



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on **Thursday, March 6, 2025**, 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 comments during the meeting are only taken for Action Items, "Call to the Public", or public hearings. **Those wishing to speak during these times must sign up in person before the meeting begins.** Comments may also be submitted to the City Council via email to publiccomment@kaysville.gov. Emailed comments will NOT be read aloud at the meeting.

CITY COUNCIL Q&A – 6:30 PM

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

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

- 1) OPENING
 - a) Presented by Council Member Perry Oaks
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) DECLARATION OF ANY CONFLICTS OF INTEREST
- 4) CONSENT ITEMS
 - a) Approval of minutes from the February 4, 2025 Council Work Session
 - b) A Resolution authorizing the city manager to negotiate a reimbursement with Symphony Homes for potential road improvements
- 5) ACTION ITEMS
 - a) An Ordinance amending Section 12-2-2, "Vehicles," and enacting Section 12-2-12 "Bicycles and Skateboards," of Chapter 12-2, "Parks and Public Property," in the Kaysville City Code
 - b) Consideration of Enacting Kaysville City Code Title 17-31-5 Farm Stands and amending 17-2 Definitions; 17-8 Heavy Agricultural District; 17-9 Light Agricultural District; 17-10 Agricultural Residential District; 17-11 Old Kaysville Townsite Residential District; 17-12 Single Family Residential District; 17-13 Diverse Residential District; 17-14 R-2 One To Two Family Residential District; 17-15 R-4 One To Four Family Residential District and 17-16 R-M Multiple Family Residential District
- 6) COUNCIL MEMBERS REPORTS
- 7) CITY MANAGER REPORT
- 8) ADJOURNMENT

KAYSVILLE CITY BUSINESS PARK ARCHITECTURAL REVIEW COMMITTEE MEETING

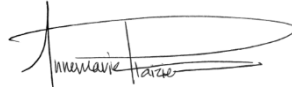
The agenda shall be as follows:

- 1) OPENING

- 2) APPROVAL OF AN ELECTRONIC MESSAGE CENTER SIGN FOR BARNES PARK LOCATED AT APPROXIMATELY 950 WEST 200 NORTH.
- 3) 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 February 28, 2025.

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

Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL
WORK SESSION
February 4, 2025

Minutes of a special Kaysville City Council work session held on Tuesday, February 4, 2025, at 5:30 p.m. 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, Council Member Perry Oaks

Staff Present: City Manager Jaysen Christensen, City Attorney Nic Mills, Finance Director Dean Storey, Power Director Brian Johnson, Parks and Recreation Director Cole Stephens, Public Works Director Josh Belnap, Community Development Director Melinda Greenwood, Fire Chief Paul Erickson, Police Chief Sol Oberg, Deputy Finance Director Maryn Nelson, City Recorder Annemarie Plaizier

OPENING

City Manager Jaysen Christensen opened the work session and welcomed everyone present.

REVIEW OF THE 2020 STRATEGIC PLAN AND DISCUSSION OF FUTURE PLANNING GOALS BASED ON THE PLAN

Jaysen Christensen outlined the meeting format and objectives. Participants were seated in mixed groups of elected officials and staff members to encourage discussion. Before beginning, he also recognized Public Works Director Josh Belnap for receiving the "Public Works Director of the Year" award from the Utah Chapter of the American Public Works Association.

Mr. Christensen explained that the session stemmed from previous discussions about the city's long-term vision. He referenced a past city tour with staff where differing perspectives on infrastructure projects, such as the Burton Lane roundabout, highlighted the need for clearer strategic planning. This led to the idea of structured discussions to align the council and staff on key priorities for Kaysville's future.

The session revisited existing strategic planning documents, including the 2020 Strategic Plan, the city's budget mission statement and objectives, and the 2022 General Plan. Mr. Christensen noted that while these documents contain guiding principles, they are often broad and underutilized. He emphasized the need to translate them into actionable goals and strategic initiatives. He also acknowledged that this work session was just the beginning of an ongoing, multi-meeting process that would involve setting priorities, developing specific goals, and further discussion on implementation, budgeting, and timelines.

Participants received three handouts summarizing key planning documents. The city's mission and vision statements were read aloud, reaffirming Kaysville's identity as a family-friendly, economically balanced community with strong infrastructure, public safety, and recreational

opportunities. Mr. Christensen noted that the 2020 Strategic Plan, developed with extensive community input, continues to define Kaysville. However, he invited council members to consider whether any aspects should be updated.

The discussion then shifted to the five guiding principles outlined in the 2020 Strategic Plan, which focus on building and maintaining quality, long-lasting infrastructure and connectivity to essential needs, collaborative and transparent decision-making, and responsible growth to create and maximize economic and community opportunities. These principles were compared with those from the 2022 General Plan and the city's budget objectives. Council members and staff agreed that while many principles overlap, they must be translated into concrete priorities and projects.

Council Member Oaks raised a question about how the city defines an "expected level of service", noting that service quality and cost efficiency must be carefully balanced. He also pointed out that expectations may vary among each person.

Mr. Christensen responded that this session was meant to focus on high-level priorities, with staff later developing measurable strategies. He explained that council members should identify areas of focus, while staff would develop tactical plans to address those priorities.

Each group was asked to review the guiding principles and select at least three to four priorities for shaping Kaysville's direction over the next five years. These priorities were then consolidated to identify common themes. Each group designated a spokesperson to present their selections. Mr. Christensen clarified that while operations, employees, and capital investment were assumed core budget priorities, this discussion should focus on other strategic areas guiding the city's long-term vision.

Each table presented their prioritized strategic principles and how they should guide the city's direction.

Council Member Adams, spokesperson for his group, identified the first Guiding Principle from the city's Strategic Plan (SP-1), "Build and maintain quality, long-lasting infrastructure and connectivity to essential needs", as the highest priority, emphasizing the need for improved community communication and marketing. They noted that infrastructure projects are often overlooked by the public because they are not visually appealing or immediately exciting. To address this, they suggested implementing a stronger marketing approach, such as visual materials illustrating the condition of aging pipes and other infrastructure issues, to help residents understand the necessity of funding these improvements. This, they believed, would make residents more receptive to tax increases or budget allocations for essential projects. They also prioritized the third Guiding Principle from the General Plan (GP-3), "Enrich our city center and downtown", aligning it with the first Guiding Principle from the General Plan (GP-1), "Staying True to Kaysville's Heritage", arguing that downtown improvements should reflect Kaysville's historical identity. Their third selection was the third Guiding Principle from the Strategic Plan (SP-3), "Make decisions based on information, facts and analysis; not ego or individual political agendas."

The second group, with spokesperson Parks and Recreation Director Cole Stephens, also selected SP-3, emphasizing the need to for data-driven decisions. They highlighted the importance of GP-1 and SP-4, "Respecting the past while embracing the future", reinforcing the idea that Kaysville's

identity is well-established and should be maintained rather than significantly altered. Their final selection was SP-1, reaffirming the need to maintain high-quality infrastructure.

The third group, with spokesperson Public Works Director Josh Belnap, similarly chose SP-1, recognizing the challenge of narrowing priorities, but stressing the need for detailed, actionable steps. They also prioritized SP-5, “Create and maximize economic and relational economic development opportunities”, recognizing that while Kaysville is primarily a bedroom community, economic development could help alleviate some of the tax burden on residents and support infrastructure improvements. Their final selection was GP-3, “Enrich our city center and downtown”, reflecting the broader consensus on the importance of downtown development.

After compiling the results, Mr. Christensen summarized the commonalities across the groups. SP-1 (Infrastructure) emerged as the clear top priority, receiving unanimous support from all three groups. GP-3 (City Center and Downtown) and SP-3 (Fact-Based Decision Making) were each selected twice, indicating strong but slightly less universal support.

To continue refining priorities, Mr. Christensen instructed the participants to reorganize into new groups, mixing staff and elected officials differently. The next task was to break down SP-1 (Build and maintain quality, long-lasting infrastructure and connectivity to essential needs) into more specific initiatives. He asked participants to identify broad but concrete goals within infrastructure, such as improving streets, ensuring sustainable water management, or implementing long-term infrastructure plans. He emphasized that they should avoid getting into overly technical details, but instead establish general priorities within infrastructure that would guide the city’s future investments and maintenance efforts.

Council Member Jackson, spokesman for his group, said that they prioritized sidewalks, recognizing that minor infrastructure elements had been neglected over time. They advocated for restoring consistent sidewalk funding and emphasized the need for a long-term plan for street striping and crosswalk maintenance, suggesting that regular updates would ensure safety and improve community aesthetics. Additionally, they stressed the importance of developing clear communication around utility infrastructure to help council members effectively communicate the necessity of funding increases to residents.

