The Architectural Review Committee is responsible for approving all signs in the Kaysville Business Park. AG Kaysville Building LLC is a two-story office building that is 22,670 ft² in size and houses multiple tenants. The property owner has submitted an application to add signs on the building for three tenants, including NextBranch Financial Self Service, Gold Counseling and Aspire Counseling.

The signs will be mounted to the side of the building and proposed sign details are:

1. NextBranch Financial Self Service: 20.4 ft² (122.4" x 24")
2. Gold Counseling: 45.3 ft² (121.5" x 53.7")
3. Aspire Counseling: 37.7 ft² (150.71" x 36")

Staff has reviewed the sign plans and find all three are in compliance with the [Kaysville Business Park Development Guide](#).

Committee Options:

1. Approve the signs for 498 North Kays Drive.
2. Deny the application for the signs.

Recommended Option: Option 1, approval of the signs for 498 North Kays Drive.

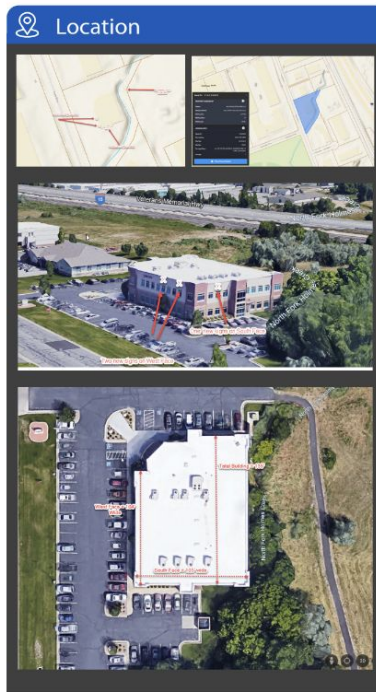
Fiscal impact: Building permit fees.

Attachments:

1. Sign Plans 498 North Kays Drive



↑ 1/2" flat cut acrylic
Stud mounted with 1/2" spacers.



Client: Kaysville

Contact:

Phone:

Email:

Address:

ORDER # 3152

Sign Dimension

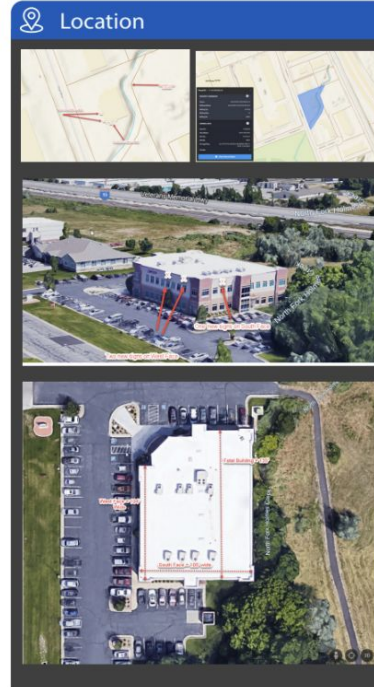
122.4" (W) X 24" (H)

SIGN: 20.4 ft²



Color Used:
Matte Black

- 1/2" flat cut acrylic letters
- Stud mounted with 1/2" spacers
- Matte finish



Client: Kaysville

Contact:

Phone:

Email:

Address:

ORDER # 3152

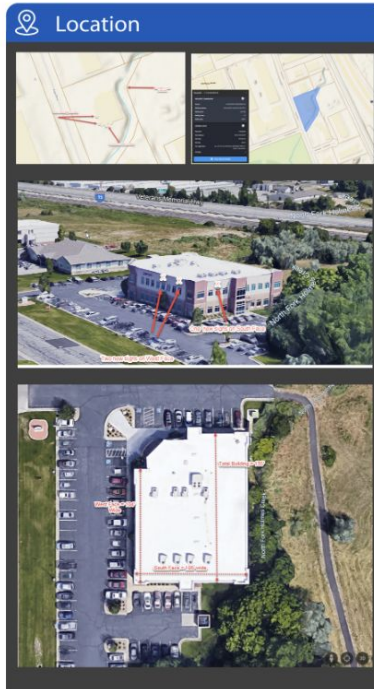
Sign Dimension

121.5" (W) X 53.7" (H)

SIGN: 45.3 ft²



- 1/2" flat cut acrylic letters
- Stud mounted with 1/2" spacers



Client: Kaysville

Contact:

Phone:

Email:

Address:

