

1. City Council Meeting February 15, 2018 Multiple Videos
Meeting Video

- [MEETING VIDEO A](#)
- [MEETING VIDEO B](#)

Documents:

02.15.2018 CC PACKET.PDF



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, February 15, 2018, starting at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

CITY COUNCIL Q & A – 6:00 pm

1. Discussion - Implementation of a Road Utility Fee.

CITY COUNCIL MEETING - 7:00pm

The agenda shall be as follows:

1. Opening – Council Member Michelle Barber
2. Declaration of any Conflicts of Interest.
3. Consent Items
4. Action Items
 - a. Preliminary Plat Approval for The Preserve Subdivision Located at approximately 150 South Angel Street Symphony Homes Development – Symphony Homes.
 - b. Consideration of a Resolution Authorizing the Sale of a Portion of the City's Real Property at Approximately 400 E Oak Lane to F4 Holdings, LLC. (Resolution 18-2-5)
 - c. Consideration of an Ordinance Amending Section 17-1-9, Amendments, of Chapter 17-1, General Provisions, of Title 17 Planning and Zoning of the Revised Ordinances of Kaysville City Providing for Repealer; Providing for Severability; and Providing for an Effective Date. (Ordinance 18-2-2)
 - d. Request to Rezone Approximately 0.5 Acres of Property at approximately 2130 South Parkwood Lane from R-A (Residential Agriculture) to the R-1-20 (Single Family Residential) Zoning District – Jannette and Brett King. (Ordinance 18-2-3)
 - e. Preliminary and Final Plat approval for the Kings View Estates No. 7 Subdivision at approximately 2130 South Parkwood Lane – Jannette and Brett King.
5. Work Items
 - a. Discussion – Implementation of a Road Utility Fee (30 Minutes).
6. Call to the Public.
7. Council Member Reports.
8. 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 Recorder at (801) 497-7008. I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall, the City website and have emailed copies to media representatives on February 9, 2018.

Maria T. Devereux
Maria T. Devereux, City Recorder

STAFF REPORT



MEETING DATE: February 15, 2018

ITEM NUMBER: 4. a.

TYPE OF ITEM: Action

PRESENTED BY: Andy Thompson, City Engineer

SUBJECT/AGENDA TITLE: Preliminary Plat Approval for The Preserve Subdivision Located at Approximately 150 South Angel Street – Symphony Homes

EXECUTIVE SUMMARY:

This property was recently rezoned to the R-1-LD zone and now a preliminary plat has been submitted. The plat consists of 82 lots, including two existing homes, on 41.35 acres with lot sizes ranging from 13,000 square feet to over a half an acre. These lots all meet the requirements of the R-1-LD zone for frontage and lot size. The plat also includes an area of open space, parcel A, which is intended as a community pool and an area of open space, parcel B, which will be a landscaped detention basin.

This plat contains 4 cul-de-sacs of which 3 are near the allowed maximum length of 600 feet. While the City does not prohibit this, staff has some concern with this layout in regards to traffic circulation, emergency services and water quality. Kaysville City Ordinance 19-5-1, "Arrangement of Streets" states that "the arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision...as determined by the City" while this layout provides access to the property, it does not create circulation within the subdivision.

On January 11, the Planning Commission reviewed this project and was generally satisfied, with the exception of the road layout. After much discussion the Planning Commission recommended denial of the preliminary plat, stating that they felt the road pattern, particularly the three long cul-de-sacs, did not provide for reasonable connectivity, created potential traffic concerns by not dispersing traffic, and it was not in the interest of public safety. This recommendation was approved with a four to one vote.

Symphony Homes considered these comments and modified the preliminary plat by adding pedestrian trails between the cul-de-sacs.

COUNCIL OPTIONS:

- 1) Approve the Preliminary Plat as proposed.
- 2) Deny the Preliminary plat and state the specific reasons for the denial.
- 3) Approve the Preliminary Plat subject to specific modifications.
- 4) Table the Preliminary Plat with specific direction.

RECOMMENDED OPTIONS:

Staff recommends that the City Council review the street layout and if they are comfortable with the cul-de-sacs as proposed, then they should grant preliminary plat approval since the plat meets all of the minimum requirements for the R-1-LD zone and the requirements for preliminary plat approval. If the City Council feels that the road pattern is not satisfactory, they should review City Ordinance 19-5-1 and 19-5-2 as they relate to this issue and determine if the proposed plat meets the minimum requirements outlined. If the plat does not meet these minimum requirements, a specific explanation of the deficiencies should be given and the plat denied.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:

