



MEETING NOTICE AND AGENDA

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

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

CITY COUNCIL Q&A – 6:30 PM

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

PUBLIC HEARING - 6:50 PM

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE OF KAYSVILLE CITY

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

- 1) OPENING
 - a) Presented by Council Member Mike Blackham
 - b) Presentation by Mrs. Shepherd's 2nd-grade class from Kaysville Elementary
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) PRESENTATIONS AND AWARDS
 - a) Employee of the Quarter Award to Cameron Cessna
 - b) USU Botanical Events Presentation – Jerry Goodspeed
- 4) DECLARATION OF ANY CONFLICTS OF INTEREST
- 5) CONSENT ITEMS
 - a) Approval of the Minutes of September 19, 2024 Council Meeting
 - b) Approval of the Minutes of October 3, 2024 Council Meeting
 - c) A Resolution authorizing the sale of a surplus fire engine
- 6) ACTION ITEMS
 - a) A Resolution amending the Consolidated Fee Schedule of Kaysville City
 - b) Rezone of 0.46 acre of property at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential for David and Valerie Becker
 - c) Rezone of 0.53 acre of property at 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential for Symphony Homes
- 7) WORK ITEMS
 - a) A Resolution adopting the proposed Wasatch Integrated Waste Management District Recycling Opt-Out Program

b) Code Blue Shelter Update

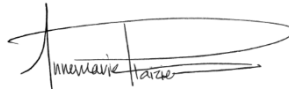
8) COUNCIL MEMBERS REPORTS

9) CITY MANAGER REPORT

10) ADJOURNMENT

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

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Kaysville City Hall, Kaysville City website at www.kaysville.gov, and the Utah Public Notice website at www.utah.gov/pmn. Posted on November 1, 2024.

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

Annemarie Plaizier
City Recorder

Employee of the Quarter Award Q-3 2024

Congratulations to

Cameron Cessna



Cameron encompasses the spirit of outstanding employee service. As the Employee of the Quarter (EOQ), he is a credit to Kaysville City through leadership, work relationships, achievement of objectives, service/customer relations, and excellent work performance.

Cameron's commitment to the Kaysville City Fire Department is unwavering. His work ethic sets a high standard for others. He is never afraid to get his hands dirty and is often the first firefighter to arrive at work and the last to go to bed in the evening. He is proficient in life-saving emergency medicine, fire suppression, and technical rescue operations. Cameron is deeply passionate about serving the public and is known for his exemplary customer service and genuine engagement with residents. His approachable demeanor and passion for public education make him a valuable representative of our City and our fire department.

Cameron will be recognized at City Council Meeting and receive \$100, 4 hours of PTO, an award certificate, and his name displayed on the Employee of the Quarter plaque at City Hall.

Other rock stars nominated for Employee of the Quarter (Q-3) are as follows:

Annemarie Plaizier, Jacob Gobles, Jared Jensen, Jordan Nicholas, and Lexi Benson

KAYSVILLE CITY COUNCIL
September 19, 2024

Minutes of a regular Kaysville City Council meeting held on September 19, 2024 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, and Council Member Nate Jackson

Excused: Council Member Perry Oaks

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Systems Manager Ryan Judd, Jeff Lund, Greg Ferguson, Natalie Clemens, Travis Clemens, Eric Jung, McKay Clemens, Wade Dorius, Ashlee Dorius, Dax Dorius, Treion Muller, Russ Lindberg, Jen Lindberg, Mary Lindberg, Melony Montano, Ryan Dimmick, Owen Clark, Kim Smith, Mark Smith, Rick Shaw, Soni Muller, Gemma Muller, Landon Jacobs, Jill Dredge, Daniel Luke, Diane Jacobs, Austin Jacobs, Dave Jacobs, Alisa Jacobs, Kim Waite, Natalie Waite, Natalie Cisney, Ashley Cisney, Sione Kuma, Brian Thomas, Jana Thomas, Brielle Thomas

OPENING

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

CALL TO THE PUBLIC

Daniel Luke, a resident of Kaysville residing on Flint Street, raised a safety concern regarding high-speed driving near Flint Street along Sportsplex Drive in the Kaysville Business Park. He described Sportsplex Drive as a dangerous section of road and presented a diagram highlighting the subject streets. He outlined the speeding problem, emphasizing that it is exacerbated by gym-goers, young drivers, and heavy foot traffic. Mr. Luke reported that vehicles routinely reach speeds of 50-60 mph, endangering students traveling to the nearby Catalyst Center, a school for Davis School District's advanced students, as well as pedestrians using local amenities like the Luv 2 Dance studio and pickleball courts at Barnes Park. He recounted a specific incident where a car crashed into a fire hydrant near his home, which he said could have resulted in a fatality had there been any pedestrians present. To mitigate this issue, Mr. Luke suggested installing wide speed bumps similar to those used in school zones and gym parking lots to safely slow traffic without obstructing snowplows. He also proposed an increase in police patrols or the addition of speed feedback signs. His primary concern was ensuring the safety of children and families using the park and local facilities.

Greg Ferguson addressed the council regarding the potential location of a mandated homeless facility in Davis County. He provided a population density analysis of municipalities in the county,

suggesting that communities with lower population densities may be better suited to host such a facility. Mr. Ferguson highlighted that smaller, less densely populated areas might have fewer social issues that could be aggravated by a new facility. He referenced a recent proposal that was withdrawn for a site in North Salt Lake and emphasized that population density should be a consideration in selecting an appropriate location for the facility. He presented a chart with data on each city's density, positioning Kaysville as seventh out of the twelve cities in the county. He concluded by urging Mayor Tran to bring this perspective to the task force discussions when considering potential sites.

PRESENTATIONS AND AWARDS

PROCLAMATION DECLARING OCTOBER 6-12, 2024 AS FIRE PREVENTION WEEK

Mayor Tran announced that this item would be postponed, as the Fire Chief was out of town and wanted to be present for the discussion.

SWEARING-IN OF 2024-2025 KAYSVILLE YOUTH COURT

Kim Smith, the volunteer advisor for the Kaysville Youth Court, provided background on the program. She explained that the Youth Court started in the fall of 2000 and has been active for 24 years. She shared her personal commitment to the program, noting that she has volunteered since its inception. Ms. Smith hinted that she may retire after the upcoming 25th year and encouraged community members interested in serving as an advisor to consider stepping forward. Currently, the Youth Court has 19 student judges—13 females and 6 males—who are also involved in various extracurricular activities such as theater, debate, DECA, athletics, band, and choir. Ms. Smith emphasized the dedication of these students, who volunteer their time every Wednesday night and mentor other youth in their community. She acknowledged the strong support from the city and the police department, noting the presence of Officer Criddle as the police liaison and Councilmember Abby Hunt as the city council liaison. She then introduced each student judge by name, who lined up in front of the city council to be recognized.

Mayor Tran administered the oath of office to the Youth Court members. She commended the students on their commitment and reminded them of the significance of their role. As members of Youth Court, they are expected to uphold high ethical standards, maintain strict confidentiality, and serve as positive role models in the community.

DAVIS TECHNICAL COLLEGE UPDATE

Jeff Lund, representing Davis Technical College, presented an update to the city council. He expressed gratitude for the continued support from the city and acknowledged the efforts of Officer Ryan Freeman, the school's School Resource Officer (SRO), as well as Police Chief Oberg and Fire Chief Erickson. Mr. Lund highlighted that Davis Technical College's mission is to embrace technical education to promote student development and economic growth. He shared that the school's motto, "We Change Lives," is evident in their students' accomplishments. Mr. Lund said that Davis Tech has 107 full-time faculty, 81 part-time faculty, and nearly 500 total employees, serving over 7,200 students annually. The college prides itself on hands-on, flexible, and

competency-based education, with a focus on job placement and economic growth. Davis Tech's programs are nationally accredited by the Council on Occupational Education, which recently completed a successful site visit, highlighting the school's adherence to high educational standards.