Council Member Hunt said that her group proposed adopting design standards for future city projects to ensure cohesive aesthetics throughout Kaysville, including consistent lighting and city gateway enhancements. They also emphasized that repaving projects should go beyond basic resurfacing and incorporate safety, economic, and recreational improvements where possible. Connectivity, particularly the difficulties emergency services face in reaching the other side of town, was another major concern. They highlighted the need for improved east-west connectivity.

Police Chief Sol Oberg said his group discussed the tendency of the city to make short-term, cost-cutting decisions that ultimately lead to greater long-term expenses. They cited the city’s past failure to support aesthetic improvements on the freeway off-ramp near the Young Kia dealership, which resulted in the dealership relocating and a decrease in sales tax revenue. They emphasized the importance of investing in long-term, high-quality infrastructure rather than opting for cheaper, short-term solutions. They also discussed the challenge of unifying the distinct identities of Kaysville’s east and west sides, both in terms of community engagement and physical connectivity.

Mr. Christensen reviewed the common themes that emerged from the discussions. Council Member Blackham reiterated that the focus should be on maintaining existing infrastructure rather than expanding new projects at the expense of basic upkeep. The conversation also touched on the city's budgeting approach, with concerns that deferred projects lead to increased costs over time.

The discussion then shifted to the importance of communicating city expenditures.

Council Member Blackham expressed frustration over the challenge of prioritizing department funding requests. He suggested that department heads should collaborate to present a unified list of personnel and infrastructure priorities rather than submitting individual requests. Council Member Blackham noted that staffing requests, in particular, should be prioritized at the administrative level before reaching the council, as it is difficult for council members to weigh competing needs across departments.

City Attorney Nic Mills observed a recurring theme in the conversation: the need for improved communication between city staff and the council. He noted that while strategic planning is critical, fostering better relationships and dialogue between these groups could lead to more effective decision-making.

Mayor Tran agreed, suggesting that regular work sessions could improve collaboration and allow council members to gain a better understanding of department needs.

Council Member Adams expressed a preference for presentations to the council that focus more on immediate needs and challenges rather than routine statistics. He suggested that department heads present a clear, compelling narrative about their priorities.

Council Member Jackson supported the idea of increased direct communication between staff and council members. Council Member Jackson noted that Council Member Hunt does an excellent job of proactively setting up meetings with department heads and encouraged others to follow suit.

Moving on to the next discussion item, Mr. Christensen instructed the participants to again reorganize into new groups. He then transitioned the meeting to discuss the next priority: SP-3 (Make decisions based on information, facts, and analysis, not ego or political agendas). Participants were asked to brainstorm actionable steps to improve data-driven decision-making, as well as ways to enhance communication between staff, the council, and the public.

Mayor Tran explained that her group reinforced the value of work sessions like this one, advocating for regular meetings to maintain group discussions rather than fragmented departmental conversations. They emphasized the importance of staff providing clear, prioritized needs to the council, as council members lack firsthand knowledge of department operations. She encouraged department heads to be assertive in conveying their most essential needs, assuring them that council members trust their expertise and are not skeptical of their requests.

Council Member Oaks was excused from the meeting at 7:28 p.m.

Power Director Brian Johnson said that his group echoed the need for structured prioritization within city departments. They pointed out that staffing requests, for example, often come to the

council piecemeal rather than as a unified citywide priority. They recommended that department heads collectively assess needs before approaching the council, allowing for more strategic decision-making.

Council Member Adams said that his group focused on improving city communication to residents. They noted that while the council often makes fact-based decisions, the public frequently lacks access to that information, leading to misunderstandings and opposition. They proposed a simplified approach to public outreach, such as single-topic flyers that clearly present data—like fire response times on the west side—to build community awareness and support for major projects. They also stressed that the city should consider the capacity of its existing infrastructure when evaluating development proposals rather than solely relying on external analyses advocating for increased housing. Council Member Adams expressed frustration over the city's reliance on expensive studies and suggested finding alternative ways to gather and use data.

Mr. Christensen summarized the key themes of the discussion and acknowledged that some of these issues would be addressed further in upcoming budget discussions and infrastructure planning.

Participants were again instructed to reorganize for a final time into new groups. Mr. Christensen introduced the last priority to discuss: GP-3 (Enriching the city center downtown) and asked each group to identify actionable goals for revitalizing Kaysville's downtown core. After discussing this final priority, each group again selected a spokesperson to summarize what was discussed.

Community Development Director Melinda Greenwood said that her group began by questioning what "enrichment" truly means in the context of downtown. They identified key elements such as landscaping, lighting, and design guidelines, all of which would contribute to a visually appealing and welcoming downtown. Beyond physical improvements, they emphasized the importance of programming and events that attract people to the area. Ms. Greenwood noted that continued community and business input would be crucial in shaping a more comprehensive downtown plan.

Parks and Recreation Director Cole Stephens said that his group believed that the city must take the lead in improving its own facilities if it expects private businesses to invest in the area. He cited the former library building, which has sat vacant for nearly a decade, as an example of city neglect. The group suggested that upgrading city facilities, beautifying entrances to Kaysville, and enhancing visual elements—such as improving Main Street banners—would set a standard for the rest of the community.

Fire Chief Paul Erickson said his group focused on the need for a long-term vision and actionable execution plan. They suggested that the city strengthen partnerships with downtown businesses by offering incentives or assistance for aesthetic improvements. They also emphasized that city communication remains a challenge and that improving dialogue with businesses and residents would be a key factor in successful downtown enrichment.

Mr. Christensen summarized the priorities discussed and outlined the next steps. He acknowledged that the discussion on downtown revitalization yielded more varied responses than expected, with a broader focus on overall city aesthetics. He reiterated the importance of continued strategic planning and communication and suggested that quarterly work sessions be scheduled to keep these discussions ongoing.

With upcoming budget workshops beginning on February 14, Mr. Christensen noted that many of priorities discussed would tie into budget planning. He encouraged council members and staff to continue providing input and reassured them that this session was just the beginning of a longer-term strategic effort.

Council Member Blackham emphasized that budgeting remains his top priority but acknowledged the challenge of fully understanding the sources and sustainability of city revenue. He reiterated a recurring theme that he's taken from the session—that city staff should collectively prioritize budget needs before presenting them to the council. He requested that staff not only identify their highest priorities but also provide clear cost estimates and funding strategies, including potential tax increases and their impacts. Council Member Blackham also expressed frustration that he felt that past budget discussions lacked specificity regarding financial impacts, leaving council members without the necessary details to make informed decisions.

Chief Erickson reinforced that the city council had deferred difficult financial decisions for several years, and as a result, the upcoming budget priorities would be "ugly."

Council Member Blackham stressed that while some priorities will have to be sacrificed, city leadership must define those priorities in a way that is sustainable and defensible. He emphasized that he is willing to support a tax increase if necessary to maintain essential services, but he wants the justification to come directly from staff, based on long-term strategic needs.

Mr. Christensen noted that previous council feedback has already led to changes in how financial discussions are structured, shifting toward clear, bottom-line priorities rather than vague discussions. He committed to providing the council with not only recommended expenditures but also an explanation of the consequences of inaction—such as service deterioration, infrastructure failures, or higher future costs.

Council Member Blackham further explained that he needs clear data and a narrative to justify financial decisions to the public. He argued that the city should aim to maintain a tax rate that aligns with regional averages—ranking around seventh or eighth among Davis County cities—rather than artificially keeping taxes low at the expense of city services. He acknowledged that no council member wants to impose tax increases, but responsible governance requires maintaining financial stability rather than continuously deferring costs.

Council Member Jackson added that past tax increases seemed reactive and only covered immediate needs, leaving the city in the same position the following year. He advocated for a more strategic approach that ensures financial stability over multiple years, reducing the need for frequent increases. However, he also cautioned against raising taxes too aggressively, noting that the city must balance its financial needs with the economic burden placed on residents. He emphasized the importance of public outreach and transparency, stating that council members must be able to explain budget decisions in a way that is understandable and justifiable to the public. He stressed that if residents are better informed about why certain investments are necessary—such as infrastructure maintenance or public safety enhancements—they are more likely to support tax or fee increases.

As the session wrapped up, Mayor Tran expressed appreciation for the collaborative nature of the discussion and supported the idea of regular work sessions to maintain open communication between staff and the council.

Mr. Christensen reiterated that this was just the beginning of the strategic planning process, with more detailed discussions to follow during the upcoming budget workshops. He committed to refining staff priorities and returning to the council with clearer financial projections and sustainability plans.

The work session adjourned at 8:00 p.m.