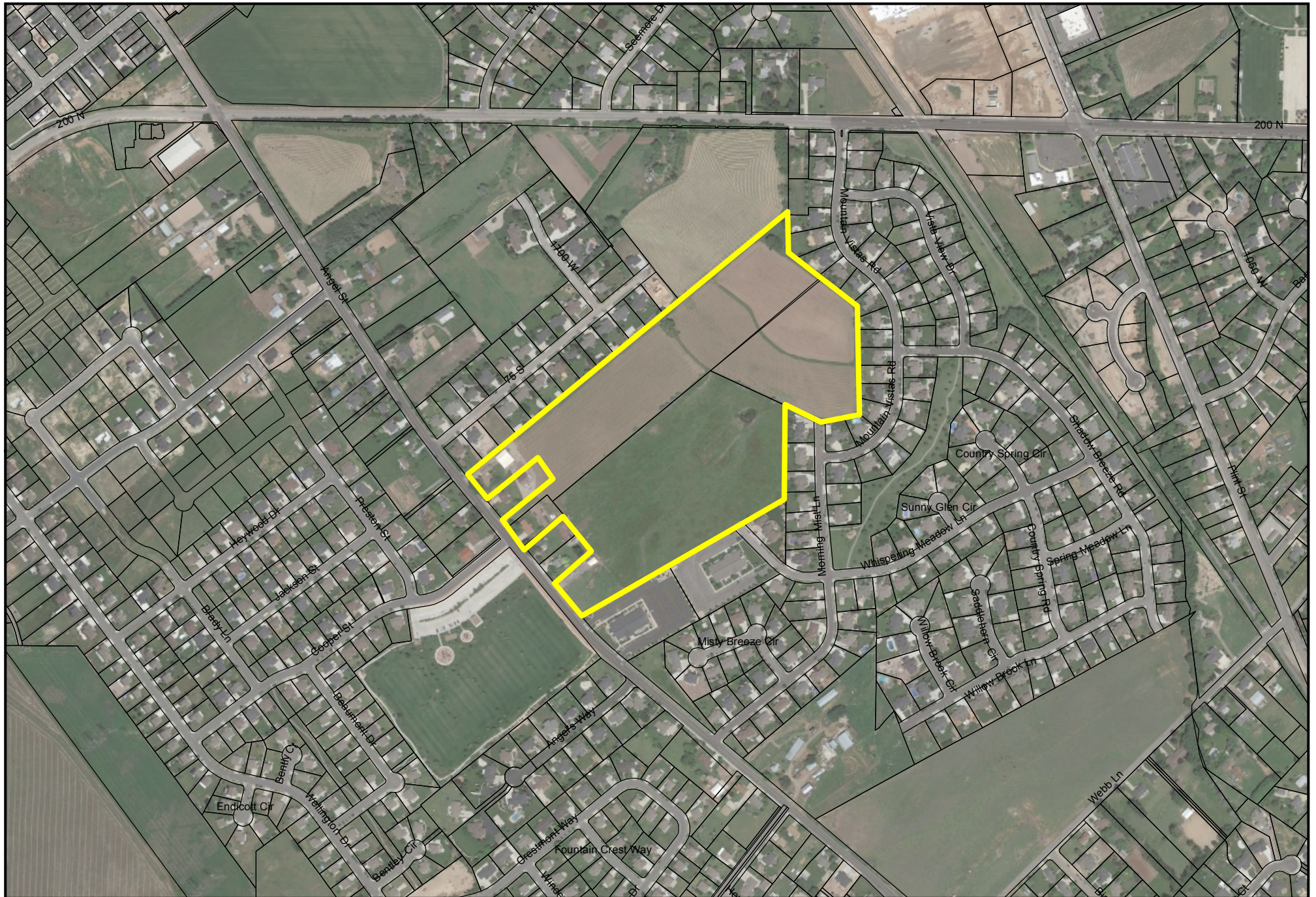
No City funds will be expended for this project.

ATTACHMENTS:

- 1) Area Map
- 2) Preliminary plat
- 3) Ordinance 19-5-1, 19-5-2
- 4) Draft Minutes from the January 11, 2018 Planning Commission Meeting



The Preserve



Chapter 5 Subdivision Standards

- [19-5-1 Arrangement Of Streets](#)
- [19-5-2 Streets](#)
- [19-5-3 Blocks](#)
- [19-5-4 Lots](#)
- [19-5-5 Easements](#)
- [19-5-6 Parks And Other Public Places](#)

19-5-1 Arrangement Of Streets

The arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision and the continuation of streets in lands adjoining the subdivision, as determined by the City. The street arrangement shall not cause unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Half streets along the boundary of land proposed for subdivision or within any part of a subdivision will not be permitted.

19-5-2 Streets

1. **Major Streets.** Arterial, collector, and significant local streets shall conform to the width designated on the Major Street Plan wherever a subdivision falls in an area for which a Major Street Plan has been adopted. For areas where the street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission, arterial, collector, or significant local streets shall be provided as required by the Planning Commission.
2. **Local Streets.** Local streets shall have a minimum width of fifty-five feet (55') with sixty-six feet (66') required for streets that will have greater use as determined by the City Engineer.
3. **Cul-de-sac Streets.** Cul-de-sacs shall not be longer than six hundred feet (600') from the centerline of the adjoining street to the center of the cul-de-sac. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter. If surface water drains into the turnaround due to the grade of the street, necessary catch basins and drainage systems and easements shall be provided.