ORDER # 3152

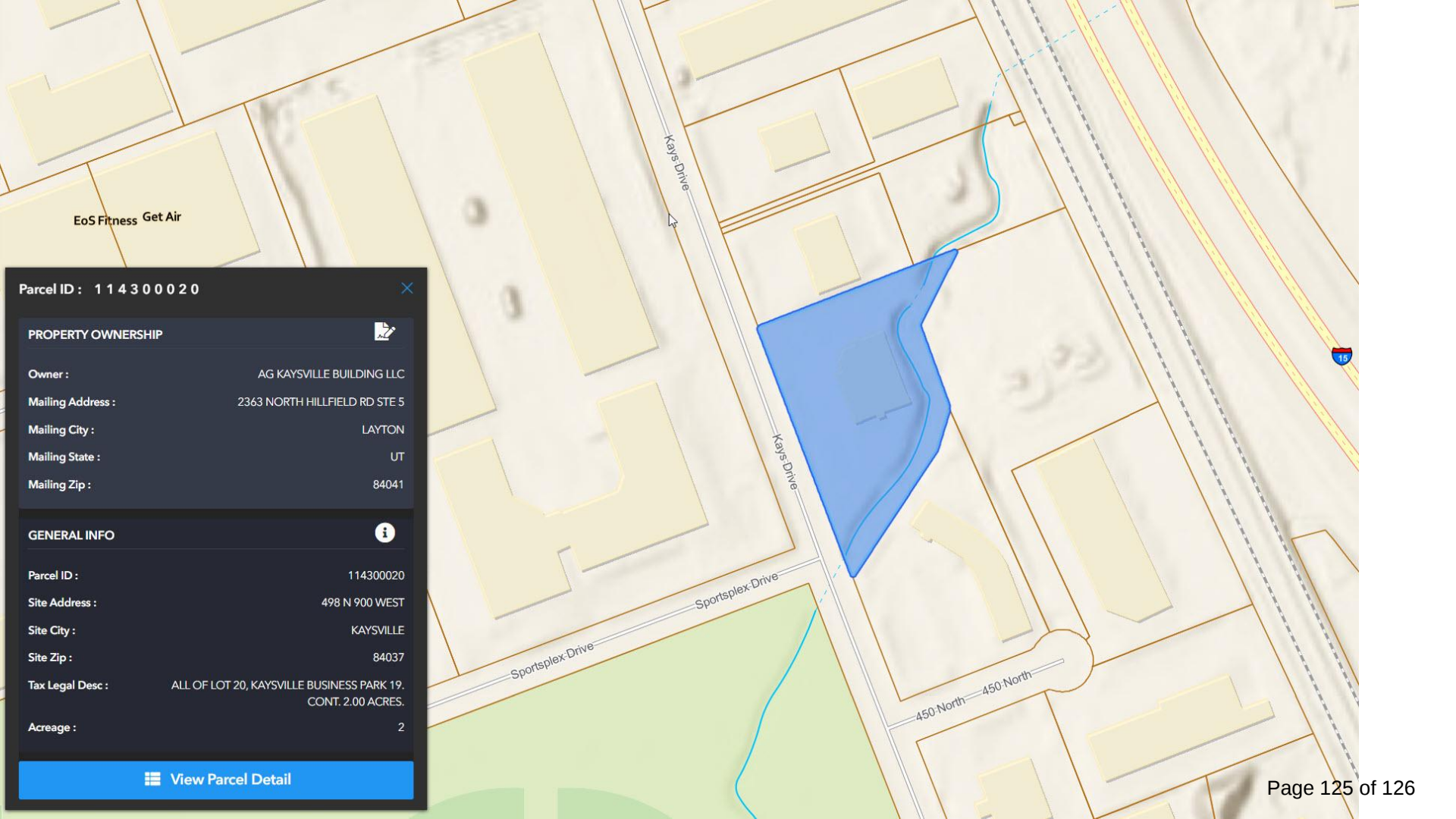
Sign Dimension

150.71" (W) X 36" (H)

SIGN: 37.67 ft²







EoS Fitness Get Air

Kays Drive

Kays Drive

Sportsplex Drive

Sportsplex Drive

450 North 450 North

15

Parcel ID : 114300020

PROPERTY OWNERSHIP

Owner : AG KAYSVILLE BUILDING LLC
Mailing Address : 2363 NORTH HILLFIELD RD STE 5
Mailing City : LAYTON
Mailing State : UT
Mailing Zip : 84041

GENERAL INFO

Parcel ID : 114300020
Site Address : 498 N 900 WEST
Site City : KAYSVILLE
Site Zip : 84037
Tax Legal Desc : ALL OF LOT 20, KAYSVILLE BUSINESS PARK 19.
CONT. 2.00 ACRES.
Acreage : 2

 View Parcel Detail