DRAFT

CITY COUNCIL STAFF REPORT



MEETING DATE: March 6, 2025

TYPE OF ITEM: Consent Items

PRESENTED BY: Jaysen Christensen, City Manager

SUBJECT/AGENDA TITLE: A Resolution authorizing the city manager to negotiate a reimbursement with Symphony Homes for potential road improvements

EXECUTIVE SUMMARY:

The City Council adopted Resolution 25-02-03 at its last meeting to authorize the City Manager to negotiate a contract with ASG Consulting Inc for government relations work related to obtaining federal funding for the Angel Street extension project. A contract with ASG has been negotiated for a fee of \$5,000 per month for up to 12 months with a clause that the City may terminate the agreement at the point that it becomes clear that federal funding of the City's project is unlikely.

At the suggestion of Councilmember Adams, I have negotiated with Symphony Homes to share in some of ASG's cost. Symphony has signed a preliminary agreement to reimburse Kaysville for up to \$15,000, which must now be ratified by the Council. The agreement would cover 50% of ASG's fee for the first six months of service (i.e. \$15,000 of the \$30,000 fee for six months of service). According to ASG, the Transportation and Infrastructure Committee, which Representatives Mike Kennedy and Burgess Owens both sit on, will prioritize funding for community project requests by early August 2025 (six months into ASG's contract). If Kaysville's project receives prioritization in August, it is very likely that it will be funded. If our project is not prioritized and not likely to be successful, we could elect to terminate our contract with ASG.

We are pleased with Symphony's good faith gesture to share in this cost in support of our mutual interests.

City Council Options:

1) Approve 2) Deny

Staff Recommendation:

Approve

Fiscal Impact:

Reduce costs to City by up to \$15,000

ATTACHMENTS:

1. Resolution - Symphony Reimbursement

2. Symphony Reimbursement Agreement

RESOLUTION 25-~~XX-XX~~

**AUTHORIZING THE CITY MANAGER TO NEGOTIATE A REIMBURSEMENT
AGREEMENT WITH SYMPHONY HOMES FOR POTENTIAL ROAD
IMPROVEMENTS**

WHEREAS, Kaysville City (hereinafter “City”) has retained the services of ASG Consulting to attempt to obtain government funding for certain road projects; and

WHEREAS, Symphony Homes has a mutual interest in those road projects and is willing to reimburse the City for some of the costs associated with ASG Consulting; and

WHEREAS, the City, in exercise of its management of public property, believes that it is in the best interest of the public to enter into a reimbursement agreement with Symphony Homes.

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

1. The City Manager, or his designee, are directed to conduct negotiations for a reimbursement agreement (hereinafter “Agreement”) with Symphony Homes. It is anticipated the Symphony will reimburse the City up to \$15,000. The Agreement shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering an agreement.

2. At such time as the Agreement is in a form acceptable to the City Manager and City Attorney and after Symphony has properly executed said Agreement, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by the City Manager shall constitute the City's acceptance of the offer by Symphony pursuant to the terms and conditions of the Agreement.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____th **day of March, 2025.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

REIMBURSEMENT AGREEMENT

THIS REIMBURSEMENT AGREEMENT ("Agreement") is made and entered as of the ____ day of ____, 2025 (the "Effective Date"), by and between KAYSVILLE CITY, a Utah municipal corporation, hereinafter referred to as "City", and Symphony Development, hereinafter referred to as "Symphony." City and Symphony are hereinafter referred to individually as a "Party" and collectively as the "Parties."

RECITALS

- A. On ____, 2025, the City entered into an agreement (attached hereto as Exhibit A) with ASG Consulting, Inc. ("ASG") for government relations consulting to obtain federal funding for the extension and completion of Angel Street in Kaysville.
- B. The extension and completion of Angel Street is of mutual interest to the Parties.
- C. The City desires Symphony to reimburse the City for 50% or \$2,500 of the \$5,000 monthly consulting fee from ASG.
- D. The Parties wish to memorialize their agreement with respect to such reimbursement in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Symphony hereby agree as follows:

- 1. Incorporation of Recitals. The foregoing Recitals and Exhibits attached hereto are hereby incorporated into this Agreement, as a substantive part hereof.
- 2. Definitions. The following definitions shall apply to this Agreement:
 - a. "Costs" means ASG's monthly consulting fee of \$5,000
 - b. "Maximum Reimbursement Amount" means 50% or \$2,500 of ASG's \$5,000 monthly fee for a period not to exceed six (6) months and maximum reimbursement total not to exceed \$15,000
- 3. Reimbursable Costs. Symphony agrees to reimburse the City the Maximum Reimbursement Amount for Costs associated with ASG's agreement with the City.
- 4. Maximum Reimbursement Amount. Symphony's obligation to reimburse the City for Costs incurred in connection with ASG's agreement with the City shall not exceed the Maximum Reimbursement Amount.
- 5. Reimbursement Procedures. Once the City provides Symphony with paid invoices to ASG associated with ASG's agreement with the City, Symphony shall submit the Maximum Reimbursement Amount to the City within 30 days.
- 6. Termination. This Agreement may be terminated upon mutual agreement of the Parties. In addition, this Agreement shall automatically terminate upon exhaustion of the Maximum Reimbursement Amount.
- 7. Representations and Warranties. (a) The City represents and warrants that it has the legal authority to enter into this Agreement. (b) The Symphony represents and warrants that it has the legal authority to enter into this Agreement and that it will comply with all applicable laws and regulations in connection with this Agreement.
- 8. Integration. This Agreement, together with the Exhibits hereto, integrates all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements or previous agreements between the parties, whether oral or written with respect to the subject matter hereof.

9. Amendments. Any amendments hereto must be in writing and signed by the respective parties hereto.
10. Headings. The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.
11. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, representatives, officers, agents, employees, members, successors and assigns (if any assignments are allowed as provided herein).
12. Further Documentation. This Agreement is entered into by the parties with the recognition and anticipation that subsequent agreements implementing and carrying out the provisions of this Agreement may be necessary.
13. Applicable Law. This Agreement is entered into under and pursuant to and is to be construed and enforceable in accordance with the laws of the State of Utah.
14. Approval and Authority to Execute. Each of the parties represents and warrants as of the date this Agreement is executed that it/he/she has all requisite power and authority to execute and deliver this Agreement, being fully authorized so to do and that this Agreement constitutes a valid and binding agreement.
15. Severability. If any portion of this Agreement is held to be unenforceable for any reason, the remaining provisions shall continue in full force and effect.
16. Amendment. This Agreement may be amended only in writing duly approved and signed by the parties hereto.

IN WITNESS WHEREOF, the City and the Symphony have caused this Agreement to be duly executed on their behalf on or as of the day and year first above written.

CITY

Jaysen Christensen, City Manager

Date

Attest:

Annemarie Plaizier, City Recorder

Date

Approved as to form:

Nic Mills, City Attorney

Date

SYMPHONY

(Name and Title)

Date

CITY COUNCIL STAFF REPORT



MEETING DATE: March 6, 2025

TYPE OF ITEM: Action Item

PRESENTED BY: Cole Stephens, Parks and Recreation Director

SUBJECT/AGENDA TITLE: An Ordinance amending Section 12-2-2, "Vehicles," and enacting Section 12-2-12 "Bicycles and Skateboards," of Chapter 12-2, "Parks and Public Property," in the Kaysville City Code

EXECUTIVE SUMMARY:

During the City Council meeting on February 20, 2025, this item was discussed as a work item and subsequently moved to action.

The action item involves amending Title 12-2-2 concerning Motor Vehicles and adopting Title 12-2-12 for Bicycles and Skateboards.

City Council Options:

1) Approve, 2) Table

Staff Recommendation:

Approve

Fiscal Impact:

NA

ATTACHMENTS:

1. Ordinance_Section 12-2-2 and 12-2-12_DRAFT

**KAYSVILLE CITY
ORDINANCE 25-XX-XX**

**AN ORDINANCE AMENDING SECTION 12-2-2, "VEHICLES," AND ENACTING
SECTION 12-2-12, "BICYCLES AND SKATEBOARDS," OF CHAPTER 12-2
"PARKS AND PUBLIC PROPERTY," OF THE KAYSVILLE CITY CODE**

WHEREAS, the Kaysville City Council has considered the amendments to Title 12: Park, Public Property, and Recreation in an open and public meeting; and

WHEREAS, the Council requested that the language in Section 12-2-2 be amended to provide additional clarity regarding vehicles in city parks and on public property; and

WHEREAS, city staff has proposed Section 12-2-12 to address concerns related to motorized bicycles, scooters, and similar vehicles; and

WHEREAS, the City Council finds that these amendments are in the best interest of its citizens and community.