KAYSVILLE CITY PLANNING COMMISSION

January 11, 2018

Members Attending: Vice-Chairperson Stroh DeCaire, Matthew Anderson, Gary Bullock, Lorene Kamalu, Joshua Sundloff

Excused: Betty Parker, Thomas Wood

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, City Attorney Nic Mills, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Adam Howard, Sarina Howard, Greg Brown, Lynda Webster, Brad Magnuson, Jason Spencer, Isaac Riches, Brian Allen, Kole Allen, Russell Wilson

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR THE PRESERVE SUBDIVISION AT 101 SOUTH ANGEL STREET – SYMPHONY HOMES

Andy Thompson explained that the property located at 101 South Angel Street was recently rezoned to the R-1-LD zone and Symphony Homes has now submitted a preliminary plat for approval. The plat consists of eighty-two lots, including two existing homes, on 41.35 acres. Lots range in size from 13,000 square feet to over half an acre. These lots all meet the requirements of the R-1-LD zone for frontage and lot size. The plat also includes one area of open space shown as Parcel A on the plat, which is intended as a community pool. The proposed plat contains four cul-de-sacs, three of which are near the allowed maximum length of six-hundred feet. While the City does not prohibit this, Staff has some concern with this layout in regards to traffic circulation, emergency services and water quality. Cul-de-sacs are also the lowest priority for our snow plow crews. Kaysville City Ordinance 19-5-1 “Arrangement of Streets” states that the arrangement of streets shall provide for access to and circulation within the vicinity of the subdivision as determined by the City. While this layout provides access to the property, it does not create circulation within the subdivision.

Vice-Chairperson Stroh DeCaire opened the Public Hearing.

Greg Brown, living in the Mountain Vistas Subdivision, said that he is on their HOA board and knows many in the subdivision are in favor of this subdivision and feel that Symphony Homes has created a very compatible plan. However, there is concern about not being able to have access to this subdivision from Angel Street until this subdivision is almost fully developed. It is a safety concern to continue to add more homes and more traffic to only one access point. There will also be a lot of construction traffic on their roads. A secondary access point should be built immediately to allow for traffic and pedestrians to travel here safely. Mr. Brown said that he understands the cul-de-sacs meet the city standards, but would rather see better plan to address traffic flow.

There were no further comments or questions from the public. Vice-Chairperson Stroh DeCaire closed the Public Hearing.

Lorene Kamalu said that in their meeting when the rezone of this property was discussed, many neighbors spoke about this development and had legitimate fears about traffic and the amount of homes to be built here. This proposed plan doesn't disperse traffic well and could bottleneck traffic. Mrs. Kamalu asked if other road patterns had been considered.

Russell Wilson, representing Symphony Homes, said that their company is very particular about the dimensions of their lots to ensure their house floorplans will fit on the lots. Almost all of the proposed lots exceed the minimum lot requirement. They have found that most people prefer to own a home on a cul-de-sac. They are more marketable and they are the first ones to sell. Most people don't want to have to deal with cut-through traffic on straightaway roads. They did look at other roadway plans for this development, including connecting two of the cul-de-sacs. However, it created narrower lots and really limited the floorplans they could use.

Josh Sundloff said that he took some time to review this proposed plat and feels that a better road design could be created to allow for better connectivity, without having to reduce the number of building lots significantly. The proposed cul-de-sacs significantly reduces neighborhood connectivity. It will promote more of a dependency on cars for the residents here, and will unevenly distribute traffic because it forces all the traffic from the cul-de-sacs onto one road. Roads should be designed to have an even distribution of traffic load. This road design overburdens one road, when it needs to be designed to alleviate as much traffic as possible.

Gary Bullock asked about the Harvey's property to the north and if they planned on developing.

Russell Wilson responded that they have been told that the Harvey's don't plan on developing their property anytime soon.

Gary Bullock said that walking paths could be put between the cul-de-sac lots for pedestrian travel, but that won't address creating better vehicular traffic flow.

Stroh DeCaire said he agrees with Mr. Sundloff's comments and asked about the possibility of constructing a temporary access road connecting to Angel Street.

Russell Wilson said that they will be building the roads as each phase is developed and it will probably take about four years to complete. The Webster family currently owns the property and would like to continue to farm the rest of the land while construction occurs. Therefore as part of their agreement, Symphony Homes is only purchasing pieces of their land as each phase is developed. Therefore Symphony Homes does not own the land needed to be able to create that road access point to Angel Street until the final phase of this development is purchased from the Webster's.

Lorene Kamalu commented that the residents of Mountain Vistas will definitely see an increase in traffic through their neighborhood.

Josh Sundloff said that he feels that this subdivision will still be marketable and a community people will want to live in without the cul-de-sac streets.

Russell Wilson responded that creating a subdivision plan with no cul-de-sacs will create more corner lots, which will then to be harder to sell because they have a larger setback.

Gary Bullock commented that he feels that this subdivision plan could be redesigned to create a more conducive street pattern. This proposed plat is creating a cul-de-sac community and takes away from the connectivity.

Matthew Anderson said that removing the larger lots at the bulbs of the cul-de-sacs is removing about fifteen of the more marketable lots. Would this development still be financially sustainable?

Lorene Kamalu commented that these proposed cul-de-sacs are much longer than any others in the area. They are going to be either at the maximum, or close to the maximum, length allowed.

Lorene Kamalu made a motion to recommend denial of the preliminary plat for The Preserve Subdivision at 101 South Angel Street for Symphony Homes, based on concerns about disbursing traffic long-term through the city, and connectivity concerns because of the proposed cul-de-sacs, which are close to the maximum length allowed for cul-de-sacs by city code. Josh Sundloff seconded the motion.