Mr. Lund emphasized that Davis Tech primarily serves adult students, with 77% of attendees being over 18. The college's diverse programs cater to those seeking practical skills for immediate employment, and Mr. Lund noted their partnerships with local higher education institutions such as Snow College and Weber State University. He explained that students in longer programs could transfer credits to these institutions, enabling them to earn associate's degrees with minimal additional coursework.

Mr. Lund also touched on ongoing and future construction projects aimed at expanding and modernizing the campus. These include a new welding building, upgrades to culinary and cosmetology facilities, and the creation of a weather-protected mock training area at the Freeport Center. Mr. Lund mentioned that while a proposal for a firefighter training tower was shelved, the new mock training center includes a simulation area for emergency response training. He shared that Davis Tech plans to update its master plan over the next 18 months to address growing space and traffic management needs.

Council members expressed appreciation for the college's contributions to the community and asked questions regarding funding sources and future expansion plans.

Jeff Lund explained that funding is highly competitive and depends on state legislative appropriations, with ongoing efforts to secure more funding for future projects. He also highlighted the college's cost-effectiveness, noting that the average program costs \$3,000, significantly lower than traditional college expenses, and students can graduate with zero student loan debt thanks to scholarships and Federal Pell Grants.

Mr. Lund concluded by discussing the recent relocation of the CDL (Commercial Driver's License) program, which had previously caused concern among nearby residents. After community feedback and negotiations with the Davis School District, Davis Tech moved the program to a vacant lot near the Clearfield Bus Depot. This solution alleviated local concerns and enabled the school to continue the training program, which has already produced several CDL graduates.

The council thanked Mr. Lund for the update and commended Davis Tech for its contributions to workforce development in the community.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

WORK ITEMS

CODE BLUE SHELTER UPDATE

Mayor Tran provided an update on the ongoing efforts related to the establishment of a Code Blue shelter in Davis County, which is intended to support homeless individuals during extreme weather conditions. She explained that while the county task force submitted a winter response plan that included a proposal for a “warming bus,” the plan has not yet been funded. Concurrently, a private organization had shown interest in purchasing a property in North Salt Lake to create a permanent Community Resource Center. However, after receiving community feedback, the private entity withdrew its offer, putting the project on hold. As a result, there is currently no confirmed location for a permanent facility in Davis County. The Mayor clarified that while there is no immediate deadline to establish a permanent facility, the county will need to continue working on a long-term solution. She thanked the task force and council members for their efforts in developing the bus plan, which remains under review by the state.

COUNCIL MEMBERS REPORTS

Council Member Hunt highlighted the upcoming Scarecrow Walk, scheduled for September 28 through October 6 at the USU Botanical Gardens in Kaysville. She also mentioned the recent groundbreaking event for the Flint Acres development, a mixed-use project featuring townhomes, single-family homes, and commercial spaces located north of the Smith’s grocery store. She expressed enthusiasm for the community’s involvement in the planning and design.

CITY MANAGER REPORT

City Manager Jaysen Christensen provided updates on ongoing infrastructure projects. He noted that the Main Street resurfacing project will be partially completed this fall, with curb and ramp installations being finalized, but the full repaving will be postponed until spring. The city is also converting Center Street, between Main Street and 100 East, into a one-way street, which is expected to be completed within two weeks. Additionally, the city is scheduled to meet with Davis County on October 1 to discuss the Community Reinvestment Area (CRA) funding request, which aims to secure funds for downtown improvements, including the potential old library building project. Mr. Christensen also proposed a tentative date for a council work session on October 25 to discuss capital planning, including topics such as the Crestwood Road project, the Operations Center, and potential old library development. Council members expressed their availability, with a preference for the proposed date.

ADJOURNMENT

Council Member Adams made a motion to adjourn the city council meeting at 7:52 p.m., and the motion passed unanimously.

KAYSVILLE CITY COUNCIL
October 3, 2024

Minutes of a regular Kaysville City Council meeting held on October 3, 2024 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, and Council Member Nate Jackson

Excused: Council Member Perry Oaks

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Fire Chief Paul Erickson, Lieutenant Paul Thompson, Information Systems Assistant Ardi Harsano, Russ Salas, Alicia Boswell, Jill Dredge, Darlene Schons, Erica Harper, Marilyn Johnson, Shaunna Yanez, Dallin Peck, Lorrie Stapley, Logan Stapley, Nicole Farnes, Alan Farnes, Kalub Lewis, Michael Hays, Colton Bascom, Jayson Taylor, Todd Smith, Tom Kerr, Cindy Kerr, Wenfei Yu, Karen Brailsford

OPENING

Council Member Adams opened the meeting with a prayer and led the audience in the Pledge of Allegiance.

CALL TO THE PUBLIC

Jill Dredge thanked the council for their efforts regarding the Code Blue shelter and homeless shelter. She expressed concerns about combining homelessness and illegal immigration in these facilities. Ms. Dredge questioned the rationale for placing such shelters in Kaysville, referencing a recent incident in her neighborhood involving an undocumented individual who entered a residential property while allegedly in possession of possible weapons. Ms. Dredge expressed fears that facilities intended for homeless could end up serving undocumented individuals, potentially altering their intended purpose and compromising safety for vulnerable groups, such as young mothers and children. She also argued that taxpayer money should prioritize local infrastructure and safety services.

Erica Harper echoed Jill Dredge's sentiments, and expressed appreciation for the council's efforts. She shared that many residents share similar concerns about safety and the direction of these proposed shelters.

Merilyn Johnson detailed her experience with the same incident referenced by Jill Dredge, describing the fear felt by the affected family and their young children, as well as the anxiety it has caused in the neighborhood. Ms. Johnson expressed deep concern for the safety of families in the area, particularly given that many households have young children and traveling fathers, often leaving mothers home alone. She strongly opposed any homeless shelter in Kaysville, especially

one that might include undocumented individuals, and urged the council to continue opposing such developments in the community.

Mayor Tran thanked the speakers and acknowledged the police department's recent press release detailing the incident. She commended the swift police response and noted that the vacant home involved in the incident would be demolished in the coming months.

PRESENTATIONS AND AWARDS

PROCLAMATION DECLARING OCTOBER 6-12, 2024, AS FIRE PREVENTION WEEK

Fire Chief Paul Erickson presented a proclamation declaring October 6- 12 as Fire Prevention Week in Kaysville.

Mayor Tran formally announced the observance and encouraged residents to stay aware of their surroundings, identify exits in emergencies, and respond promptly to smoke alarms. She also expressed appreciation for the Kaysville Fire Department and all public safety personnel.

COMMUNITY DEVELOPMENT DEPARTMENT ANNUAL REPORT

Community Development Director Melinda Greenwood presented her department's annual report, covering the 2023 calendar year and year-to-date updates. She outlined the department's responsibilities, which include business licensing, building permits, plan reviews, building inspections, planning and zoning, and code enforcement.

Mrs. Greenwood provided an overview of her team of eight full-time employees, highlighting that the department generates revenue through fees, primarily from building permits, which fund staff salaries, licensing, training, and equipment. She reviewed the building division's performance, noting a decline in permit issuance over the past few years, which she attributed to higher interest rates and a lack of large residential subdivisions. Mrs. Greenwood indicated that 2023 saw 431 building permits issued to date, primarily for residential projects. She explained that revenues can fluctuate significantly year-to-year depending on the size and type of projects, with large commercial projects, like the Young Truck and Trailer project in 2022, skewing revenue higher for that period.

The business licensing division manages approximately 1,000 to 1,100 active licenses, split between commercial and home-based businesses. Revenue has slightly decreased since 2018 due to state law changes that eliminated licensing requirements for some home-based occupations.

In planning and zoning, Mrs. Greenwood explained that changes in state law have impacted how subdivision applications are handled, shifting some responsibilities to administrative processes. In 2023, 14 subdivision-related items were processed, including preliminary plats, final plats, lot line adjustments, and lot consolidations.

Mrs. Greenwood then discussed code enforcement, noting that it is a challenging area for the department. A new software system implemented in January has improved tracking, response

times, management of case histories, and the ability to address multiple violations at a single property. Common issues include weeds, unregistered vehicles, and permit violations. While voluntary compliance is preferred, unresolved cases often need to be escalated to the city attorney, which can delay resolutions. She highlighted a growing issue of residents living in trailers or RVs on private property and discharging sewage, handled in part by health department, while the Community Development Department addresses the illegal living situation. These cases require a careful balance of enforcement and compassion to avoid creating homelessness.