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

SECTION 1: **AMENDMENT** “12-2-2 Vehicles” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

12-2-2 Vehicles

1. Motor Vehicles Specified: For purposes of this section, motor vehicles include, but are not limited to, automobiles, trucks, off-road vehicles, motorcycles, motorbikes, and snowmobiles.
2. Locations: No motor vehicles may be driven at any place within a city park, other than in those areas specifically designated and posted as allowing such vehicles. This shall not apply, however, to motorized or self-propelled equipment or emergency vehicles used within the park by officers or employees of the city in the performance of their official duties.
3. Snowmobiles And Off-Highway Vehicles: It shall be unlawful to operate or drive any snowmobile or other off-highway vehicle within any area of any city park at any time.
4. Speed: It shall be unlawful to operate or drive any motor vehicle within any city park at a speed in excess of that speed posted on the particular road, trail or pathway within the park. In the absence of a posted speed limit, no motor vehicle may be operated within any city park at a speed in excess of ten (10) miles per hour.
5. Manner Of Operation: No motor vehicles shall be operated in a careless or reckless

manner to such an extent that it will endanger the peace, health and safety of any other person or animal within the property.

6. Parking. There shall be no parking at any time except in areas designated for such purposes. Abandoned vehicles shall be towed at owner's expense. No one shall test or repair any vehicle or mechanical device in any park, trail or multi-use open space.

~~It shall be unlawful to drive or park any vehicle over or across any park or public property except on the streets or parking lots provided therefore or as approved by the Superintendent. Only vehicles or equipment approved by the Superintendent shall traverse any lawn area.~~

SECTION 2: **ADOPTION** “12-2-12 Bicycles And Skateboards” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

12-2-12 Bicycles And Skateboards(*Added*)

Except as otherwise posted, self-propelled vehicles such as bicycles, skateboards, roller skates, rollerblades, scooters, or motorized wheelchairs, and similar types of vehicles may be used within public parks. No self-propelled vehicles or motorized wheelchairs shall be operated in a careless or reckless manner to such an extent that it will endanger the peace, health and safety of any other person within the city park area or in any way that will damage the facilities, plants or property within the park.

SECTION 3: **REPEALER CLAUSE** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 4: **SEVERABILITY CLAUSE** 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 5: **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 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: March 6, 2025

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Consideration of Enacting Kaysville City Code Title 17-31-5 Farm Stands and amending 17-2 Definitions; 17-8 Heavy Agricultural District; 17-9 Light Agricultural District; 17-10 Agricultural Residential District; 17-11 Old Kaysville Townsite Residential District; 17-12 Single Family Residential District; 17-13 Diverse Residential District; 17-14 R-2 One To Two Family Residential District; 17-15 R-4 One To Four Family Residential District and 17-16 R-M Multiple Family Residential District

EXECUTIVE SUMMARY:

On February 13, 2025, the Planning Commission considered a text amendment application submitted by resident Brit Van Brocklin. The application proposed creating provisions to allow farm stands in residential and agricultural areas within the City. Ms. Van Brocklin included information from Salt Lake City's code regarding farm stands and a proposed ordinance (attached) with her application. Following additional research, staff drafted an ordinance intended to balance Ms. Van Brocklin's proposal with the need to mitigate potential impacts on residential areas and maintain consistency with existing similar uses.

During the public hearing, one comment was received, proposing specific wording for the temporary duration definition. No other public comments were received. The Commission then deliberated on the proposed text amendments, considering various options presented by staff. Following a collaborative discussion with staff and Ms. Van Brocklin, the Planning Commission voted unanimously (7-0) to recommend City Council approve the farm stand text amendment.

The draft Planning Commission meeting minutes are attached, and you can view the Planning Commission's discussion [here](#).

City Council Options:

1. Approve the proposed text amendment enacting Kaysville City Code Title 17-31-5 Farm Stands and amending 17-2 Definitions; 17-8 Heavy Agricultural District; 17-9 Light Agricultural District; 17-10 Agricultural Residential District; 17-11 Old Kaysville Townsite Residential District; 17-12 Single Family Residential District; 17-13 Diverse Residential District; 17-14 R-2 One To Two Family Residential District; 17-15 R-4 One To Four Family Residential District and 17-16 R-M Multiple Family Residential District.
2. Do not approve the proposed text amendment.

Staff Recommendation:

Based on the Planning Commission's recommendation, staff recommends the City Council approve the Enactment of Kaysville City Code Title 17 Chapter 31-5 Farm Stands and the amendment to Kaysville City Code sections: Title 17-2 Definitions; 17-8 Heavy Agricultural District; 17-9 Light Agricultural District; 17-10 Agricultural Residential District; 17-11 Old Kaysville Townsite Residential District; 17-12 Single Family Residential District; 17-13 Diverse Residential District; 17-14 R-2 One To Two Family Residential District; 17-15 R-4 One To Four Family Residential District and 17-16 R-M Multiple Family Residential District.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Farm Stands Ordinance PC Rec to CC 2.13.25
 2. PC Farm Stands Text Amendment Staff Report 02.13.25
 3. Excerpt PC Minutes 02-13-2025
 4. Applicant Proposal for Temporary Farm Stand
 5. UCA-4-5-501_State Code on Cottage Food
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**KAYSVILLE CITY
ORDINANCE 25-XX-XX**

**AN ORDINANCE ENACTING TITLE 17-31-5 FARM STANDS AND AMENDING TITLE 17-2
DEFINITIONS; 17-8 HEAVY AGRICULTURAL DISTRICT; 17-9 LIGHT AGRICULTURAL DISTRICT; 17-
10 AGRICULTURAL RESIDENTIAL DISTRICT; 17-11 OLD KAYSVILLE TOWNSITE RESIDENTIAL
DISTRICT; 17-12 SINGLE FAMILY RESIDENTIAL DISTRICT; 17-13 DIVERSE RESIDENTIAL
DISTRICT; 17-14 R-2 ONE TO TWO FAMILY RESIDENTIAL DISTRICT; 17-15 R-4 ONE TO FOUR
FAMILY RESIDENTIAL DISTRICT; AND 17-16 R-M MULTIPLE FAMILY RESIDENTIAL DISTRICT;
PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, the Planning Commission held a public hearing on the proposed ordinance and issued a 7-0 recommendation of approval to the City Council at their February 13, 2025 meeting; and

WHEREAS, the Kaysville City Council considered the ordinance amendment to allow for farm stands which creates appropriate regulations for such a use; and

WHEREAS, the amendment was considered in an open and public meeting and the opportunity for interested parties to be heard has been appropriately provided; and

WHEREAS, the City Council finds it to be in the best interest of its citizens to enact and amend the following sections of Kaysville City Code as identified below.

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

SECTION 1: Amendment. The following sections of the Kaysville City Code is hereby amended as follows:

Title 17

Chapter 2 Definitions

Farm Stand: Temporary retail sales of:

- a. Food crops grown within Kaysville City including fresh fruits, vegetables and herbs;
- b. Ornamental crops grown within Kaysville City including flowers and small plants; and

- c. Packaged foods produced within Kaysville City per cottage food establishment regulations as defined by Utah State Annotated Code Title 4-5-501 Cottage Food Operations.

Title 17

Chapter 31-5 Farm Stands

17-31-5-1 Purpose

To authorize and establish regulations for the operation of temporary farm stands in agricultural and certain residential districts to encourage urban farming.

17-31-5-2 Permitted Zones

Farm stands are allowed as a conditional use in the following zones:

- a. Chapter 17-8 Heavy Agricultural District
- b. Chapter 17-9 Light Agricultural District
- c. Chapter 17-10 Agricultural Residential District
- d. Chapter 17-11 Old Kaysville Townsite Residential District
- e. Chapter 17-12 Single Family Residential District
- f. Chapter 17-13 Diverse Residential District
- g. Chapter 17-14 R-2 One To Two Family Residential District
- h. Chapter 17-15 R-4 One To Four Family Residential District
- i. Chapter 17-16 R-M Multiple Family Residential District

17-31-5-3 Farm Stand Requirements

- a. Farm stands shall be operated by the owner or legal occupant of the site or parcel. The legal occupant shall provide documentation showing proof of occupancy.
- b. Farm stand applications are required to submit a site plan as well as a plan for when temporary sales are estimated to begin and conclude.
- c. Farm stands shall obtain a Kaysville City business license as required by KCC Title 16 Licensing Control and Regulation of Business and comply with all retail sales requirements from the State of Utah.
- d. During hours of operation, the property owner or legal occupant shall either be on site or provide a mobile phone number for the farm stand operator while they are away from the site.
- e. Farm stand products and the allowed sign shall be removed from the farm stand location outside of the hours of operation.

17-31-5-4 Lot Area Restrictions

- a. The total square footage of the farm stand shall not exceed 100 square feet.