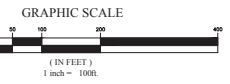
Voting was as follows:

Gary Bullock	yea
Lorene Kamalu	yea
Matthew Anderson	yea
Stroh DeCaire	nay
Josh Sundloff	yea

The motion passed with a vote of four to one.

LOCATED IN THE SE 1/4 OF SECTION 32 AND SW 1/4 OF SECTION 33, T4N, R1W,
SALT LAKE BASE & MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH

POINT OF BEGINNING



1. PARCEL A IS TO BE OWNED AND MAINTAINED BY THE HOA.
2. PARCEL B IS TO BE DEDICATED TO KAYSVILLE CITY AS A STORM WATER DETENTION POND
3. LOTS 201 AND 202 CONTAIN EXISTING HOMES WHICH ARE TO REMAIN AND BE KNOWN AS "WEBSTER HOMESTEAD".

ENGINEER

Approved as to form this _____ day of
A.D., 20_____.

10. *Journal of the American Medical Association*, 2000; 283: 2686-2692.

第 10 页 共 10 页

Presented to the Kaysville City Council this _____ day of _____, 20____ at which time this subdivision was approved and accepted.

Attest: _____

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Date _____

[illegible]

Contains: 41.35 acres+/-

 **FOCUS**[®]
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

Approved as to form this _____ day of _____
20____ by the Kaysville City Planning Commission.

Chairman, Planning Commission

Approved as to form this _____ day of _____
A.D., 20_____.

Kaysville City Engineer

Approved as to form this _____ day of
A.D., 20_____.

Kaysville City Attorney

Presented to the Kaysville City Council this _____ day of _____, 20____ at which time this subdivision was approved and accepted.

Attest: _____

State of Utah, County of Davis
Recorded at the request of

Date	Time	Book	Page
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Fee	County Recorder
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STAFF REPORT



COUNCIL MEETING DATE: February 15, 2018

ITEM NO.: 4.b.

TYPE OF ITEM: Action

PRESENTED BY: Shayne Scott, City Manager

SUBJECT/AGENDA TITLE: Adopting an Agreement for the Sale of surplus property between Kaysville City and Owen Fisher (Resolution 18-2-5).

EXECUTIVE SUMMARY:

After discussing this item in closed session last city council meeting, city staff were instructed to pursue a purchase agreement on the approximate one acre parcel referred to as the "Hollow Parcel" as shown on Exhibit A. This parcel was declared surplus last year and is owned by Kaysville City. Two interested parties included bids on the parcel and both city staff and a contracted real estate professional recommend selling this parcel to Owen Fisher. This Resolution gives staff the authorization to enter into and execute the sale under the terms offered by the applicant.

Council Options:

- 1) Adopt the Resolution as presented.
- 2) Do not adopt the Resolution and remand it back to staff with further direction.

Recommended Options: **Adopt the Resolution as presented.**

Fiscal Impact & Fund Source for Recommended Action: This sale would bring \$25,000 revenue to the city and an additional \$25,000 donation to go toward flood mitigation efforts in the city. This land is currently owned by and not needed by the city.

Attachments: Resolution, Exhibit A

RESOLUTION 18-2-5

A RESOLUTION AUTHORIZING THE SALE OF A PORTION OF THE CITY'S REAL PROPERTY AT APPROXIMATELY 400 EAST OAK LANE TO F4 HOLDINGS, LLC

WHEREAS, Kaysville City (hereinafter "City") has a parcel of real property, parcel #11-110-0049 (hereinafter "Subject Property") that is partially unused; and

WHEREAS, the City has determined that the Subject Property is not a significant parcel of real property as defined in Kaysville City Code 2-2-7; and

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

WHEREAS, the City employed a licensed real estate broker to list the property on the multiple listing service for several months in an effort to solicit offers on the property; and

WHEREAS, the City received two offers from potential buyers to purchase the unused portion of Subject Property; and

WHEREAS, City Staff has reviewed and evaluated each response to the Advertisement for Bids and has found it to be in the best interest of the City and citizens of Kaysville City to conditionally select F4 Holdings, LLC as the purchaser (hereinafter "F4 Holdings"); and

WHEREAS, City and Purchaser, in their mutual interest, wish to enter into a purchase agreement for this property; and

WHEREAS, the City, in exercise of its management of public property, believes that it is in the best interest of the public to enter into a Purchase Agreement with F4 Holdings for the property located at approximately 400 East Oak Lane, Kaysville, Utah.

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

1. F4 Holdings is conditionally selected as the potential purchaser with whom the City Manager should conduct negotiations for a portion of the Subject Property.

2. The City Manager is directed to conduct negotiations for a purchase Agreement (hereinafter "Agreement") with F4 Holdings for the sale of Subject Property. The terms of the Agreement shall address the terms and conditions of the listing as well as the price and other responses to the listing contained in the offer submitted by F4 Holdings that are consistent with the intent of City Council. The Agreements shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering an agreement for the purchase of subject property. The City Manager is prohibited from entering into an agreement that would lower the purchase price submitted in the initial offer.