Mayor Tran and council members expressed appreciation for Mrs. Greenwood and her team's efforts in managing these complex issues and ensuring compliance.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a) Approval of Minutes from the September 5, 2024, Council Meeting.
- b) Approval of Minutes from the September 5, 2024, Business Park Architectural Review Committee Meeting.

Council Member Adams seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE

City Attorney Nic Mills presented a proposal to adjust fees for compiling police reports and other documents after a review showed that Kaysville's rates were significantly lower than those of other jurisdictions. The review, initiated by Chief Oberg, revealed that the city was heavily subsidizing records requests at the current rates. The proposed changes aim to reflect the true costs of fulfilling these requests and introduce separate fees for reports, photos, and videos, allowing requesters to choose only what they need. Mr. Mills noted that the city receives a high volume of records requests, especially following traffic accidents. Currently, the city charges a flat fee of \$5 per report, regardless of the complexity or volume of supporting materials, such as photos or videos. This rate does not cover the labor and resources required to process requests that are more

extensive. By introducing separate fees for these materials, the city hopes to give requesters more control over what they need, potentially reducing unnecessary or bulk requests. Mr. Mills added that the resolution would require a public hearing at the next council meeting if moved to an action item.

Council Member Hunt asked why bicycle registration and fingerprinting services were being removed from the fee schedule.

Nic Mills explained that the city stopped registering bicycles due to low demand and discontinued fingerprinting four to five years ago due to staffing issues. Residents now use the county sheriff's office for fingerprinting services.

Council Member Jackson raised concerns about the rise of e-bikes and motorized bikes in the community, which are often used by young children and can reach high speeds, creating potential safety hazards. Council Member Jackson suggested that e-bikes might warrant a different registration requirement than traditional bicycles.

Nic Mills responded that Chief Oberg and the police department are in the process of drafting an ordinance to address e-bikes and similar motorized devices, which will be presented to the council in the coming months.

Council Member Adams made a motion to move the Resolution amending the Consolidated Fee Schedule to an action item. Council Member Jackson seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

DISCUSSION REGARDING CONVEYANCE OF UDOT SURPLUS PROPERTY AT 1280 EAST CRESTWOOD ROAD TO KAYSVILLE CITY

City Manager Jaysen Christensen explained that the Utah Department of Transportation owns a 1.75 acre parcel at 1280 East Crestwood Road and has offered to convey it to Kaysville for the nominal fee of \$10, on the condition that Kaysville use the property for a public park. This property abuts a 10.65 acre parcel directly to the west that is already owned by the City, which was donated to the City by a resident requesting the city use it for a future park. The UDOT property is flat and would provide direct access to both Crestwood Road and the frontage road, making it ideal for park development. A vacant house currently on the property has been a source of concern due to squatters and crime. Once acquired, the City will quickly demolish the vacant house. Mr. Christensen added that the City has gained early access approval from UDOT and is obtaining quotes for demolition, which should be completed within two months. Environmental inspections

will also be conducted. To convey the property to Kaysville, UDOT needs a letter from the City indicating the City's acceptance in acquiring the property. No action is required of the City Council.

Council Member Blackham raised concerns about being encumbered to a park or right-of-way on the property and asked whether the city had any reason not to accept the property.

Jaysen Christensen confirmed that there were no concerns, noting the property's value in supporting adjacent parkland.

Council Member Blackham asked if the property could be used for park structures, such as maintenance equipment storage.

Jaysen Christensen confirmed that UDOT allows auxiliary uses like parking lots or storage buildings under the agreement.

Council Member Blackham noted that although it was unlikely, if a commercial interest ever emerged, the property would revert to UDOT for public auction.

Jaysen Christensen agreed, stating that any non-park use would trigger a reversion to UDOT.

Mayor Tran acknowledged the neighborhood's concerns and praised the quick coordination between the City and UDOT.

With no objections from the council, Jaysen Christensen confirmed that the acceptance letter would be sent to UDOT that evening to finalize the property transfer.

CODE BLUE SHELTER UPDATE

Mayor Tran provided an update on the status of the proposed Code Blue shelter in Davis County. She explained that there has been little new information to provide since the county's task force submitted their "warming bus" plan, which ultimately failed due to the lack of state funding. As a result, the county task force has been disbanded, leaving the decision-making process between the state and county. She stated that it is unclear who has the final decision-making authority at this stage.

Mayor Tran shared that several council members, including herself, Council Member Hunt, and Jaysen Christensen, attended a recent county commission work session where the issue was briefly discussed. No decisions have been made regarding the shelter's location or structure. She reiterated that Kaysville City remains opposed to hosting any type of shelter—temporary, permanent, or Code Blue—due to lack of wraparound services, facilities, and transportation options. While Kaysville supports the vulnerable population in other ways, it does not have the resources or infrastructure to accommodate a shelter.

Addressing concerns about increased transient activity and illegal camping, Mayor Tran reminded residents that the city passed a no-camping ordinance last year and urged them to report any

violations directly to the city. She stressed the importance of using official channels, such as phone calls and emails, instead of relying on social media platforms like Facebook to report issues, as city staff do not monitor these platforms. She emphasized that every complaint is taken seriously and addressed as quickly as possible, but processing may take time due to the need for interdepartmental coordination.

Council Member Blackham suggested keeping the Code Blue shelter update as a recurring work item on the council agenda to ensure continued transparency and community awareness. He encouraged council members and residents to attend county work sessions to represent Kaysville's interests and continue advocating against the shelter's placement in the city.

Mayor Tran concluded by affirming that the city has been consistent and vocal in its position, communicating its concerns to county commissioners, state legislators, and relevant agencies. She reiterated that while the city does not have direct control over state or county decisions, it would continue to advocate strongly against locating the shelter in Kaysville.

COUNCIL MEMBERS REPORTS

Council Member Jackson raised the need for additional seating at Hods Hollow Park, located just north of the cemetery. He mentioned that while visiting the park, he observed parents standing as their children played due to the absence of a bench that was previously installed. He urged the Parks Department to prioritize replacing the bench, emphasizing that adequate seating is essential for parents who visit the park with their children.

Council Member Adams reported on the recent Davis Technical College Foundation's gratitude luncheon, where Kaysville City received the "Best Community Partner" award for its support of the college, especially in navigating challenges related to the Commercial Driver's License (CDL) program. He highlighted that Davis Technical College serves nearly 8,000 students, offering affordable education and training, with scholarships often covering the full cost of tuition. He also noted a new partnership with Snow College, allowing Davis Tech graduates to transfer all their credits and complete an associate's degree in a short time. Council Member Adams expressed pride in Kaysville's contributions to the college's success and commended the foundation's efforts.

Council Member Hunt provided a brief reminder about the ongoing Scarecrow Walk, which runs until Monday. She encouraged attendees to visit and see the creative displays, including one created by the Kaysville Youth Council.

Mayor Tran revisited the Code Blue shelter issue, reiterating the city's continued opposition to placing a shelter in Kaysville and support for alternative solutions, such as the warming bus plan proposed by the county task force. She defended the warming bus concept, noting that it provides a safe, humane environment where individuals can sleep, charge their phones, and bring their pets. She emphasized that while the warming bus may seem unconventional, they are a feasible, cost-effective option that better serves the community's needs compared to establishing a permanent shelter in an unsuitable location. Mayor Tran stated that the city would continue to communicate its stance to county and state leaders and would provide updates as they become available.

Mayor Tran also announced the annual Trunk-or-Treat event, scheduled for October 28 from 6:00 to 8:00 p.m. at the police station parking lot. She invited families to bring their children and grandchildren for a fun evening of trick-or-treating and community engagement.