- b. Farm stands shall be set back at least ten feet from the property line of the site and the adjacent property line.
- c. For the purposes of this section, a single site can be considered as contiguous parcels owned or occupied by the same individual.

17-31-5-5 Duration

- a. Farm stands may not operate before dawn or after dusk, including setup and take down time.
- b. Farm stands are not permitted to operate for more than 180 consecutive days in a calendar year. The 180-day time period shall start on day one of operations and conclude no more than 180 days later.

17-31-5-6 Parking and Circulation

Any on street parking shall comply with existing regulations in Kaysville City Code. Farm stand operations shall not impede safe circulation of traffic.

17-31-5-7 Signage

- a. A farm stand is allowed to have one temporary and portable sign which shall not exceed 15 square feet in size.
- b. The sign shall be located within 25' of the farm stand.
- c. Signage must be set back at least five feet from the property line.
- d. Signage shall not have any lighting or illumination.
- e. Signage shall be removed outside of allowed operating hours.
- f. Signage is prohibited in within the right of way.

17-31-5-8 Prohibited

- a. Permanent structures are prohibited.
- b. Permanent signage is prohibited.
- c. Farm stands are prohibited within the public right of way.
- d. Christmas tree sales are not permitted as a farm stand.
- e. No live animals are permitted to be within 20 linear feet of the operating stand at any time with the exception of service animals.

Title 17

Chapter 8-4 Conditional Uses (Heavy Agricultural District)

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

1. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
2. Agricultural home occupations subject to the provisions of [KCC 17-26](#).
3. Golf courses subject to the provisions of [KCC 17-31-8](#).
4. Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
5. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
6. Public utility substation or storage facilities developed by a public agency.
7. Animal hospital or clinic, dog breeding, dog kennels, dog training school, provided any building or enclosure for animals shall be located not less than one hundred feet (100') from a public street and not less than fifty feet (50') from any dwelling or adjacent property.
8. Accessory building larger than three thousand (3,000) square feet in area, subject to the provisions of [KCC 17-31-2](#).
9. [Farm stands, subject the provisions of KCC 17-31-5.](#)

Title 17

Chapter 9-4 Conditional Uses (Light Agricultural District)

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

1. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
2. Instructional Home Occupation Subject to the provisions of KCC 17-26.
3. Agricultural home occupations subject to the provisions of [KCC 17-26](#).
4. Golf courses subject to the provisions of [KCC 17-31-8](#).
5. Greenhouses and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
6. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
7. Public utility substation or storage facilities developed by a public agency.
8. Animal hospital or clinic, dog breeding, dog kennels, dog training school, provided any building or enclosure for housing animals shall be located not less than one hundred feet (100') from a public street and not less than fifty feet (50') from any dwelling on adjacent property.

9. Accessory building larger than three thousand (3,000) square feet in area, subject to the provisions of [KCC 17-31-2](#).
10. [Farm stands, subject the provisions of KCC 17-31-5.](#)

Title 17

Chapter 10-4 Conditional Uses (Agricultural Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Public utility substations subject to the provisions of [KCC 17-31-15](#).
5. Golf courses subject to the provisions of [KCC 17-31-8](#).
6. Plant nurseries occupying one-half (1/2) acre or more.
7. [Farm stands, subject the provisions of KCC 17-31-5.](#)

Title 17

Chapter 11-4 Conditional Uses (Old Kaysville Townsite Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Public utility substations subject to the provisions of [KCC 17-31-15](#).
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
8. [Farm stands, subject the provisions of KCC 17-31-5.](#)

Title 17

Chapter 12-4 Conditional Uses (Single Family Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Public utility substations subject to the provisions of [KCC 17-31-15](#).
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
8. Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.
9. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
10. [Farm stands, subject the provisions of KCC 17-31-5](#).

Title 17

Chapter 13-4 Conditional Uses (Diverse Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).

8. Public utility substations subject to the provisions of [KCC 17-31-15](#).
9. [Farm stands, subject the provisions of KCC 17-31-5](#).

Title 17

Chapter 14-4 Conditional Uses (R-2 District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC 17-26.
3. Residential child care subject to the provisions of KCC 17-26.
4. Twin homes subject to the provisions of KCC 17-28.
5. Farm animals subject to the provisions of KCC 17-24.
6. Swimming clubs subject to the provisions of KCC 17-31-10.
7. Public utility substations subject to the provisions of KCC 17-31-15.
8. [Farm stands, subject the provisions of KCC 17-31-5](#).

Title 17

Chapter 17-15-4 Conditional Uses (R-4 District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC 17-26.
3. Residential child care subject to the provisions of KCC 17-26.
4. Twin homes subject to the provisions of KCC 17-28.
5. Farm animals subject to the provisions of KCC 17-24.
6. Swimming clubs subject to the provisions of KCC 17-31-10.
7. Public utility substations subject to the provisions of KCC 17-31-15.
8. [Farm stands, subject the provisions of KCC 17-31-5](#).

Title 17

Chapter 17-16-4 Conditional Uses (R-M District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type; not including storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC 17-26.
3. Residential child care subject to the provisions of KCC 17-26.
4. Twin homes subject to the provisions of KCC 17-28.
5. Public utility substations subject to the provisions of KCC 17-31-15.
6. Farm animals subject to the provisions of KCC 17-24.
7. Business, professional, and government offices.
8. Swimming clubs subject to the provisions of KCC 17-3-10.
9. Farm stands, subject the provisions of KCC 17-31-5.

SECTION 2: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith, they are hereby repealed.

SECTION 3: 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 4: 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 _____, 2025.

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 5, 2025

Agenda Item #5: Public Hearing for Consideration of Enacting Kaysville City Code Title 17 Chapter 31-5 Farm Stands and amending the following titles of Kaysville City Code: Title 17 Chapter 2 Definitions; Chapter 17-8 Heavy Agricultural District; Chapter 17-9 Light Agricultural District; Chapter 17-10 Agricultural Residential District; Chapter 17-11 Old Kaysville Townsite Residential District; Chapter 17-12 Single Family Residential District; and Chapter 17-13 Diverse Residential District.

Meeting Date	February 13, 2025
Application Type	Ordinance Text Amendment
Applicant	Brit Van Brocklin
Chapter Title Section	Title 17-2 Definitions Title 17-31-5 Farm Stands Title 17-8 Heavy Agricultural District Title 17-9 Light Agricultural District Title 17-10 Agricultural Residential District Title 17-11 Old Kaysville Townsite Residential District Title 17-12 Single Family Residential District Title 17-13 Diverse Residential District

1. BACKGROUND

Brit Van Brocklin applied for a Title 17 Planning and Zoning Text amendment application to allow for seasonal farm stands to be located in low density residential and agricultural zones. The permitting of seasonal farm stands would enable the applicant to sell the flowers she grows for her business on site at her home.

After researching similar ordinances enacted in other cities, staff has compiled a set of definitions and standards to enable farm stands as a temporary use including limitations on their duration as well as lot area restrictions.

The following matrix depicts differences between the applicant's proposal and staff's proposed regulations.

Proposed Changes Matrix

Regulation	Applicant Proposal	Staff Recommendation	Comments
Signage	Signs for seasonal farm stands are allowed as a temporary sign within 25' of stand location. Sign should not exceed 15 square feet in size	Needs discussion as most home occupations do not permit signage	• Minor Home Occupations: No signage allowed • Major Home Occupation A: No signage allowed • Major Home Occupation B: One wall sign, one square foot, indicating the address and the occupant's name • Major Home Occupation C: One wall sign, one square foot, indicating the address and the occupant's name
Duration	No definition provided	No more than 180 consecutive days per calendar year Operating hours should be between dawn and dusk	Temporary uses not limited by number of days in other portions of code – potential inconsistency and issues determining what is classified as “temporary”
Zones	Permitted use in all Agricultural and Residential zones	Permitted in (conditionally): Chapter 17-8 Heavy Agricultural District; Chapter 17-9 Light Agricultural District; Chapter 17-10 Agricultural Residential District; Chapter 17-11 Old Kaysville Townsite Residential District; Chapter 17-12 Single Family Residential District; and Chapter	Farm stands not really compatible with medium density residential areas (R-2, R-4 and R-M)

		17-13 Diverse Residential District	
Permitted vs Conditional Uses	Permitted outright	Conditional use in single family residential and in agricultural zones	Classifying as conditional use allows for better tracking of applications and enforcement of conditions to mitigate impacts and noncompliance
Packaged goods	Packaged foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department agriculture facility	Packaged foods produced onsite per cottage food establishment regulations as defined by Utah State Annotated Code Title 4-5-501 Cottage Food Operations	• Recommendation to keep farm stand sale products to one single site • Allow Cottage Food Operations which provides additional requirements to ensure proper regulation of any packaged food sold

To ensure the enactment of the proposed Farm Stand ordinance is consistent with other provisions of City Code and similar uses, staff is also proposing these additional regulations or details:

- Defining temporary sales within the parameters of a farm stand
- Owner/Legal occupant required to be who operates the farm stand
- Site plan submittal requirement
- Kaysville City Business license requirement
- Contiguous parcels that have the same owner are considered one site

2. PUBLIC NOTICING AND PUBLIC COMMENT

A public hearing notice for this item was posted on January 23, 2025. To date, no comments have been received.