3. At such time as the Agreement is in a form acceptable to the City Manager and City Attorney and after F4 Holdings has properly executed said Agreement, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by F4 Holdings shall constitute acceptance of the Lease, pursuant to the terms and conditions of the Agreement. Execution of the Agreement by the City Manager shall constitute the City's acceptance of the offer by F4 Holdings and the formal sale of the property pursuant to the terms and conditions of the Agreement.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **15th day of February, 2018**.

ATTEST: _____
Maria Devereux, City Recorder

Katie Witt, Mayor

STAFF REPORT



MEETING DATE: February 15, 2018

ITEM NUMBER: 4.c.

TYPE OF ITEM: Action Item

PRESENTED BY: Andy Thompson

SUBJECT/AGENDA TITLE: AN ORDINANCE AMENDING SECTION 17-1-9, AMENDMENTS, OF CHAPTER 17-1, GENERAL PROVISIONS, OF TITLE 17 PLANNING AND ZONING OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ordinance 18-2-2)

EXECUTIVE SUMMARY:

The City Council has previously expressed its desire to have better noticing to residents regarding a rezone request. City staff has been honoring this request by sending out notices with each rezone to property owners within 500 feet of the property under consideration. This proposal would make that process an ordinance requirement. Even though these notices have been mailed for all recent applications, once it is in ordinance will no longer be a requirement to publish notice of a rezone hearing in the newspaper.

COUNCIL OPTIONS:

- Approve the ordinance as written
- Table a decision and provide direction for changes to the proposed ordinance
- Deny the ordinance as proposed.

RECOMMENDED OPTIONS:

The Planning Commission voted unanimously to recommend approval of the proposed change to the City Council as outlined.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION: N/A

ATTACHMENTS:

Ordinance 18-2-2



ORDINANCE NO. 18-2-2

AN ORDINANCE AMENDING SECTION 17-1-9, AMENDMENTS, OF CHAPTER 17-1, GENERAL PROVISIONS, OF TITLE 17 PLANNING AND ZONING OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Kaysville City Council desires that the citizens of Kaysville have sufficient opportunity to participate in the public process when appropriate; and

WHEREAS, the Kaysville City Planning Commission has held a public hearing regarding this matter; and

WHEREAS, the Kaysville City Council has requested that mailed notice be provided as a preferred form of noticing regarding a rezone request;

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

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

SECTION II:

Section 17-1-9, AMENDMENTS, of Chapter 17-1, GENERAL PROVISIONS, of Title 17, PLANNING AND ZONING, of the Revised Ordinances of Kaysville City, 1993, is amended to read as follows:

17-1-9 Amendments

1. The City Council may amend the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provisions of this title. Such amendments, including rezonings, are discretionary legislative actions, even if an application for amendment otherwise conforms to ordinance requirements.
2. Amendments may be initiated by the City Council, the Planning Commission or by one or more owners of property affected by the proposed amendment. Unless initiated by the City Council or Planning Commission, no amendment shall be considered without evidence of the acquiescence therein of the owners of the property involved.
3. An application for amendment, when submitted by property owners, shall be accompanied by a fee, the amount to be determined by the Zoning Administrator as adequate to cover costs of hearings, publication, and any necessary reviews. No fee assessed, or any part thereof, shall be returnable in the event that the proposed amendment is denied.
4. An application for an amendment shall be filed at the office of the Zoning Administrator and shall be accompanied by an accurate map of the land.
5. Reasonable efforts shall be made to effect notice by mail to all Kaysville City property owners within 500 ft. of the property under consideration for an amendment to the zoning map at least 10 days prior to a public hearing regarding that request.

6. Upon receipt of the application, the Planning Commission, in a public hearing, shall hear and receive information from the applicant and other interested parties, which may affect the request for amendment. The Planning Commission, after consideration of this information, shall make a recommendation on the proposed amendment.
7. A copy of any proposed amendment shall be submitted to the City Council and shall be accompanied by the recommendations of the Planning Commission.
8. After holding a public meeting, the City Council may adopt or reject the amendment either as proposed by the Planning Commission or after making any revision the City Council considers appropriate.
9. In case an application for a change of zone district is denied, a new application for the same zoning change affecting the same property shall not be eligible for reconsideration for one (1) year subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the Planning Commission, to be eligible for consideration within one (1) year of the denial of the original application.

SECTION VI: 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 VII:

This Ordinance shall take effect 30 days after final passage by the Kaysville City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this ___th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney

STAFF REPORT



MEETING DATE: February 15, 2018

ITEM NUMBERS: 4. d and e

TYPE OF ITEM: Action Item

PRESENTED BY: Andy Thompson

SUBJECT/AGENDA TITLE: Rezone of 0.5 acres of property at approximately 2130 South Parkwood Lane from R-A to R-1-20 and Preliminary and Final Plat.

EXECUTIVE SUMMARY:

The applicants own several acres of property along Shepard Lane and Parkwood Lane. They are requesting the rezone to accommodate a desired subdivision for the purpose of building an additional single family home. The property is currently zoned R-A which allows for half acre sized lots, the requested R-1-20 zoning district allows for slightly smaller lots with a smaller frontage requirement.