CITY MANAGER REPORT

City Manager Jaysen Christensen reminded the council of the upcoming city council meeting schedule. He confirmed that the next regularly scheduled council meeting on October 17 would be canceled, and a council work session is set for Friday, October 25, at 8:00 a.m. He also noted an upcoming Davis County Commission meeting on October 8 at 10:00 a.m., during which the city's Community Reinvestment Area (CRA) funding request would be considered. Mr. Christensen explained that the CRA request is part of a partnership involving Davis County, the school district, and other local agencies to support reinvestment and development in Kaysville.

ADJOURNMENT

Council Member Adams made a motion to adjourn the city council meeting at 7:56 p.m., and the motion passed unanimously.

RESOLUTION 2024-XX-XX

AUTHORIZING THE DISPOSAL OF A SURPLUS FIRE ENGINE

WHEREAS, Kaysville City (hereinafter “City”) has a fire truck that is nearing the end of its usefulness for the City; and

WHEREAS, City recently obtained a new fire engine that makes this engine surplus and unnecessary to maintain; and

WHEREAS, the City’s purchasing policy dictates that disposition of items valued above \$25,000 must be authorized by the City Council; and

WHEREAS, the City has no continued or foreseeable use for this property; and

WHEREAS, the City, in exercise of its management of public property, believes that it is in the best interest of the public to dispose of this fire engine.

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

1. The City Manager, or his designee, is directed to conduct negotiations for the disposal of this fire engine.
2. Based on the niche market inherent to used fire apparatus, the City Manager is authorized to sell this equipment directly to another municipality without undergoing a formal bidding process, if the Manager deems, in his discretion, that to be the most prudent course of action.
3. Any Action taken heretofore in furtherance of this resolution is hereby ratified.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **7th day of November, 2024.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: November 7, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Nic Mills

SUBJECT/AGENDA TITLE: A Resolution amending the Consolidated Fee Schedule of Kaysville City

EXECUTIVE SUMMARY:

City staff has recently realized that the fees charged for police reports and other documents are seriously undervalued. This amendment would help offset the cost that the city bears when fulfilling these requests.

City Council Options:

1) Approve this resolution as written; 2) Approve this resolution with any modifications that the Council deems appropriate; 3) Decline to adopt the Resolution and remand to staff with further direction.

Staff Recommendation:

Staff recommends that the City Council approve this resolution.

Fiscal Impact:

City Staff does not anticipate any costs to the City based on the passage of this resolution. This will help offset the costs that the Police Department incurs.

ATTACHMENTS:

1. Resolution - Consolidated Fee Schedule Amendment
-

RESOLUTION 24-~~XX-XX~~

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE OF KAYSVILLE CITY

WHEREAS, Kaysville City (hereinafter “City”) wishes to update certain fees shown in the Kaysville City Consolidated Fee schedule to better recover the cost of providing related services; and

WHEREAS, the City desires to update and clarify the fees for records requests to cover the cost to the city for administration and overhead; and

WHEREAS, the proposed amendments comply with state law and benefit the health, safety, and welfare of Kaysville residents.

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

1. **Approval.** The City Council hereby amends the Kaysville City Consolidated Fee Schedule as follows:

POLICE

Bicycle Registration	\$1.00
Fingerprinting Service	\$5.00/card (nonresident)
Incident Reports	\$10.00 per report*
Photos	\$15.00 per case*
Audio or Video recordings (e.g., dashcam, bodycam, or other recordings)	\$50.00 per recording*
*If the record request requires longer than 30 minutes to research & prepare copies, the city may charge the hourly wage of the lowest paid employee who, in the discretion of the custodian of records, has the necessary skill and training to perform the request. This shall be billed in quarter hour increments. In the sole discretion of the records officer, costs, and anticipated costs, may be required to be paid in full prior to commencing record request fulfillment.	
Parking Citation:	
Overtime, improper and after hours parking	\$15.00 (within 7 days) \$30.00 (after 7 days) \$40.00 (after summons)
Prohibited, restricted, and double parking	\$15.00 (within 7 days) \$30.00 (after 7 days) \$40.00 (after summons)

2. **Severability.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.
3. **Effective Date.** This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this 7th day of November, 2024.

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: November 7, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Rezone of 0.46 acre of property at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential for David and Valerie Becker

EXECUTIVE SUMMARY:

The proposed rezone of the Becker property located at 109 South 1025 West from R-1-20 to R-1-14 is a first step in correcting a property line discrepancy between the Becker property and the Kinney's lot to the east. During the sale process of the Kinney property, it was discovered that Kinney's had constructed a driveway that was on the Becker property. The neighbors would like to do a lot line adjustment to resolve the issue, but that's not possible due to the lot sizes required by the existing zoning. Approval of the rezone would allow the Becker property to be under 20,000 square feet and would add square footage to the Kinney property. Subsequently, a lot line adjustment could be recorded, placing the property line on the existing fence where both property owners understood the boundary to be. This would also solve the issue that the Kinney's detached garage is an illegal non-complying structure as it does not meet the required setbacks.

The rezone application was presented at the October 24, 2024, Planning Commission Meeting. A public hearing was held, but no comments were made. Prior to the meeting, the Planning Commission received one comment through the online comment portal which was supportive of the rezone. The Planning Commission discussed the item and then voted unanimously to recommend the City Council approve the rezone request. Draft minutes from the October 24 Planning Commission meeting are attached.

Based on the Planning Commission's recommendation of approval and support from the 2022 General Plan, staff recommends the City Council approve the rezone of .46 acres at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential.

City Council Options:

1. Approve the rezone of .46 acres at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential.
2. Deny the rezone request.

Staff Recommendation:

Approval of the rezone of .46 acres at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential.

Fiscal Impact:

N/A

ATTACHMENTS:

1. PC RZN Kinney-Becker 110 S 1025 10.24.24
 2. Ordinance RZN Kinney-Becker 110 S. 1025 W R-1-14
 3. DRAFT PC Minutes Becker Rezone 10-24-2024
 4. Public Comment - Bryan Carling
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: October 15, 2024

Agenda Item #3: Rezone request and public hearing for 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential for applicants for David and Valerie Becker

Meeting Date	October 24, 2024
Application Type	Rezone
Applicant Owner	David and Valerie Becker
Address Parcel ID Number	109 South 1025 West 11-274-0006
Lot Size	0.46 acre 20,037.6 ft ²
Current Use	Single family home
Current Zoning	R-1-20 Single Family Residential
Density Entitlement	1 dwelling unit
Requested Zoning	R-1-14 Single Family Residential
Density Entitlement	1 dwelling unit

1. BACKGROUND The subject property is a 0.46 acre parcel on the eastern side of Flint Street with access off of 150 South. The address is 109 South 1025 West. The residence has been the home of the Becker family since 2002.



The R-1-20 zone allows for low density development in the form of single-family dwellings with a minimum lot size of 20,000 square feet. The requested zone change to R-1-14 would reduce the required minimum lot size to 14,000 square feet. The intent of the proposed rezone is to correct a significant property line discrepancy between two lots by doing a lot line adjustment. To accomplish this the Becker property must have a lot size that is less than 20,000 square feet.

2. SURROUNDING LAND USE AND ZONING

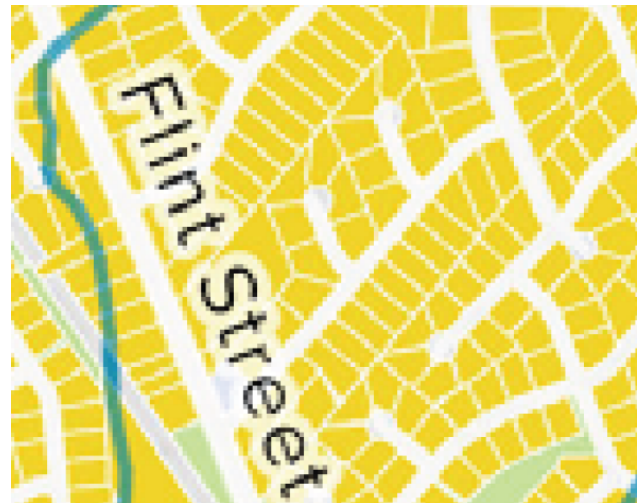
The parcel is located at 109 South 1025 West. The application is submitted for the Commission's consideration of whether or not the rezone to the R-1-14 zone on the subject property is

appropriate for the location. The following characteristics of the surrounding area and neighborhood are provided for the Commission's consideration.