3. GENERAL PLAN

The general plan does not speak in favor of or against the proposed regulations of farm stands and is therefore considered neutral on this matter.

4. RECOMMENDATION

Staff recommends the Planning Commission send a recommendation of approval to the City Council for enacting 17-31-5 Farm Stands and text amendments to 17-8 Heavy Agricultural District, 17-9 Light Agricultural District, 17-10 Agricultural Residential District, 17-11 Old Kaysville Townsite Residential District, 17-12 Single Family Residential District, and 17-13 Diverse Residential District as provided in the attached draft ordinance.

Kaysville City Planning Commission Meeting Minutes
February 13, 2025
MINUTE EXCERPT

The Planning Commission meeting was held on Thursday, February 13, 2025, 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 Toller, Wilf Sommerkorn, Erin Young, Paul Toller, and Paul Allred

Planning Commissioners Absent: Commissioner Ellis

Staff Present: Anne McNamara, Melinda Greenwood, and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Brittin VanBrocklin, John Lassiegne, Haecman Gim, and Jill Dredge

5- PUBLIC HEARING FOR CONSIDERATION OF ENACTING KAYSVILLE CITY CODE TITLE 17 CHAPTER 31-5 FARM STANDS AND AMENDING THE FOLLOWING TITLES OF KAYSVILLE CITY CODE: TITLE 17 CHAPTER 2 DEFINITIONS; CHAPTER 17-8 HEAVY AGRICULTURAL DISTRICT; CHAPTER 17-9 LIGHT AGRICULTURAL DISTRICT; CHAPTER 17-10 AGRICULTURAL RESIDENTIAL DISTRICT; CHAPTER 17-11 OLD KAYSVILLE TOWNSITE RESIDENTIAL DISTRICT; CHAPTER 17-12 SINGLE FAMILY RESIDENTIAL DISTRICT; AND CHAPTER 17-13 DIVERSE RESIDENTIAL DISTRICT.

Anne McNamara introduced a proposed text amendment to add Chapter 31-5 to Title 17, which would allow farm stands as a temporary use. She explained that the discussion would be structured differently than usual, as there were several key points requiring Commissioners input.

The first major point was defining whether farm stand products must be grown entirely on-site or if they could be sourced from other locations within the city. Staff recommended limiting sales to products primarily grown on-site, but welcomed the Commission's input.

Commissioner Allred raised concerns about enforcement, questioning how the city would verify whether products were actually grown on-site.

Ms. McNamara explained that the proposed ordinance required farm stands to be operated by the legal owner of the property where the products were produced, but beyond that, enforcement would be a challenge. Since the use would be conditional, the Planning Commission would review applications, and any violations would be handled through enforcement actions.

Commissioner Allred shared his prior experience working with farm stands in other cities. He described how some communities allowed vendors to sell produce grown outside city limits, if

the vendor was a Utah-based farmer. In those cases, cities often adopted an "honor system" approach due to the difficulty of enforcement. He noted that because farm stands were temporary, the regulatory burden was lower.

Melinda Greenwood asked whether Commissioner Allred's experience applied to farm stands in commercial or residential areas. Commissioner Allred clarified that the stands he dealt with were in Commercial areas.

Ms. Greenwood explained that the key distinction in this proposal was that it would allow farm stands in agricultural and residential zones, which is why staff recommended the restriction to on-site produce, aiming to minimize neighborhood impact.

The Planning Commission continued discussing the proposed farm stand ordinance, focusing on enforcement, public safety, and the potential impact on residential neighborhoods.

Commissioner Sommerkorn pointed out that an existing farm stand on Main Street south of the Bowman's area operates in a commercial zone, where retail sales are already allowed.

Ms. Greenwood emphasized that this proposal effectively allows retail sales in residential areas, which requires different considerations.

Commissioner Allred shared additional experiences from his time in Sandy City, where farm stands created unintended traffic hazards. Complaints from local grocery stores led to an investigation, but ultimately, the city determined that the real issue was public safety. People would pull over abruptly, park partially in the road, and create dangerous conditions. To address this, Sandy required farm stand operators to submit a site plan showing safe parking and setback from the roadway. He noted that in other cities, farm stands were only permitted in commercial areas with adequate infrastructure, such as sidewalks and parking lots.

Commissioner Sommerkorn confirmed that the proposed ordinance requires a site plan submission and specifies that street parking must comply with city regulations without impeding safe traffic circulation.

Commissioner Allred agreed that reviewing safety measures at the administrative level, rather than through Planning Commission approval, could be sufficient.

Commissioner Toller appreciated the revisions made to the ordinance since its initial draft. He supported the defined seasonal operating period and noted that farm stands already exist in the city, selling both homegrown and family-supplied produce. He pointed out that between the two proposed options—requiring products to be grown on-site versus allowing them to come from elsewhere within the city—the second option (Option B) actually provides more

control by restricting sales to locally sourced goods rather than allowing shipments from outside municipalities.

Ms. Greenwood added that the applicant, who is part of the Utah Cut Flower Farm Association, was comfortable with restricting sales to on-site produce. However, she noted that other local growers had expressed interest in selling flowers through a single farm stand rather than operating their own, which could create a wholesaling situation not currently allowed in residential areas.

Commissioner Toller acknowledged that permitting off-site products could lead to an unintended increase in scale, such as someone establishing a greenhouse elsewhere in the city and selling flowers from a separate residential property, potentially affecting neighborhood character.

Commissioner Young expressed strong support for the proposal, emphasizing that the primary concerns should be traffic safety and public impact. She noted that access to fresh, locally grown food is beneficial for the community and saw no issue with farm stands selling produce, flowers, or eggs as long as safety concerns were addressed. She voiced her preference for Option B, which allows the sale of produce grown anywhere within Kaysville.

Commissioner Sommerkorn agreed, humorously stating that with the current egg shortage, he would welcome anyone selling eggs. He also indicated his preference for Option B.

Chair Packer invited Brittin VanBrocklin, the applicant and owner of Cherry Petal Flower Farm, to share her perspective.

Ms. VanBrocklin explained that she had wanted a farm stand for a long time but found that current zoning regulations prohibited it in residential areas. She worked with staff to propose this text amendment. Her reasoning for allowing off-site produce from other Kaysville farms stemmed from an example of a fellow flower farmer who also grows produce on her elderly neighbor's property. Ms. VanBrocklin emphasized that she personally only wanted to sell what she grew but thought the ordinance should account for similar situations.

Commissioner Sevy pointed out that Ms. VanBrocklin's situation, primarily focused on flowers, might differ from others who want to sell different types of produce.

Ms. VanBrocklin reiterated that the intent of the amendment is to encourage urban farming, particularly micro farms (classified as farms under five acres) are the fastest-growing type of farms in the U.S.

Commissioner Sommerkorn reaffirmed his support for Option B, stating that allowing produce from anywhere in Kaysville would be beneficial.

Ms. Greenwood then asked the Commission to consider a further distinction—whether farm stands should be allowed to sell packaged food items under the state's cottage food laws. The ordinance already permits cottage foods produced on-site, but she raised the question of whether farm stands should be able to sell cottage foods made elsewhere in Kaysville, such as a neighbor's homemade jam.

Commissioner Young expressed no concerns, as long as traffic safety was maintained. She saw it as an opportunity to support local residents' skills and creativity while promoting urban farming.

Commissioner Sommerkorn and Young both voiced their agreement with this approach.

Commissioner Sevy asked for clarification on the types of cottage foods allowed, noting that certain animal products like eggs would not be permitted under state regulations.

Ms. Greenwood confirmed that Cottage Food Laws prohibit animal products and require all items to be shelf stable.

The Planning Commission continued discussing the proposed farm stand ordinance, focusing on the exclusion of food trucks, defining "temporary" use, and setting a reasonable operational time frame.

Commissioner Toller asked whether the ordinance explicitly excluded food trucks. Ms. Greenwood confirmed that food trucks would not be included, as they fall under a different category. Mike Packer noted that the Salt Lake City ordinance, used as a reference, prohibits on-site food preparation, and he questioned whether that needed to be clarified further. Greenwood responded that the cottage food industry regulations already provide clear guidelines, ensuring compliance with state law.