R-A and R-1-20 comparison						
	Height	Lot Size	Lot Width	Front Yard	Side Yard	Rear Yard
R-A	30 ft.	<u>21,780 sq. ft.</u>	<u>100 ft.</u>	30 ft.	8 ft.	<u>30 ft.</u>
R-1-20	30 ft.	<u>20,000 sq. ft.</u>	<u>90 ft.</u>	30 ft.	8 ft.	<u>15 ft.</u>

Allowed Uses for R-A zone are found in Chapter 17-10 of the Kaysville City Ordinances.

Allowed Uses for R-1 zoning district are found in Chapter 17-12 of the Kaysville City Ordinances.

While much of the permitted and conditional uses are the same, notably farm animals such as horses are allowed by right in the R-A zone and the R-1 zones allow for two-family dwellings by conditional use.

The Kaysville City General Plan states that West of I-15 housing should be allowed from '0 to 2 units per acre with some higher density housing along major streets.'

The proposed subdivision plat includes 1 lot with 20,000 sq. ft. of area fronting Parkwood Lane. It utilizes the existing street and meets the minimum frontage and lot size requirements for the requested zone.

COUNCIL OPTIONS:

This staff report covers two separate agenda items and therefore requires 2 motions be made.

Rezone:

Because of the discretion granted to the City with this request because of the need for a rezone, the City Council's decision should be based on its findings of compatibility with the Kaysville City General Plan and how well the proposal works in the specific location.

Possible motions:

- Approve the requested rezone as outlined stating reasons for its approval.
- Deny the requested rezone as outlined stating reasons for denial.

Preliminary and Final Plat:

If the Council has approved the rezone to the R-1-20 district, then the preliminary and final plat should be approved as the subdivision complies with the provisions of the R-1-20 zoning district.

If the rezone has been denied, the subdivision does not comply with the existing zone and should be denied also.

RECOMMENDED OPTIONS:

The Planning Commission held a public hearing for each item and voted 4 to 1 to recommend approval in favor of the Rezone and the Preliminary and Final Plat. The descending vote expressed concern with a zone that applied to only one lot adjacent to different zoning districts.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION: N/A

ATTACHMENTS:

- Location Map
- Rezone Ordinance (18-2-3)
- Map of Current Zoning
- Subdivision Plat



Rezone of 2130 South Parkwood Lane from R-A to R-1-20



ORDINANCE NO. 18-2-3

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY FROM THE KAYSVILLE CITY R-A ZONE TO THE KAYSVILLE CITY R-1-20 ZONE, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone certain real property by removing it from Kaysville City R-A and placing it in Kaysville City R-1-20 zone; and

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

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

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

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

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

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.5 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing the same from Kaysville City R-A zone and placing the same in Kaysville R-1-20 zone.

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

SECTION VI:

This Ordinance shall take effect 30 days after final passage by the Kaysville City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____,
2018

Katie Witt
Mayor

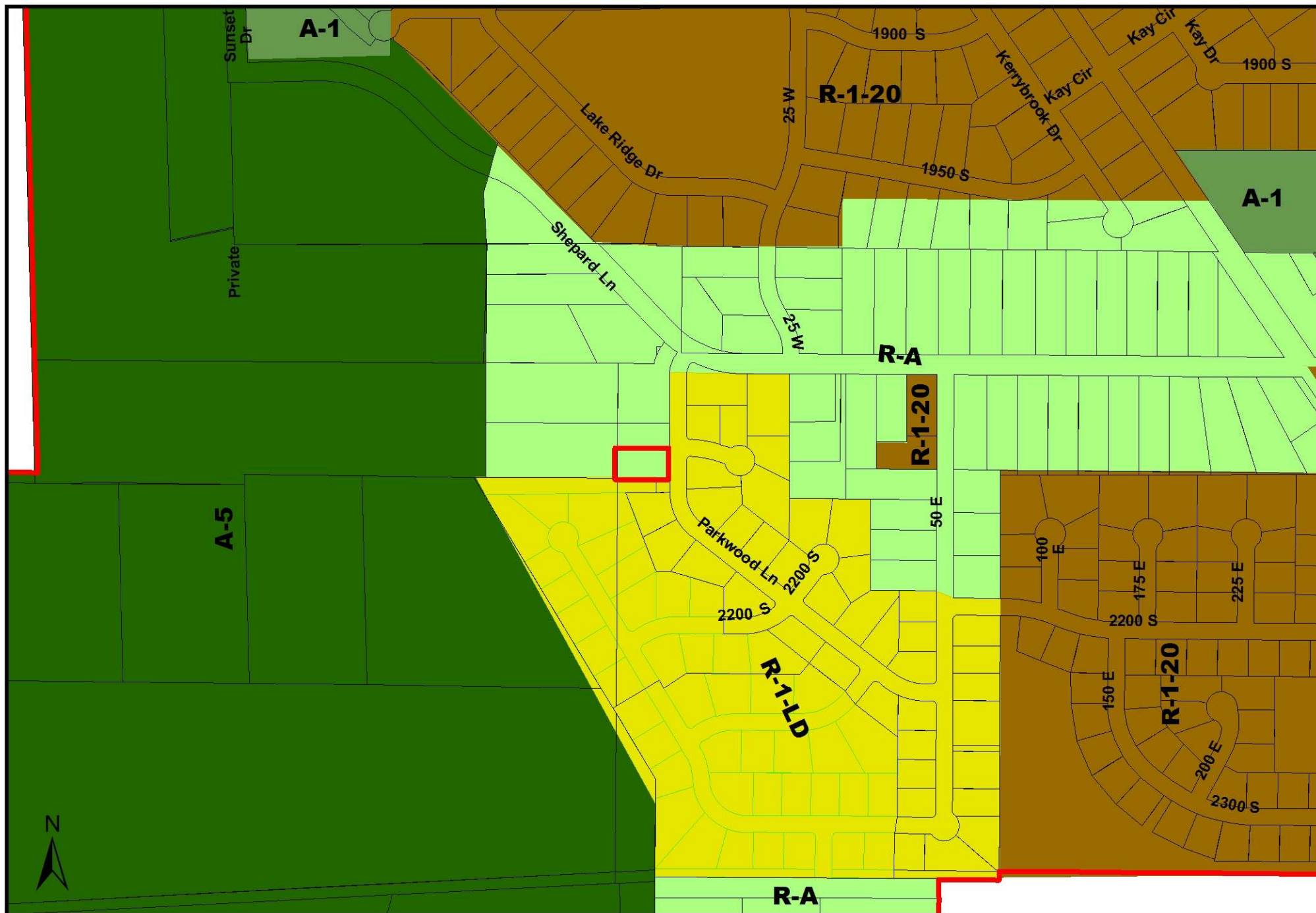
ATTEST:

Maria T. Devereux
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney

Rezone of 2130 South Parkwood Lane from R-A to R-1-20



Kings View Estates No. 7 Subdivision

A part of the North Half of Section 15, T3N, R1W, SLB&M,
U.S. Survey in Davis County, Utah

SURVEYOR'S CERTIFICATE

I, Bruce D. Pimper, a Professional Land Surveyor in the State of Utah, do hereby certify that this plat of KINGS VIEW ESTATES NO. 7 SUBDIVISION, in KAYSVILLE City, Davis County, Utah, has been correctly drawn to the designated scale and is a true and correct representation of the herein described lands in said subdivision based on data compiled from records in the Davis County Recorder's Office and from a survey made on the ground. I further certify that the requirements of all applicable land use codes of Davis County concerning zoning requirements have been complied with.

BOUNDARY DESCRIPTION

A part of the North Half of Section 15, Township 3 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Davis County, Utah:

Beginning at an existing boundary Line fence located 783.97 feet South 0°10'35" West along the Quarter Section Line from the North Quarter Corner of said Section 15; and running thence North 89°07'56" West 151.29 feet; thence North 0°04'49" West 102.64 feet; thence South 89°07'56" East 195.45 feet to the West Line of Parkwood Lane as it exists at 27.50 foot half-width; thence South 0°04'49" East 100.00 feet along said West Line; thence South 87°26'33" West 44.19 feet along the extension of an existing boundary Line fence to the point of beginning.

Contains 20,000 sq. ft.
or 0.459 acre
1 Lot

Date _____
Bruce D. Pimper
Utah PLS No. 362256

Owner's Dedication

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots as shown on this plat, and name said tract Kings View Estates No. 7 Subdivision and hereby dedicate to KAYSVILLE CITY CORPORATION those certain strips as easements for public utility purposes over and across the portions of the lots designated as public utility easements, as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, as may be authorized by KAYSVILLE CITY CORPORATION.

In witness whereby _____ Have hereunto set _____ This _____ Day of _____ AD, 20____.

xxx, LLC

by:
its:

Acknowledgment

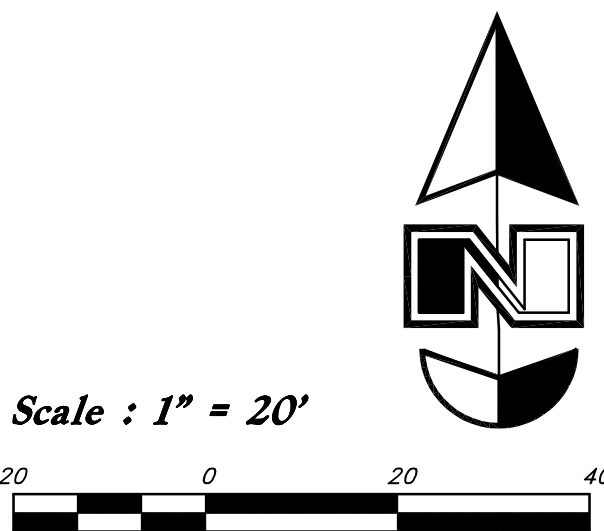
State of _____ } ss
County of _____

On the _____ day of _____, 20____, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that he is the _____ of _____, LLC by authority of its members or its articles of organization, and he acknowledged to me that said limited liability company executed the same.

Residing in _____ County, _____
Commission Expires: _____
Commission Number: _____

Print Name

A Notary Public



Kings View Estates No. 6

NARRATIVE

This Survey and Subdivision was requested by xxxx.

A line between monuments found for the West Quarter Corner and the Center of Section 33 was assigned the Davis County bearing of S 89°31'10" E as the Basis of Bearings.

Legend

- PUE Public Utility Easement
- Section Corner
- Property Line
- Centerline
- Section Line
- Property Corner Set
- Property Address

Lot x

20,000 sq. ft.
or 0.459 acre

x

10.0' Public
Utility Easement

Point of
Beginning



ANDERSON WAHLEN & ASSOCIATES

2010 North Redwood Road, Salt Lake City, Utah 84116
801 521-8529 - AWAengineering.net

KAYSVILLE CITY ATTORNEY

Approved by the KAYSVILLE City Attorney
this _____ day of _____, 20____.

Signature

KAYSVILLE CITY ENGINEER

I hereby certify that I have carefully investigated the lines of Survey of the foregoing plat and legal description of the land embraced therein and find them to be correct and to agree with the lines and monuments on record in this office.
Signed this _____ day of _____, 20____.

Signature

KAYSVILLE CITY PLANNING COMMISSION

Approved by the KAYSVILLE City Planning Commission on
this _____ day of _____, 20____.

Chairperson

KAYSVILLE CITY APPROVAL

This is to certify that this plat and dedication of this plat were duly approved and accepted by the City Council of KAYSVILLE City, Utah this _____ day of _____, 20____.

Attest: City Recorder

Mayor

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID
_____ FILED FOR RECORD AND
RECORDED _____, AT
_____ IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____. RECORDED
FOR _____

DAVIS COUNTY RECORDER

BY: _____
DEPUTY

STAFF REPORT



MEETING DATE: February 15, 2018

ITEM NUMBER:

TYPE OF ITEM: Work

PRESENTED BY: Kaysville City Staff

SUBJECT/AGENDA TITLE: Road Fee Discussion

EXECUTIVE SUMMARY:

The City Council is exploring options to establish an equitable, sustainable and transparent way to maintain existing roadways.

The concept and methodology of a utility road fee has been presented to the Council. The road fee proposal is based on land use and an associated fee.

The City has held an open house and a public hearing and received information from citizens and the business community. Much of the feedback received included an appropriate discount for commercial enterprises due to additional revenue contributed to the City in the form of sales tax and property tax. Feedback was also received regarding the application of the fee to the public use category.

Based on the feedback received, the road fee is proposed as follows:

Residential Use:

Single Family Dwellings	\$7.85 per unit per month
Multi- Unit Dwellings	\$5.45 per unit per month

Commerical:

Commercial 1 $\leq$ 10 ADT	\$3.00 per 1,000 sq. ft. per month
Commercial 2 10-25 ADT	\$6.00 per 1,000 sq. ft. per month
Commercial 3 $\geq$ 26 ADT	\$9.00 per 1,000 sq. ft. per month

Public Use:

Schools and Churches	\$4.50 per 1,000 sq. ft. per month.
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COUNCIL OPTIONS: Continue as a Work Item or move to an Action Item at the appropriate time.

RECOMMENDED OPTIONS: Staff is requesting direction from the City Council.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:

The estimated additional revenue for road maintenance with the implementation of the fee as proposed is approximately \$1,000,000. The fee is a dedicated revenue source and can only be used for roadway maintenance.

ATTACHMENTS:

Proposed Transportation Fee by Assigned Categories and Estimated Revenue



Proposed Transportation Fee by Assigned Categories and Estimated Revenue

Transportation Fee	
TYPE	RATE
Residential	
Single Family Dwellings	7.85 per unit
Multi Unit	5.45 per unit
Commercial 1 <= 10 ADT [Small]	
Dry Cleaners - Laundry Mat	\$3.00 per 1,000 sq. ft.
Theater - Live Stage	
Storage Warehouse	
Mini Warehouse	
Storage Garage	
Warehouse Food Storage	
Showroom Store	
Multipurpose Recreational Facility	
Group Care / Home for Elderly	
Mini Lube Garage and Service	
Barber Shop / Hair Salon	
Office Building	
Commercial 2 10-25 ADT [Medium]	
Auto Dealership	\$6.00 per 1,000 sq. ft.
Retail Store	
Neighborhood Shopping Center	
Small Eatery/Café	
Dental and Medical Office	
Health and Fitness Club	
Veterinary Hospital	
Commercial 3 >= 26 ADT [Large]	
Day Care Center	\$9.00 per 1,000 sq. ft.
Bank / Credit Union	
Restaurant	
Fast Food Restaurant	
Car Wash	
Convenience Store / Mini-mart	
Super Market	
Public Use	
Elementary School	\$4.50 per 1,000 sq. ft.
JR High / High School	
Churches	

Estimated Revenue	
Units	Monthly Revenue
Residential	
7547	\$59,243.95
743	\$4,049.35
Commercial 1 <= 10 ADT [Small]	
1742	\$5,226.00
Commercial 2 10-25 ADT [Medium]	
1162	\$6,972.00
Commercial 3 >= 26 ADT [Large]	
263	\$2,367.00
Public Use	
2172	\$9,774.00
Annual Revenue	
Residential	\$759,519.60
Commercial	\$174,780.00
Public Use	\$117,288.00
	\$1,051,587.60