- **Adjacent** – R-1-20 single family homes on all sides
- **North** – PB lot for Creekside Medical Properties, PU for Barnes Park, and several R-A single family residential lots
- **South** – R-1-20 and R-A to the south containing single family residential homes and agricultural land
- **East** – several LI lots for Barnes Industrial Park, and a cluster of GC lots along the I-15 corridor
- **West** – R-A and R-1-LD to the west

3. GENERAL PLAN

The future land use map on the 2022 General Plan shows the property at 109 South 1025 West to be zoned as single family residential. Both R-1-20 and R-1-14 zones are designated as single family, therefore this rezone request is supported by the future land use map.



Staff review of the General Plan believes it supports the zone change proposed. The setbacks for the R-1-14 zone are consistent with the existing setbacks (30' front yard, 8' side yard, 15' rear yard) in the surrounding R-1-20 zone, meaning that there would not changing the functionality of the surrounding neighborhood. Maintaining this functionality supports Chapter 1 Goal 1 as stated in the 2022 General Plan which indicates that the City should "preserve single family neighborhoods by restricting development to models that fit the existing character of the neighborhood." The approval of the proposed rezone to R-1-14 would maintain this character and support the continued functioning of the neighborhood as encouraged in the General Plan.

4. ZONING

R-1-14 ZONE

The purpose of the R-1 Single Family District, which includes both the R-1-20 and R-1-14 zoning designations is stated as:

To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children. To this end, the regulations permit the establishment of single-family dwellings and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

The proposed R-1-14 zoning requires setbacks of 30' in the front yard, 8' in each side yard, and a 15' rear yard. Buildings must be at least 10' in height and cannot exceed 30'.

The Planning Commission should determine if the purpose statement for the R-1-14 zone is fulfilled in this particular location.

5. PUBLIC COMMENT

A total of 43 public notices were mailed to property owners within 500' of the subject property and a sign was placed on the property on Friday, October 18, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of the zone change with support of the 2022 General Plan as the best compatible zone for the new proposed business.

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

ORDINANCE NO. 23-12-XX

AN ORDINANCE REZONING 109 SOUTH WEST 1025 WEST, A CERTAIN .46 ACRE PORTION OF KAYSVILLE CITY TO THE R-1-14 SINGLE FAMILY RESIDENTIAL LOW DENSITY; HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to rezone the subject property, which is .46 acres, and located at 109 South 1025 West and known as Parcel ID# 11-274-0006, from R-1-20 Single Family Residential to R-1-14 Single Family Residential; and

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

WHEREAS, on October 24, 2024, the Kaysville City Planning Commission held a public hearing and with a vote of 7-0 made a recommendation of approval to the City Council for the zone change for the property at approximately 109 South 1025 West to R-1-14 Single Family Residential Low Density; and

WHEREAS, the City Council, after due consideration of said rezone application, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-1-14 Single Family Residential Low Density be approved;

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

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

SECTION II: Rezone. The real property at approximately 109 South 1025 West, and known by Parcel Identification Number 11-274-0006, containing approximately .46 acres (20,037.6 ft²), of land, shall be rezoned and the Zoning Map amended to R-1-14 Single Family Residential; and

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

SECTION VI: This Ordinance shall take effect upon execution of the ordinance.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this November 7, 2024.

ORDINANCE NO. 23-12-XX

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

Kaysville City Planning Commission Meeting Minutes
October 24, 2024
Minutes Excerpt

The Planning Commission meeting was held on Thursday, October 24, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Megan Sevy, Paul Allred, Debora Shepard, Erin Young, Wilf Sommerkorn, and Rachel Lott

Planning Commissioners Absent:

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, David Becker, Valerie Becker, Laurene Starkey, Matthew Loveland, Wendie Norton, Teagan Nielsen, Emma Nielsen, Bruce Stanley and Jeanel Stanley

4- REZONE REQUEST AND PUBLIC HEARING FOR 109 SOUTH 1025 WEST FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANTS DAVID AND VALERIE BECKER

Anne McNamara provided context regarding the rezone request from R-1-20 to R-1-14 for the Becker family property. She explained that the rezone aims to address a significant property line discrepancy between the Becker family lot and an adjacent lot. A lot line adjustment will correct this boundary issue, but it requires the lot size to be under 20,000 square feet, which the R-1-14 zoning allows. McNamara noted that, similar to the prior rezone discussion, the setbacks for R-1-20 and R-1-14 zones are consistent, ensuring that the rezone would not alter the neighborhood's functionality or character, aligning with the General Plan's goals.

Regarding public notice, Ms. McNamara reported that 43 notices were mailed to nearby property owners, and one supportive comment was received. Based on these factors, city staff recommended approval of the rezone in alignment with the 2022 General Plan to establish a conforming lot and resolve the existing boundary issue.

Chair Packer invited the applicant to approach the Commissioners.

David Becker said applied for the rezone to address a long-standing property line discrepancy created years ago by a previous owner. The purpose of this rezone is to allow both properties to comply with current zoning requirements, facilitating future property transactions. In response to a question, Becker clarified that the adjustment would reduce their lot size by approximately 2,300 square feet, bringing it from 0.46 acres to around 0.41 acres, or roughly 18,000 square feet.

Ms. Greenwood acknowledged the challenges faced by the two property owners involved in the

rezone request and expressed appreciation for their cooperative efforts to resolve the longstanding property line issue.

Commissioner Packer clarified that the rezone would just shift the property line a few feet.

Ms. Greenwood provided further clarification on the property line discrepancy, noting that the aerial view highlighted the intended new property line location, which aligns with an existing chain-link fence. She explained that the error, made over 30 years ago, had led to a detached building being constructed right on the actual property line. Currently, this building does not meet setback requirements, lacking approximately six feet of necessary setback from the property line. Ms. Greenwood pointed out that approval of the rezone will allow the property owners to correct the issue, which remained undetected until the current property owners attempted to sell.

Chair Packer opened up the meeting for the Public Hearing.

No comments were received and Chair Packer closed the Public Hearing.

Commissioner Sommerkorn noted that while this adjustment would make the neighboring lot slightly smaller, it wouldn't impact any existing structures. Ms. Greenwood explained that the chain-link fence, long considered the actual property boundary, created a setback discrepancy. She noted that without this rezone, the city could require the property owner to demolish the detached garage, as it doesn't meet setback requirements. However, the City does not want the building to be demolished and both the Becker's and Kinney's have coordinated and prepared the necessary lot line adjustment plat, pending council approval of the rezone.

Ms. Greenwood highlighted that nonconformities, if unresolved, can create issues with refinancing, rebuilding, and lender requirements. By addressing the lot line discrepancy, the city can avoid future complications, while the neighbors retain current structures, aligning with how the property has been utilized for decades.

Commissioners, including Mike Packer and Erin Young, appreciated the cooperative solution, with Young commending both families for resolving this amicably.

Commissioner Sommerkorn made a motion to recommend approval of the rezone application of the property 109 South 1025 West for David and Valerie Becker from R-1-20 to R-1-14. Sommerkorn cited the resolution of the property line issue between neighbors, the fact that this adjustment would not impact the status of either home, and that it brings an accessory structure into full conformity with city standards. He also noted that the rezone aligns with the city's General Plan.

Commissioner Lott seconded the motion and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred - Yay
Commissioner Shepard - Yay
Commissioner Young -Yay
Chair Packer - Yay
Commissioner Sevy - Yay
Commissioner Sommerkorn - Yay
Commissioner Lott - Yay

DRAFT

From: noreply@civicplus.com
Sent: Friday, October 18, 2024 9:15 PM
To: Melinda Greenwood; Mindi Edstrom; wilfsommerkorn@live.com; pablotodorojo@gmail.com; rachel_lott@outlook.com; ee.im.young@gmail.com; mdpacker12@gmail.com; countrythymegrowers@gmail.com; megitys@gmail.com; Anne McNamara; k3bel.ellis@gmail.com
Subject: Online Form Submittal: Contact the Planning Commission

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Bryan Carling
Email Address	Bryancarling@yahoo.com
Address	1623 Haight Creek Dr
City	Kaysville
State	UT
Zip Code	84037
Phone Number	8018158824
Your Message	I SUPPORT the application from David and Valerie Becker, who are requesting a zone change for the property at 109 South 1025 West from R-1-20 Single Family Residential to R-1-14 Single Family Residential
Upload an Attachment	Field not completed.
Upload an Attachment	Field not completed.
Upload an Attachment	Field not completed.