Commissioner Sevy then raised questions about defining the temporary nature of farm stands, particularly regarding whether "seasonal" alone was sufficient or if more specific guidelines were needed.

Anne McNamara presented the two duration options being considered: 180 consecutive days (six months) or 240 consecutive days (eight months). She noted that 180 days aligns with the city's home occupation code for temporary uses, while 240 days would allow for both warm and cool-season crops. However, the applicant, Brittin VanBrocklin, had not expressed a strong

preference between the two durations but wanted to ensure flexibility for different types of farmers.

Commissioner Young expressed support for the 180-day option, emphasizing the importance of accommodating multiple growing seasons.

Commissioner Allred questioned whether a stand operating for the majority of the year could truly be considered temporary. He noted that in a previous city he worked for, the limit was set at 120 days due to concerns from local retailers who felt that longer durations blurred the line between temporary and permanent businesses. He suggested that 180 days might be the upper limit and that a shorter timeframe might be preferable.

Ms. VanBrocklin responded that, in her case, a 180-day limit would allow her to open for Mother's Day flowers and continue selling until mid-October, aligning with the typical growing season from the last frost in spring to the first frost in fall. While she personally didn't need 240 days, she acknowledged that some farmers might grow early crops like spinach in March or late crops like pumpkins in October, requiring different timing considerations.

Commissioner Young pointed out that the proposed 180-day period would accommodate operations through October, which seemed reasonable.

Ms. Greenwood emphasized the need to clearly define "temporary" in the ordinance to avoid ambiguity in enforcement. She noted that the 180-day limit was consistent with business licensing regulations and was designed to balance urban farming opportunities with neighborhood considerations. The Commission agreed that excessive operation length could lead to concerns from residents.

Commissioner Young then sought clarification on how "consecutive days" would be interpreted.

Ms. Greenwood explained that the count would begin on the first operational day and continue uninterrupted, meaning a stand could not pause operations and restart later to extend the total duration. However, closing on certain days (e.g., Sundays) would not reset the clock. The Commissioners nodded in agreement, indicating consensus on the proposed structure.

Chair Packer suggested specifying that the stands could operate within a 180-day window during the calendar year, rather than limiting it to consecutive days.

Ms. McNamara proposed considering a period defined by consecutive months to clarify the intended duration.

Commissioner Allred advocated for using an annual calendar, suggesting fixed windows like April 15 to October 15.

Chair Packer supported flexibility to accommodate different growing seasons for various crops like flowers or pumpkins.

The Commissioners agreed that flexibility was important, but the window should be consistent across the city for ease of enforcement. There was concern that allowing too much flexibility could lead to businesses manipulating the system, so they favored a consistent period with clear rules.

Ms. VanBrocklin clarified that farmers would specify their operating window when applying for a conditional use permit. The group debated whether to standardize the window or allow for slight variations based on crop types.

Commissioners seemed to lean toward 180 days as the time frame for farm stands.

Commissioner Sommerkorn suggested defining the period as 25 consecutive weeks, which would allow flexibility without opening the door for manipulation, though Commissioner Sevy raised concerns that this could lead to too much leniency with scheduling.

Commissioner Toller emphasized that they wanted to avoid people exploiting the 180-day period by being less transparent, but in general, the commissioners were leaning toward the 180-day window.

Chair Packer reminded everyone that it was a public hearing item, so they would now open the floor to public comments.

John Lassienge, a recent graduate from the planning program at the University of Utah, provided a suggestion to use the term "180-day interval" as a useful way to phrase the time for farm stands. He did not have further comments and thanked the Commissioners.

Chair Packer closed the public hearing.

Ms. McNamara discussed signage provisions for farm stands, presenting two options: Option A would allow temporary signage up to 15 square feet, placed within 25 feet of the stand and removed after operating hours, while Option B would prohibit all signage, including temporary signs.

Commissioner Allred suggested considering the illumination of temporary signs, expressing concern that bright, illuminated signs could create safety issues. He recommended prohibiting illumination for temporary signs, and the commissioners agreed.

Commissioner Sommerkorn added that, since farm stands would not operate at night (per proposed regulations), there should be no need for illuminated signs.

Commissioner Toller emphasized that the proposed regulations should ensure signs are not left up after operating hours.

The consensus was to allow temporary, non-illuminated signs, no larger than 15 square feet, to be taken down daily after operating hours.

Ms. McNamara introduced the idea of allowing farm stands as a Conditional Use in lower density Residential and Agricultural zones, while excluding higher density residential zones (like R2 and R4). The reasoning was that farm stands would better align with the character of lower density zones, where people have space for setbacks and agricultural activities.

Commissioner Sommerkorn raised the point that even in higher density zones, some large residential lots may still be used for farming, and he proposed allowing farm stands as a Conditional Use in those areas.

Commissioner Sevy and Commissioner Young emphasized that if the farm stand couldn't meet setback requirements, it should be prohibited, and that enforcement would be the key issue.

Ms. Greenwood noted that in multi-family zones, open space is often owned collectively, so additional permissions (like from an HOA) would be needed.

Commissioner Allred agreed, pointing out that there may be large properties in higher density zones that could accommodate farm stands, and restricting those zones entirely might not be reasonable.

The Commission considered starting conservatively by allowing farm stands only in lower density and agricultural zones but acknowledged that a future text amendment could allow farm stands in other zones if needed.

Ms. Greenwood clarified that if a request to include higher density zones came up, it could be submitted as a text amendment.

Ms. McNamara also asked about the implications of including farm stands in the RM (multi-family) zone, where development agreements are usually required.

Ms. Greenwood confirmed that such agreements typically cover entitlement and zoning, so farm stands would likely not be an issue in those cases.

Ms. McNamara presented two options for owner presence at farm stands. Option A would require the owner or legal occupant to be on-site during operating hours, while Option B would allow flexibility, permitting the owner to step away if contact information was posted.

Commissioner Sommerkorn supported Option B, citing the honor system commonly used in farm stands, where a phone number is posted, and customers pay on trust.

Commissioner Allred felt Option A was too restrictive, noting that it could prevent owners from going on vacation or running errands.

Commissioner Young added that Option A would turn owners into full-time shopkeepers, which may not align with their main activities, like farming or caring for family.

Commissioner Sevy raised a concern about whether Option A would prevent family members, like older children, from helping run the stand.

Ms. Greenwood explained that the intent of Option A was to ensure accountability and prevent issues like theft or vandalism, and that the owner or legal occupant must be present. She clarified that the legal occupant includes family members, so children could run the stand, but not a non-resident (like an extended family member). This approach mirrors the rules for other home occupations, where the business must be operated by the resident.

The Commission seemed to favor a flexible approach that would allow for family involvement while ensuring that the owner remained accountable for the stand's operation.

Ms. McNamara introduced the final discussion point: the allowance for packaged goods at farm stands. She asked the Commission whether these goods should only be produced on-site or if goods from nearby locations could be sold, subject to cottage food regulations.

Commissioner Sommerkorn suggested allowing packaged goods produced in Kaysville, citing examples like local honey being sold at flower stands. The commission seemed open to allowing goods from within Kaysville, adhering to the appropriate regulations.

Commissioner Sevy raised a question about the temporary nature of the farm stand, asking whether the stand itself must be taken down when not in use.

Ms. Greenwood clarified that products must be removed outside operating hours to prevent theft, but the stand itself, if non-permanent (e.g., a table or pop-up tent), could remain. Permanent structures would not be allowed. The Commission agreed that temporary structures are acceptable if the product is removed at the end of each day and that the structure stays within setback requirements.

Further discussions included defining setbacks more clearly, where the property line is typically about a foot from the sidewalk, with an additional 10-foot setback required.

Commissioner Toller inquired about signage, asking if the removal of signage each day was included in the takedown requirement. The group agreed that signage should be included in the takedown rules to avoid issues like lighted signs being left on overnight.

The Commission agreed on several parameters: signage should not exceed 15 square feet, must not include lighting, and should be removed when the farm stand is not operating. Additionally, there was consensus that signage should be placed within 25 feet of the stand and should not encroach into the right-of-way.

Commissioner Allred suggested explicitly adding that signs cannot be placed in the right-of-way, to ensure clarity.

Ms. Greenwood agreed to include this detail, recommending that signs be placed at least 5 feet from the property line.

Regarding zoning, the Commissioners appeared comfortable with farm stands being a Conditional Use in all residential and agricultural zones within Kaysville.

The discussion on duration was focused on the 180-day operating period for farm stands. Commissioner Young expressed comfort with this limit, as it would keep the farm stand seasonal, while Commissioner Allred was also in favor of limiting the duration to 180 days to prevent it from becoming a year-round operation.

The Commissioners debated the need for clarity on how the 180-day period would be defined.