Email not displaying correctly? [View it in your browser.](#)

CITY COUNCIL STAFF REPORT



MEETING DATE: November 7, 2024

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Rezone of 0.53 acre of property at 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential for Symphony Homes

EXECUTIVE SUMMARY:

Symphony Homes has applied to rezone 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential. The rezone request is a solution-oriented response to the City's requirement for a stub road to be created in the directly adjacent Encore Estates Subdivision, which is in the preliminary plat subdivision process. While the application for City Council's consideration is strictly for the rezone of 1397 West Willow Brook Lane, it is related to the administrative approval process for the Encore Estates Subdivision.

Should 1397 West Willow Brook Lane be rezoned, the lot size could be reduced, which would allow for the road stub to be ideally located for a few reasons:

- The 25' sewer easement on the west side of 1397 West Willow Brook Lane can be removed, and the existing sewer line would then be located within the ROW for the stub road.
- The road stub could be pushed further east, allowing for better placement and less conflict with the planned cul-de-sac.
- Symphony Homes can yield the same amount of lots and still construct the road stub.

The rezone application was presented at the October 24, 2024, Planning Commission Meeting. Prior to the meeting, the Planning Commission received one comment through the online comment portal, which was supportive of the rezone. A public hearing was held during the meeting, and two residents chose to comment. One resident was opposed to the rezone as he does not want to have a road connection due to concerns about increased traffic. He also expressed concern that a smaller house may be built due to the smaller lot size. Another citizen commented with questions as to why the stub road was being added to the Encore Estates Subdivision. More details of the comments from the public hearing are in the attached draft minutes from the October 24 Planning Commission meeting.

The Planning Commission discussed the item and then voted unanimously (7-0) to recommend the City Council approve the rezone request.

Based on the Planning Commission's recommendation of approval and support from the 2022 General Plan, staff recommends the City Council approve the rezone of .46 acres at 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential.

City Council Options:

1. Approve the rezone of 0.53 acres of property at 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential.
2. Deny the rezone request.

Staff Recommendation:

Approval of the rezone of 0.53 acres of property at 1397 West Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential.

Fiscal Impact:

N/A

ATTACHMENTS:

1. PC RZN Symphony Homes 1397 W Willow Brook Ln 10.24.24 2
 2. Ordinance RZN Symphony 1397 W Willow Brook R-1-14
 3. DRAFT PC Minutes Symphony Rezone 10-24-2024
 4. Public Comment - Bryan Carling
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: October 15, 2024

Agenda Item #3: Rezone request and public hearing for 1397 Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential for applicant Symphony Homes

Meeting Date	October 24, 2024
Application Type	Rezone
Applicant Owner	Russell Wilson, Symphony Homes Sara Robinson
Address Parcel ID Number	1397 W Willow Brook Lane 08-357-0323
Lot Size	0.53 acre 23,086.8 ft ²
Current Use	R-1-20 (undeveloped)
Current Zoning	R-1-20 Single Family Residential
Density Entitlement	1 dwelling unit
Requested Zoning	R-1-14 Single Family Residential
Density Entitlement	1 dwelling unit

1. BACKGROUND The subject property is a 0.53 acre parcel on the western side of Flint Street adjacent to the Encore Estates subdivision currently in development. The R-1-20 zone allows for low density development in the form of single-family dwellings with a minimum lot size of 20,000 square feet. The requested zone change to R-1-14 would reduce the required minimum lot size to 14,000 square feet. The intent of the proposed rezone is to allow for the installation of a stub street for Encore Estates subdivision to the west.



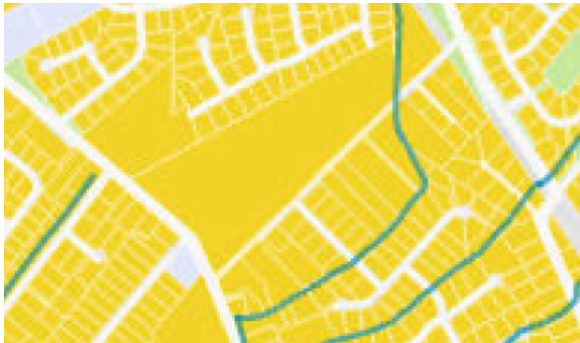
2. SURROUNDING LAND USE AND ZONING

The parcel is located at 1397 Willow Brook Lane. The application submitted for the Commission's consideration as to whether or not the rezone to the R-1-14 zone on the subject property is appropriate for the location. The following characteristics of the surrounding area and neighborhood are provided for the Commission's consideration.

- **Adjacent** – Directly adjacent to the subject property is R-1-20 and R-1-14.
- **North** – The subject property is bordered by R-1-20, and R-1-14.
- **South** – Directly south of the parcel is R-1-14, and R-1-20.
- **East** – To the east is R-1-20 with established single-family dwellings.
- **West** – The newly rezoned R-1-14, which will become single-family dwellings.

3. GENERAL PLAN

The future land use map on the 2022 General Plan shows the property at 1397 Willow Brook Lane to be zoned as single family residential. Both R-1-20 and R-1-14 zones are designated as single family, therefore this rezone request is supported by the future land use map.



Staff review of the General Plan believes it supports the zone change proposed. The setbacks for the R-1-14 zone are consistent with the existing setbacks (30' front yard, 8' side yard, 15' rear yard) in the surrounding R-1-20 zone, meaning that approval of the rezone would not change the functionality of the surrounding neighborhood. Maintaining this functionality supports Chapter 1 Goal 1 as included

in the 2022 General Plan which states that the City should “preserve single family neighborhoods by restricting development to models that fit the existing character of the neighborhood.” The approval of the proposed rezone to R-1-14 would maintain this character and support the continued functioning of the neighborhood as encouraged in the General Plan.

4. ZONING

R-1-14 ZONE

The purpose of the R-1 Single Family District, which includes both the R-1-20 and R-1-14 zoning designations is stated as:

To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children. To this end, the regulations permit the establishment of single-family dwellings and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

The proposed R-1-14 zoning requires setbacks of 30' in the front yard, 8' in each side yard, and a 15' rear yard. Buildings must be at least 10' in height and cannot exceed 30'.

The Planning Commission should determine if the purpose statement for the R-1-14 zone is fulfilled in this particular location.

5. PUBLIC COMMENT

A total of 33 public notices were mailed to property owners within 500' of the subject property and a sign was placed on the property on Friday, October 18, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of the zone change with support of the 2022 General Plan as the best compatible zone.

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

ORDINANCE NO. 23-12-XX

AN ORDINANCE REZONING 1397 WEST WILLOW BROOK LANE, A CERTAIN .53 ACRE PORTION OF KAYSVILLE CITY TO THE R-1-14 SINGLE FAMILY RESIDENTIAL LOW DENSITY; HEREINAFTER FULLLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to rezone the subject property, which is .53 acres, and located at approximately 1397 West Willow Brook Lane and known as Parcel ID# 08-357-0323, from R-1-20 Single Family Residential to R-1-14 Single Family Residential; and

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

WHEREAS, on October 24, 2024, the Kaysville City Planning Commission held a public hearing and with a vote of 7-0 made a recommendation of approval to the City Council for the zone change for the property at approximately 1397 West Willow Brook Lane to R-1-14 Single Family Residential Low Density; and

WHEREAS, the City Council, after due consideration of said rezone application, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-1-14 Single Family Residential Low Density be approved;

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

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

SECTION II: Rezone. The real property at approximately 1397 West Willow Brook Lane, and known by Parcel Identification Number 08-357-0323, containing approximately .53 acres (23,086.8 ft²), of land, shall be rezoned and the Zoning Map amended to R-1-14 Single Family Residential; and

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

SECTION VI: This Ordinance shall take effect upon execution of the ordinance.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this November 7, 2024.

ORDINANCE NO. 23-12-XX

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

Kaysville City Planning Commission Meeting Minutes
October 24, 2024
Minute Excerpt

The Planning Commission meeting was held on Thursday, October 24, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Megan Sevy, Paul Allred, Debora Shepard, Erin Young, Wilf Sommerkorn, and Rachel Lott

Planning Commissioners Absent:

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, David Becker, Valerie Becker, Laurene Starkey, Matthew Loveland, Wendie Norton, Teagan Nielsen, Emma Nielsen, Bruce Stanley and Jeanel Stanley

3- REZONE REQUEST AND PUBLIC HEARING FOR 1397 WILLOW BROOK LANE FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANT SYMPHONY HOMES

Anne McNamara introduced a rezone application for a 0.5-acre lot located on the western side of Angel Street. The applicant is requesting a zoning change to R-1-14 to enable the installation of a stub street for the adjacent Encore State subdivision, located directly to the west of this property. A graphic was shared to visually demonstrate the proposed rezone's effect, which is presented as a straightforward adjustment given that both R-1-20 and R-1-14 zones are designated for single-family use. Additionally, the setback requirements for these zones are similar, meaning that the rezone would not impact the surrounding neighborhood's functionality. Approving the rezone would align with the existing character of the neighborhood, supporting the goals outlined in the general plan. Only one public comment was received, expressing general support for the rezone. The staff recommended approval of this rezone as it is in line with the 2022 General Plan.

Chair Packer asked if Symphony Homes had a representative in attendance.

Matt Loveland from Symphony Homes briefly addressed the commission, expressing support for the proposed rezone. He emphasized that the rezone would improve connectivity between two neighboring communities and stated that Symphony Homes is eager to proceed with development. Loveland offered to answer any questions and thanked the commission for their time.

Commissioner Young asked if the rezone was necessary because a single lot would be placed on the property but with a smaller square footage, allowing space for the road.

Matt Loveland confirmed Commissioner Young's question, explaining that Symphony Homes

owns properties on both sides of the two projects. He noted that the rezone is a practical solution to address the site's limitations while achieving the goal of connectivity between the communities.

Chair Packer opened up the meeting to a Public Hearing.

Bruce Stanley, a resident with property adjacent to the proposed stub street, voiced his opposition to the rezone and the installation of the stub road toward Webb Lane. His main concern was the anticipated increase in traffic through his neighborhood, which he felt already had sufficient access points to the new subdivision, including routes from Angel Street and Willowbrook Lane. Stanley mentioned that in initial discussions, Symphony Homes had not strongly favored the stub street. He also expressed concern about the reduction in house sizes that may accompany the rezone. Additionally, Stanley noted that his neighborhood maintains several private green spaces funded by HOA fees, and he worried that increased public traffic would lead to overuse of these areas by non-residents.

Janelle Stanley, a neighboring resident, requested clarification from Symphony Homes on the decision to add the stub street. She recalled that Symphony's original plan aimed to align lot and house sizes with those in her neighborhood. Janelle also mentioned that Symphony had previously indicated the city was requiring the stub connection to Webb Lane.

Chair Packer closed the Public Hearing and invited Mr. Loveland to come back up and address the concerns of the residents.

Matt Loveland responded to Janelle Stanley's concerns, acknowledging that Symphony Homes initially opposed the stub street. He explained that the decision to include the stub was based on staff recommendations and aimed to meet connectivity goals outlined in the Kaysville City 2022 General Plan. Mr. Loveland noted that the limitations of the site, known as the Encore Estates project, played a role in the decision-making process, as the smaller project site required careful planning to ensure adequate access. While some residents interpret these conditions as grounds to avoid the connection, he clarified that the city's General Plan prioritizes connectivity between neighborhoods, which informed staff's recommendation for the stub street and the subsequent rezone.

Loveland reassured residents that the zoning adjustment would only alter the minimum lot size and would not impact home sizes, which Symphony Homes intends to match with the existing neighborhood. He also offered to discuss additional details and address further questions if needed.

Melinda Greenwood clarified the city's stance on the proposed road stub and rezone. She explained that road placement decisions are governed by city code and fall under the discretion of the city engineer. Ms. Greenwood acknowledged Kaysville's historical challenges with community connectivity, citing the high number of cul-de-sacs as a barrier to efficient travel

and neighborhood cohesion. This lack of connectivity often requires residents to drive extended distances to reach nearby homes, and the road stub is intended to mitigate such issues.

She noted that the city staff required the road stub as part of the Encore Estates subdivision project, aligning with connectivity goals in the General Plan. Although Symphony Homes initially resisted, they have now agreed to include the stub. Greenwood explained that, counterintuitively, the road stub might actually reduce traffic by providing more direct routes, especially to main roads like Angel Street.

Greenwood emphasized that the Planning Commission's decision concerns only the rezone recommendation for the property, not the road location or subdivision approval, which will proceed when code requirements are met. If approved, the rezone would permit reduced lot sizes, lowering them from 20,000 to approximately 17,000 square feet without altering setback requirements, thus maintaining the neighborhood's aesthetic. The City Council previously expressed a preference for a road stub during discussions on the Encore Estates, and staff is now upholding that directive in line with the connectivity goals laid out in the Kaysville 2022 General Plan.

Commissioner Sommerkorn reiterated that the Planning Commission's focus for the evening was solely on the rezone decision, not the street or lot design, which had already been determined by city staff. He acknowledged that although the Commission was not deciding on connectivity details, the 2022 General Plan's support for increased connectivity in Kaysville was relevant to the discussion. Commissioner Sommerkorn explained that an ideal grid pattern in the city would help disperse traffic and offer alternative routes in case of road closures due to construction or accidents. He expressed personal support for enhanced connectivity but clarified that the Commission's role was limited to recommending approval or denial of the rezone.

Commissioner Lott added that connectivity also facilitates easier access for emergency vehicles, especially in areas with multiple cul-de-sacs. She noted the importance of efficient emergency response, referencing a recent house fire on Sunset where quick access was crucial but still insufficient to prevent a total loss.

Ms. Greenwood informed the Commission that Willowbrook Lane would eventually connect to Angel Street, anticipating future development of the adjacent agricultural parcel to the south. She noted that there is already a stub road on the far east end of Willowbrook Lane, though it's a significant distance from the proposed new connection. Greenwood mentioned a conversation with the Kaysville Fire Chief, clarifying that while the stub road is not mandated by fire code, increased connectivity is beneficial for public safety, as it enhances access for first responders. She added that connectivity also simplifies operations for street crews, such as snow plowing, underscoring the overall advantages of including the road stub in the plan.

Chair Packer inquired to the consequences if the city did not approve the rezone.

Ms. Greenwood explained that several utilities, including sewer and water lines, are currently located in the area, and the plan aims to keep these utilities within the public right-of-way, beneath the asphalt, for easier access and maintenance. If the lot remains as is, an easement would be required, allowing utility access but complicating repairs and maintenance by placing them on private property.

Without the rezone, alternatives would involve either maintaining the utilities outside the road—adding complexity and potential access issues—or relocating them, a costly and disruptive option for current utility users. Additionally, moving the stub westward would bring it closer to Angel Street, which is not ideal. Ms. Greenwood noted that the current Encore Estates subdivision layout aligns well with the stub location, avoiding an awkward connection with a nearby cul-de-sac and improving overall design and function.

Commissioner Sommerkorn addressed the potential implications of maintaining the current zoning rather than approving the rezone. He explained that, with the proposed stub street, the lot could remain its current size and retain the existing zoning, but this would create a non-conforming lot. While a non-conforming lot generally retains many of the same rights and uses, rezoning to match the reduced lot size would avoid potential restrictions that could limit certain uses compared to other lots in the neighborhood. Commissioner Sommerkorn noted that while non-conformity might not pose significant issues in this case, rezoning to a smaller lot size would be a more straightforward and consistent solution.