Ms. McNamara clarified that as part of the Conditional Use Application, applicants must provide a clear start and end date for their operations, ensuring that the city could enforce these limits. This provision would prevent neighbors from having to monitor farm stand operations.

The discussion turned to the language around the prohibition of farm stands in the public right-of-way. Ms. Greenwood suggested using more precise language to clarify that farm stands are prohibited in the right-of-way, which would give the city more authority to address

unauthorized setups on public property, while still allowing youth enterprises (such as lemonade stands) to operate under existing youth enterprise licenses.

The Commissioners also revisited the idea of defining "temporary" for farm stands. There was a suggestion to make sure that non-consecutive days of operation wouldn't reset the 180-day clock, and that a clear framework would be established for how "temporary" stands would function. Commissioner Young expressed comfort with the proposed definition, and Ms. Greenwood agreed to refine the wording before finalizing.

After a final review of the ordinance, the Commission felt confident in its direction and was ready to move toward a motion. Minor adjustments would be made to the zoning language to include additional zones (R2, R4, and RM).

Commissioner Toller made a motion to recommend that the City Council enact the Farm Stand Ordinance (17-31-5), including the redline changes discussed during the meeting, with the addition of the other zones. Commissioner Allred seconded the motion, and the vote was unanimous in favor of the motion (7-0).

Commissioner Packer: Yay
Commissioner Allred: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Shepard: Yay
Commissioner Sommerkorn: Yay
Commissioner Toller: Yay



Proposed code for Kaysville Seasonal Farm Stand Provision

Purpose: The purpose of this section is to authorize seasonal farm stands within Kaysville city limits while encouraging urban farming.

Allowance: The keeping of a seasonal farm stand shall be allowed as a permitted use within the Agricultural (A) and/or Residential (R) Zones.

Duration: Business activity associated with a seasonal farm stand shall be of a temporary nature.

Farm Stands on Residential Lots:

As provided in this section, and notwithstanding any contrary provision in this title, a farm stand, may be set up with following:

Setback: Seasonal farm stands must be set back a minimum of ten feet (10') from the edge of pavement of a city street

Size: a seasonal farm stand may not exceed one hundred (100) square feet in size

Signs: Signs for seasonal farm stands are allowed as a temporary sign within 25' of stand location. Sign should not exceed 15 square feet in size.

Sales:

Food crops and/or nonfood ornamental crops, such as flowers, grown locally are allowed to be sold at a seasonal farm stand. Packaged foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department agriculture facility.

Parking:

Farm stands shall not impede access to parking or loading areas. Any on street parking shall comply with the existing roadway status.

Animals:

No live animals, birds, or fowl shall be kept or allowed within 20' of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.

Storage:

Perishable foods must be stored in a vermin proof area or container when the stand is closed.

Garbage:

All garbage shall be stored and disposed of in accordance with established health department standards.

Below is the Salt Lake City Code section regarding seasonal farm stands:

21A.36.220: QUALIFYING PROVISIONS FOR A SEASONAL FARM STAND:

- A. Duration: Business activity associated with a seasonal farm stand shall be of a temporary nature.
- B. Right Of Way: No seasonal farm stand is allowed within the public right of way.
- C. Third Party Location: No business activity shall take place on the premises of a third party without first receiving written permission from the property owner.
- D. Parking: Unless approved by the transportation division, if the seasonal farm stand is located within an existing parking lot, it shall not remove or encroach upon required off street parking or loading areas for other uses on the site or impede access to parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area. Any on street parking shall comply with the existing roadway status.
- E. Setback: Seasonal farm stands must be set back a minimum of ten feet (10') from the edge of pavement of a city street.
- F. Size: A seasonal farm stand may not exceed one hundred (100) square feet in size.
- G. Food Preparation: Food preparation is prohibited at farm stands.
- H. Signs: Signs for a seasonal farm stand are allowed as temporary portable signs subject to the regulations in section [21A.46.055](#) of this title. Signs are not allowed to be placed more than fifty feet (50') from the stand location.
- I. Sales: Food crops and/or nonfood, ornamental crops, such as flowers grown locally are allowed to be sold at a seasonal food stand. Prepackaged "shelf stable" foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department of agriculture facility.
- J. Animals: No live animals, birds, or fowl shall be kept or allowed within twenty feet (20') of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.
- K. Garbage: All garbage and refuse shall be stored and disposed of in accordance with established health department standards.
- L. Storage: Perishable foods must be stored in a vermin proof area or container when the facility is closed. (Ord. 21-11, 2011)

Effective 5/3/2023

4-5-501 Cottage food operations.

- (1) For purposes of this chapter:
 - (a) "Cottage food operation" means a person who produces a cottage food product in a home kitchen .
 - (b) "Cottage food product" means a nonpotentially hazardous baked good, jam, jelly, or other nonpotentially hazardous food produced in a home kitchen.
 - (c) "Home kitchen" means a kitchen:
 - (i) designed and intended for use by the residents of a home; and
 - (ii) used by a resident of the home for the production of a cottage food product.
 - (d) "Potentially hazardous food" means:
 - (i) a food of animal origin;
 - (ii) raw seed sprouts; or
 - (iii) a food that requires time or temperature control, or both, for safety to limit pathogenic microorganism growth or toxin formation, as identified by the department in rule.
- (2) The department shall adopt rules pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to protect public health and ensure a safe food supply.
- (3) Rules adopted pursuant to Subsection (2) may not require:
 - (a) the use of a commercial surface such as a stainless steel counter or cabinet;
 - (b) the use of a commercial grade:
 - (i) sink;
 - (ii) dishwasher; or
 - (iii) oven;
 - (c) a separate kitchen for the cottage food operation; or
 - (d) the submission of plans and specifications before construction of, or remodel of, a cottage food production operation.
- (4) The operator of a cottage food operation shall:
 - (a) register with the department as a cottage food operation before operating as a cottage food operation;
 - (b) hold a valid food handler's permit; and
 - (c) package a cottage food product with a label, as specified by the department in rule.
- (5) Notwithstanding the provisions of Subsections 4-5-301(1)(a) and (c), the department shall issue a registration to an applicant for a cottage food operation if the applicant for the registration:
 - (a) pays the fees required by the department; and
 - (b) meets the requirements of this section.
- (6) Notwithstanding the provisions of Section 26A-1-114, a local health department:
 - (a) does not have jurisdiction to regulate the production of food at a cottage food operation operating in compliance with this section, as long as the products are not offered to the public for consumption on the premises; and
 - (b) does have jurisdiction to investigate a cottage food operation in an investigation into the cause of a foodborne illness outbreak.
- (7) A food service establishment as defined in Section 26B-7-401 may not use a product produced in a cottage food operation as an ingredient in a food that is prepared by the food establishment and offered by the food establishment to the public for consumption.

Amended by Chapter 327, 2023 General Session



KAYSVILLE BUSINESS PARK

ARCHITECTURAL REVIEW COMMITTEE STAFF REPORT

ARC MEETING DATE: March 6, 2025

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Approval of an Electronic Message Center sign for Barnes Park located at approximately 950 West 200 North

EXECUTIVE SUMMARY:

The Architectural Review Committee is responsible for approving all signs in the Kaysville Business Park. The City's Parks and Recreation Department submitted a building permit to install an Electronic Message Center (EMC) sign on the along the southern property line of Barnes Park (approximately 950 West 200 North). There is an existing sign which will be demolished, and the EMC monument sign will be constructed in its place. The EMC sign for Barnes Park is an exact replica of the sign on Main Street on the City Hall campus, except the permanent wording at the bottom of the sign will say "Barnes Memorial Park."

Per KCC 17-33-9, EMC signs are allowed only as part of monument and ground signs. The sign shall not exceed 50% of total allowed sign size and not more than 75% of the sign cabinet. The applicant is proposing 36.4 square feet of EMC installed on a freestanding monument sign, which is only 39% of the sign face and meets the code requirements.

The proposed sign details are:

1. Barnes Park: 36.4 ft² (Structure: 7'3" x 12'9," Cabinet: 4'5" x 8'3")

Staff has reviewed the sign plans and finds it in compliant with [KCC 17-33 Sign Regulations](#) and the [Kaysville Business Park Development Guide](#).

Because this is an EMC sign, city code requires this be approved as a conditional use by the Planning Commission. Staff plans to have this on the March 13, 2025, Planning Commission Meeting agenda.

Committee Options:

1. Approve the sign for Barnes Park at approximately 950 West 200 North.
2. Deny the application for the sign.

Recommended Option: Option 1, approval of the sign for Barnes Park at approximately 950 West 200 North.

Fiscal impact: N/A

Attachments:

1. Sign plan
2. Site plan
3. EMC sign at City Hall