Chairman Mike Packer expressed his perspective that the proposed rezone would result in only a slightly smaller lot without affecting other elements such as house size, height, or setback requirements. He agreed that rezoning would create a cleaner and more consistent arrangement, as the lot would align with the neighboring R-1-14 zoning. Packer recalled previous discussions on the Encore Estates development, where the commission considered the forward-thinking approach of including a stub road to support potential future development to the south. In his view, most factors favor this rezone as a beneficial decision for the area. He then invited additional questions, comments, or feedback from the commission.

Commissioner Paul Allred made a motion to recommend approval of the rezone request for Symphony Homes at 1397 West Willowbrook Lane, changing the zoning from R-1-20 to R-1-14. He presented several findings to support his motion and welcomed feedback or additions to these points.

1. **Staff Recommendation and Compliance:** Commissioner Allred noted that city staff, after reviewing the general plan, recommended the rezone, indicating compliance with the plan's guidelines.
2. **Connectivity Benefits:** Commissioner Allred emphasized the importance of connectivity, citing evidence that greater connectivity is beneficial. Given Kaysville's numerous cul-de-sacs, including in his own neighborhood, he expressed that the city would benefit from additional through streets.

3. **Compatibility with Adjacent Zones:** Allred observed that the lot's reduced size would align with neighboring R-1-14 zoning, avoiding any issues with non-conforming lots and ensuring consistency with adjacent properties. He mentioned that while "spot zoning" is not a current concern under Utah law, this rezone would not negatively impact nearby homes.
4. **Lot and Home Compatibility:** Commissioner Allred confirmed that the resulting lot size would be at least 14,000 square feet, with setbacks and building heights remaining consistent with the neighborhood, ensuring that the home size would be compatible with those in the surrounding area.

Commissioner Allred's motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred - Yay
Commissioner Shepard - Yay
Commissioner Young - Yay
Chair Packer - Yay
Commissioner Sevy - Yay
Commissioner Sommerkorn - Yay
Commissioner Lott - Yay

From: noreply@civicplus.com
Sent: Friday, October 18, 2024 9:12 PM
To: Melinda Greenwood; Mindi Edstrom; wilfsommerkorn@live.com; pablotodorojo@gmail.com; rachel_lott@outlook.com; ee.im.young@gmail.com; mdpacker12@gmail.com; countrythymegrowers@gmail.com; megitys@gmail.com; Anne McNamara; k3bel.ellis@gmail.com
Subject: Online Form Submittal: Contact the Planning Commission

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Bryan Carling
Email Address	Bryancarling@yahoo.com
Address	1623 Haight Creek Dr
City	Kaysville
State	UT
Zip Code	84037
Phone Number	8018158824
Your Message	I support the zone change for the property at 1397 Willow Brook Lane from R-1-20 Single Family Residential to R-1-14 Single Family Residential
Upload an Attachment	<i>Field not completed.</i>
Upload an Attachment	<i>Field not completed.</i>
Upload an Attachment	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)



To: Mayor and City Council
From: Jaysen Christensen, City Manager
Date: October 31, 2024

RE: Consideration of a resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances

RECOMMENDATION

I recommend that the City Council approve Resolution 2024-___: A Resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances.

BACKGROUND

Kaysville is one of many public member agencies of the Wasatch Integrated Waste Management District (the District). That means that our solid waste and recycling curbside pickup is all disposed of at District facilities. As a member agency, we have representation on the Governing Board of the District (Mayor Tran). The District has always had the objective of having proactive and aggressive recycling programs. Recently, the District and its Board have been looking for ways to improve recycle rates among member agencies which include agencies in Davis, Weber and Morgan Counties. They have proposed increasing public education programs, providing grants which would reduce the cost of recycling and adopting various policy proposals which range from mandatory recycling to the present proposed program which provides pricing incentives to agencies in exchange for local requirements on residential customers.

Last spring, District personnel held meetings with staff from member cities in order to discuss how to achieve better recycling participation. Those discussions began with the idea of a heavy-handed approach of penalizing member agencies who chose not to adopt recommended mandatory recycling. That proposal was met with significant opposition by participating member cities. The District has now proposed a new and much better system which is a per unit price reduction for agencies which are willing to participate in one of three programs: Bundled solid waste and recycling; Opt-out recycling; and green waste curbside programs. The proposal that fits Kaysville's needs the best is the Opt-out recycling program. This is the definition of the Opt-out recycling program adopted by the District:

"Opt-out Recycling Program" means a program of a member city or county for the curbside collection of Comingled Recyclable Materials from Household Units in separate 90 to 105 gallon containers that allow existing residents of a member city or county to opt-out of participation in the recycling program at the time of the implementation and initial roll-out of the recycling program by the city or county. Any Opt-out Recycling Program must also provide that residents of the member city or county who apply for new solid waste services after implementation and roll-out of the city or county's recycling program may not opt-out of the recycling program and must be provided a Recycling container for Comingled Recyclable Materials ensuring increasing recycling program

participation over time. A member city or county that on July 1, 2024, had a recycling program with a 70 percent or greater Household Unit participation rate will be deemed an "Opt-out Recycling Program" if no later than January 1, 2025 the member city or county requires by ordinance that residents of the member city or county who apply for new solid waste services may not opt-out of the recycling program and must be provided a Recycling container for Comingled Recyclable Materials.

As indicated in the definition, the Opt-out Recycling Program is not retroactive. In other words, the City is not required to force existing customers who previously chose not to have a recycling can to participate in recycling. However, all residential accounts established after January 1, 2025, would be required to have and pay for a recycling can. Approximately 80% of new move-ins to Kaysville are already voluntarily requesting and paying for a recycling can to be delivered by the City. We do not anticipate that the 20% increase will have a substantial impact to the City's ability to store additional recycle cans and deliver them to new residents. Once again, existing residents will not be forced to participate in recycling; however, it should also be noted that 73% of current households are currently participating in the recycling program voluntarily.

In summary, if the City adopts the Opt-out Recycling Program, we will receive the discounted recycling pricing from the District. The discounted pricing is a formula based upon the percentage weight of waste that is diverted from the solid waste stream through recycling. Kaysville's diversion rate (weight of diverted waste divided by the total solid waste stream) is among the top two or three of cities in Davis County, with a total diversion rate averaging around 22% (15% green waste and 8% comingled). Kaysville is already qualified for an incentive payment for its diverted green waste and has been receiving an incentive payment of approximately \$11,000 per month since July 2024. If the City chooses to adopt the opt-out program for co-mingled recycling (i.e. require new move-ins to receive a recycling can) the City would qualify for an additional incentive payment of approximately \$3,500 per month, thereby bringing the total monthly incentive payment from \$11,000 to approximately \$14,500. The incentive payments are rolled back into the solid waste enterprise fund so that they can be used to help stabilize rates and offset future rate increases.

PROPOSED MOTION

I move that the City Council approve Resolution 2024-____: A Resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances.

RESOLUTION 24-XX-XX

A RESOLUTION ADOPTING THE PROPOSED WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT OPTOUT RECYCLING PROGRAM REQUIRING MANDATORY RECYCLING FOR ALL NEW RESIDENTIAL ACCOUNTS

WHEREAS, the Kaysville City (hereinafter “City”) is a member agency of the Wasatch Integrated Waste Management District (the District) and is obligated by contract to dispose of its solid waste at District facilities; and

WHEREAS, the District Board has adopted a policy of incentivizing its member agencies by reducing the unit costs for recycling if members participate in various recycling and green-waste programs; and

WHEREAS, the City currently has a high participation rate in recycling, but does not require mandatory recycling on new single family or individual residential accounts; and

WHEREAS, the City is desirous to participate in the incentive program and can be approved to receive the incentive by complying with the District’s recycling policy; and

WHEREAS, the City finds that maximizing recycling opportunities supports the public’s general health and welfare including preservation of landfill space and reduction of general solid waste.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Kaysville City that the City hereby adopts the Opt-out Recycling Program as described in the ordinances of the Wasatch Integrated Waste Management District which requires mandatory recycling for all new individual residential accounts in order to qualify for a price incentive

1. **Severability.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.
2. **Effective Date.** This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this 7th day of November, 2024.

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder