



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, January 5, 2023, starting at 7:00 P.M. in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT**. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

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

CITY COUNCIL Q&A – 6:30 P.M.

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

CITY COUNCIL MEETING – 7:00 P.M.

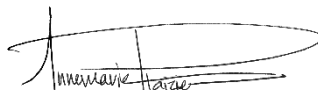
The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member Nate Jackson.
2. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
3. PRESENTATIONS AND AWARDS
 - a. Presentation about Mercy Housing. – Hannah Pendergast.
 - b. City Center Parking Plan – Dexter Fisher.
4. DECLARATION OF ANY CONFLICTS OF INTEREST
5. CONSENT ITEMS
 - a. Appointment of Steve Lyon as Planning Commission member, and Taylor Spendlove as Alternate Planning Commission member.
 - b. An Ordinance amending several sections of Title 17 to remove household pets.
6. ACTION ITEMS
 - a. A Resolution approving alteration to the city’s Personnel Policies and Procedures Manual.
 - b. Rezone application of 6.43 acres at 391 North Flint Street to go from A-1 (Light Agricultural) to the R-M (Multiple-Family Residential) district with a Mixed Use Zoning District Overlay over 1.84 acres of the property – John V. Flint and Shauna S. Flint.
7. COUNCIL MEMBER REPORTS
8. CITY MANAGER REPORT
9. CLOSED SESSION
 - a. Closed session to discuss the character, professional competence, or physical or mental health of an individual or individuals, in conformance with Utah State Code §52-4-205.
10. ADJOURNMENT

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

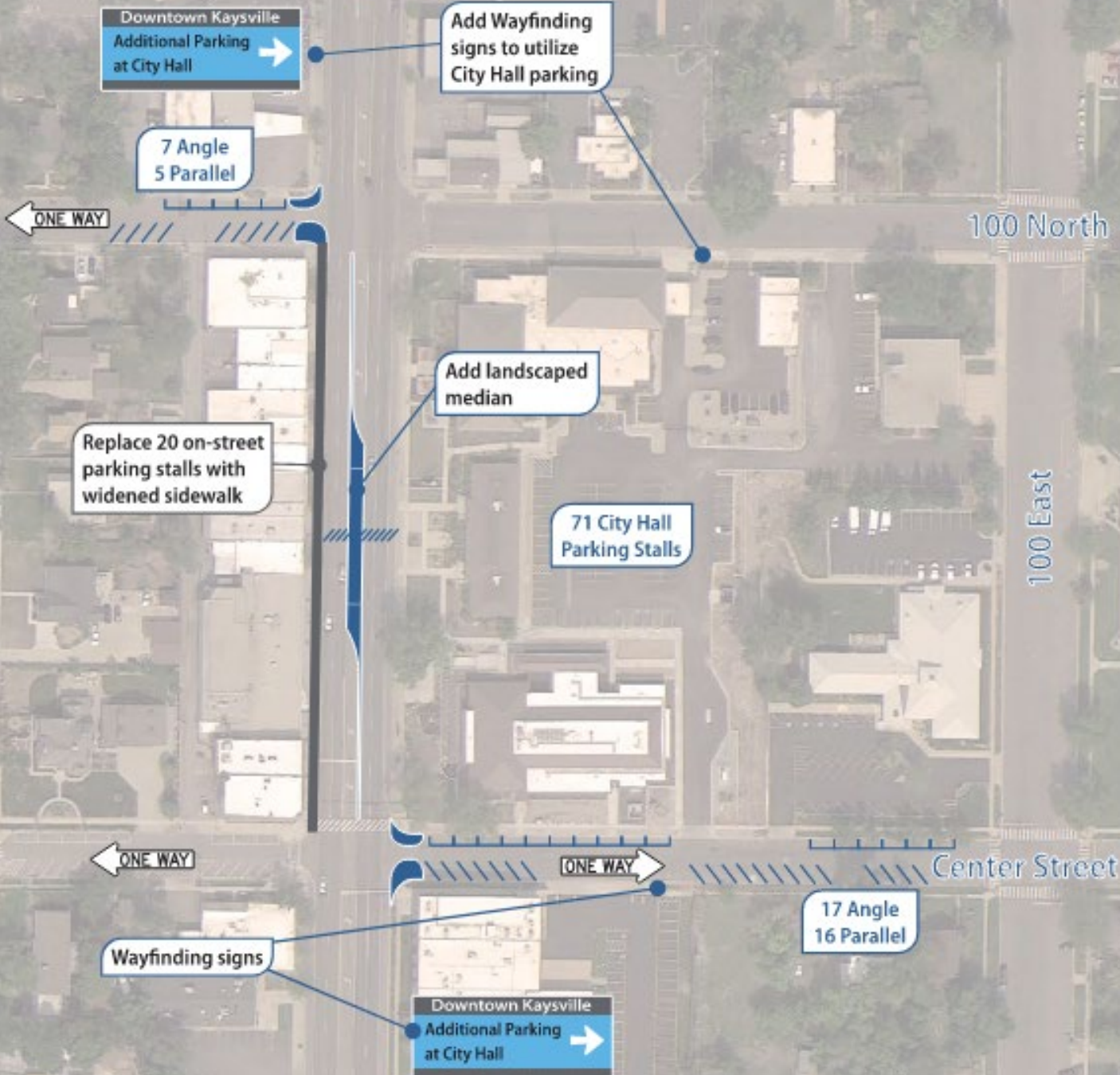
A Closed Session may be called to order pursuant to Utah State Code §52- 4-204 & §52- 4-205. The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.

I hereby certify that I posted a copy of the foregoing Notice and Agenda and emailed copies to media representatives on December 30, 2022.

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

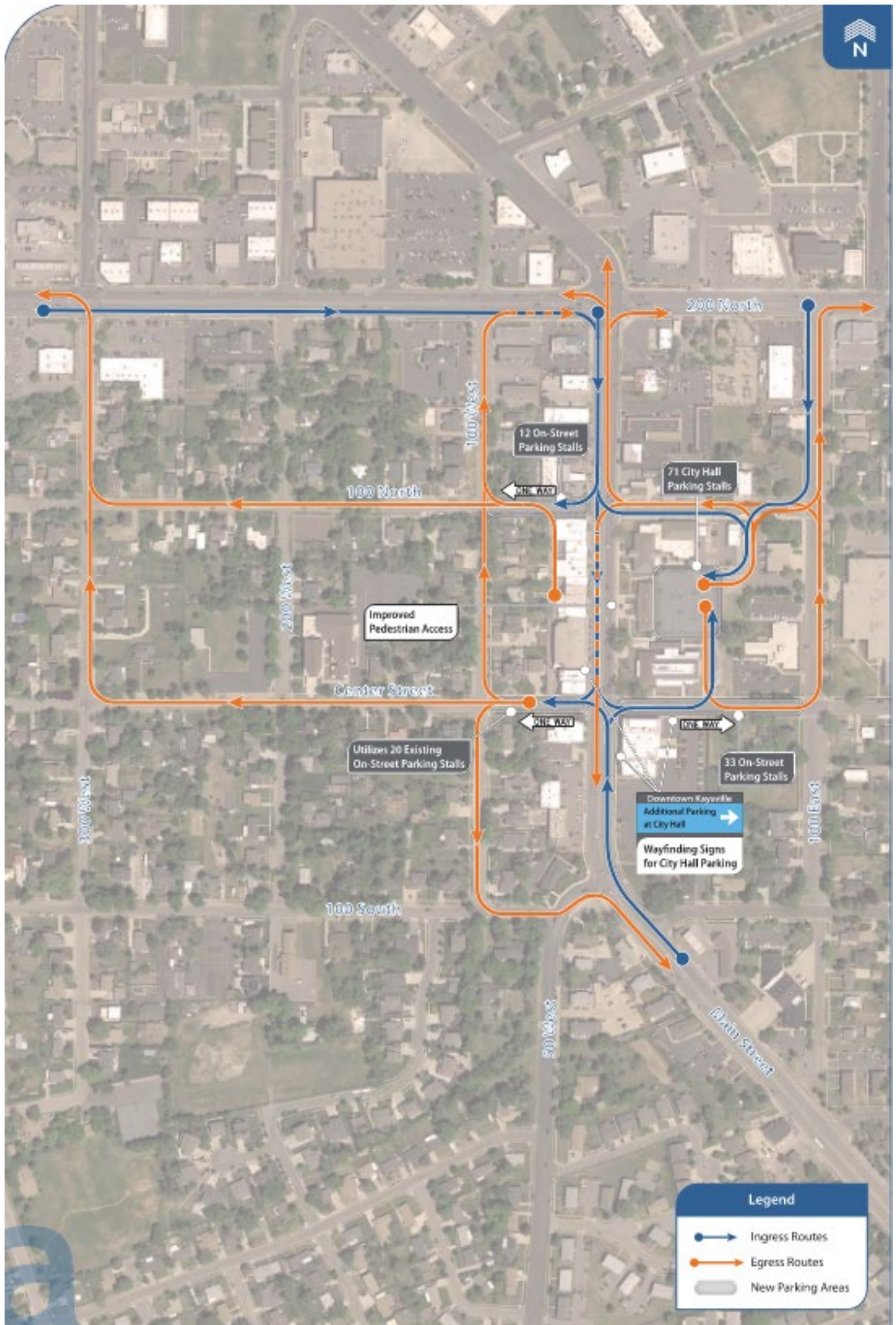
Annemarie Plaizier
City Recorder

- Adds 45 new on-street parking stalls (Net 25)
- Allows NBL at 100 North & SBL at Center St
- Access to City Hall parking from 100 North & Center Street



Net Parking Stalls:
+25 On-street parking stalls
+71 City Hall parking stalls
with wayfinding signs

Downtown Parking and Traffic Evaluation in Kaysville





CITY COUNCIL STAFF REPORT

MEETING DATE: January 5, 2023

TYPE OF ITEM: Consent

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Text amendment to remove household pets from KCC Title 17

- [17-2-2 Definitions](#)
- [17-8-3 Permitted Uses](#) for A-5 Heavy Agricultural District
- [17-9-3 Permitted Uses](#) for A-1 Light Agricultural District
- [17-10-3 Permitted Uses](#) for R-A Agricultural Residential District
- [17-11-3 Permitted Uses](#) for R-T Old Kaysville Townsite Residential District
- [17-12-3 Permitted Uses](#) for R-1 Single Family Residential District
- [17-13-3 Permitted Uses](#) for R-D Diverse Residential District
- [17-14-3 Permitted Uses](#) for R-2 One To Two Family Residential District
- [17-15-3 Permitted Uses](#) for R-4 One To Four Family Residential District
- [17-16-3 Permitted Uses](#) for R-M Multiple Family Residential District
- [17-20-4 Conditional Uses](#) for CC Central Commercial District
- [17-27-3 Allowed Uses](#) for Mixed Use Zoning District Overlay

EXECUTIVE SUMMARY:

The City Council adopted Ordinance 22-10-03 on October 20, 2022, which changed the allowed number of pets in KCC 15-3-6. Household pets are listed as a use throughout Title 17, the City's Land Use Code. Changes to the Land Use Code must go through the Planning Commission and a public hearing must be held regarding the changes.

The proposed changes were presented at the December 8, 2022 Planning Commission meeting where a public hearing was held. No public comments were received.

The Planning Commission has sent the City Council a 7-0 recommendation of approval.

City Council Options:

1. Approve the text amendments as presented.
2. Approve the text amendments with additional changes.
3. Deny the text amendments.

Recommended Option 1:

Based on the findings outlined in the staff report and the Planning Commission's recommendation of approval, staff recommends the City Council approve text amendments as presented.

Fiscal Impact:

N/A

Attachments:

1. December 8, 2022 Planning Commission Staff Report
 2. Draft Ordinance
-



PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Melinda Greenwood, Community Development Director
Date: December 1, 2022

Agenda Item #3: Public Hearing for text amendments to Kaysville City Code Title 17 Regarding the Allowed Use of Household Animals

Meeting Date	December 8, 2022
Application Type	Text Amendment
Applicant	Kaysville City
Chapter Title Section	17-2-2 Definitions 17-8-3 Permitted Uses for A-5 Heavy Agricultural District 17-9-3 Permitted Uses for A-1 Light Agricultural District 17-10-3 Permitted Uses for R-A Agricultural Residential District 17-11-3 Permitted Uses for R-T Old Kaysville Townsite Residential District 17-12-3 Permitted Uses for R-1 Single Family Residential District 17-13-3 Permitted Uses for R-D Diverse Residential District 17-14-3 Permitted Uses for R-2 One To Two Family Residential District 17-15-3 Permitted Uses for R-4 One To Four Family Residential District 17-16-3 Permitted Uses for R-M Multiple Family Residential District 17-20-4 Conditional Uses for CC Central Commercial District 17-27-3 Allowed Uses for Mixed Use Zoning District Overlay

1. BACKGROUND

At the October 20, 2022 City Council meeting, the Council adopted Ordinance 22-10-03 which changed the allowed number of pets in KCC 15-3-6. This was done by request of the Davis County Animal Control Department who provides animal control services for many cities in Davis County, including Kaysville. For ease of enforcement, the County wanted to have the number of allowed pets in each city they serve to be consistent.

Many chapters in Kaysville City Code Title 17 Planning and Zoning contain language regarding the number of household pets allowed. This text amendment would remove the ownership of household pets from the land use code and let KCC 15-3-6 govern ownership.

Approving this text amendment is a housekeeping item based on the Council's action from October. The October 20, 2022 ordinance changes the Council adopted are attached to this memo.

2. PUBLIC NOTICING AND PUBLIC COMMENT

Public notices were posted in compliance with state law. As of the date of this memo, no public comments have been received.

3. RECOMMENDATION

Staff recommends the Planning Commission send a recommendation of approval to the City Council for the text amendments as presented by staff for the below listed sections of code.

- [17-2-2 Definitions](#)
- [17-8-3 Permitted Uses](#) for A-5 Heavy Agricultural District
- [17-9-3 Permitted Uses](#) for A-1 Light Agricultural District
- [17-10-3 Permitted Uses](#) for R-A Agricultural Residential District
- [17-11-3 Permitted Uses](#) for R-T Old Kaysville Townsite Residential District
- [17-12-3 Permitted Uses](#) for R-1 Single Family Residential District
- [17-13-3 Permitted Uses](#) for R-D Diverse Residential District
- [17-14-3 Permitted Uses](#) for R-2 One To Two Family Residential District
- [17-15-3 Permitted Uses](#) for R-4 One To Four Family Residential District
- [17-16-3 Permitted Uses](#) for R-M Multiple Family Residential District
- [17-20-4 Conditional Uses](#) for CC Central Commercial District
- [17-27-3 Allowed Uses](#) for Mixed Use Zoning District Overlay

ATTACHMENTS:

1. Draft Ordinances:
 - [17-2-2 Definitions](#)
 - [17-8-3 Permitted Uses](#) for A-5 Heavy Agricultural District
 - [17-9-3 Permitted Uses](#) for A-1 Light Agricultural District
 - [17-10-3 Permitted Uses](#) for R-A Agricultural Residential District
 - [17-11-3 Permitted Uses](#) for R-T Old Kaysville Townsite Residential District
 - [17-12-3 Permitted Uses](#) for R-1 Single Family Residential District
 - [17-13-3 Permitted Uses](#) for R-D Diverse Residential District
 - [17-14-3 Permitted Uses](#) for R-2 One To Two Family Residential District
 - [17-15-3 Permitted Uses](#) for R-4 One To Four Family Residential District
 - [17-16-3 Permitted Uses](#) for R-M Multiple Family Residential District
 - [17-20-4 Conditional Uses](#) for CC Central Commercial District
 - [17-27-3 Allowed Uses](#) for Mixed Use Zoning District Overlay
2. Kaysville Ordinance 22-10-03 Amending Title 15, Chapter 3, Section 6 of the Kaysville City Code Regarding the Number of Dogs and Cats Allowed in the City

ORDINANCE 22-XX-XX

AN ORDINANCE AMENDING TITLE 17; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Kaysville City desires to maintain a code that is easily readable and concise; and

WHEREAS, City Staff has reviewed aspects of Title 17 regarding the household pets and found them in need of amendment to be in compliance with other recent amendments; and

WHEREAS, the City Council of Kaysville City finds it to be in the best interest of its citizens to amend these sections of the City Code.

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

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

SECTION II: Enactment. Title 17 shall be amended to read as follows:

17-2-2 Definitions

~~Household Pets - Two or fewer animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries. More than a total of two such animals and fowl are not permitted as household pets.~~

Kennel - Any lot or premise on which ~~three (3)~~ four (4) or more dogs (or similar household pets) at least four (4) months old are kept.

17-8-3 Permitted Uses

1. Accessory building or use customarily incidental to any permitted or conditional use subject to the provisions of KCC 17-31-2.
2. Agriculture, agricultural experiment station.
3. Corral, stable, or building for keeping animals or fowl, as set forth in KCC 17-24.
4. Dairy farm, milk processing and retail sale, provided at least fifty percent (50%) of milk sold is produced and processed on the premises.
5. Farm animals and fowl kept for family food production and the keeping of horses for private use, together with their dependent young, as set forth in KCC 17-24.
6. Farms devoted to the hatching, raising (including fattening as an incidental to raising) of chickens, turkeys, or other fowl, rabbits or fish.
7. Fruit or vegetable stand, storage and packaging for produce grown on the premises only.
8. Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.
9. Internal Accessory Dwelling Unit subject to the provisions of KCC 17-31-3

10. Publicly owned treatment works.
11. ~~Two household pets.~~
12. Parking lot accessory to uses allowed in this Zone District.
13. Private swimming pool subject to the provisions of [KCC 17-31-9](#).
14. Single-family dwelling.
15. Temporary buildings or use incidental to construction work but not to include temporary dwellings. Such building shall be removed upon completion or abandonment of the construction work.
16. The keeping and raising of not more than ten (10) hogs, more than sixteen (16) weeks old, provided that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises.
17. The raising and grazing of horses, cattle, sheep or goats as part of a farming operation including the supplementary or full feeding of such animals, provided that such raising and grazing when conducted in conjunction with any livestock feed yard or livestock sales shall:
 - a. Not exceed a density of twenty-five (25) head per acre of used land.
 - b. Be not closer than three hundred feet (300') to any dwelling, public or semi-public building on an adjoining parcel of land.
18. Farms devoted to the raising, breeding, keeping and training of horses.
19. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
20. Minor home occupations subject to the provisions of [KCC 17-26](#).
21. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).

17-9-3 Permitted Uses

1. Accessory building or use customarily incidental to any permitted or conditional use subject to the provisions of [KCC 17-31-2](#).
2. Agriculture, agricultural experiment station.
3. Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).
4. Farm animals and fowl kept for family food production and the keeping of horses for private use, together with their dependent young, as set forth in [KCC 17-24](#).
5. Fruit or vegetable stand for produce grown on the premises only.
6. Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.
7. Internal Accessory Dwelling Unit subject to the provisions of [KCC 17-31-3](#).
8. ~~Two household pets.~~
9. Parking lot accessory to uses allowed in this Zone District.
10. Private swimming pool subject to the provisions of [KCC 17-31-9](#).
11. Single-family dwelling.
12. Temporary buildings or use incidental to construction work but not to include temporary dwellings. Such building shall be removed upon completion or abandonment of the construction work.

13. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
14. Minor home occupations subject to the provisions of [KCC 17-26](#).
15. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).

17-10-3 Permitted Uses

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. The keeping of farm animals and fowl for family food production and the keeping of horses for private use, together with their dependent young, as set forth in [KCC 17-24](#).
8. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
9. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
10. Internal Accessory Dwelling Unit subject to the provisions of [KCC 17-31-3](#)
11. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
12. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-11-3 Permitted Uses

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of [KCC 17-31-2](#).
9. Internal Accessory Dwelling Unit subject to the provisions of [KCC 17-31-3](#)
10. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).
11. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or

abandonment of the construction, subject to administrative review.

17-12-3 Permitted Uses

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
9. Internal Accessory Dwelling Unit subject to the provisions of [KCC 17-31-3](#)
10. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).
11. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
12. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-13-3 Permitted Uses

1. Single-family dwellings.
2. Agriculture.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
9. Internal Accessory Dwelling Unit subject to the provisions of [KCC 17-31-3](#)
10. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).
11. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
12. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-14-3 Permitted Uses

1. Single-family dwellings.
2. Two-family dwellings.
3. Agriculture.
4. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
5. Minor home occupations subject to the provisions of [KCC 17-26](#).
6. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
7. ~~Two household pets per dwelling unit.~~
8. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
9. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
10. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).
11. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
12. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-15-3 Permitted Uses

1. Single-family dwellings.
2. Multiple dwellings not to exceed four (4) dwelling units per building.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
9. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).
10. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
11. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-16-3 Permitted Uses

1. Single-family dwellings.
2. Multiple dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no

admission is charged.

4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. ~~Two household pets per dwelling unit.~~
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of [KCC 17-31-2](#).
9. Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#), which buildings must be removed upon the completion or abandonment of the construction, subject to administrative review.
10. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#), subject to administrative review.

17-20-4 Conditional Uses

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

1. Theaters.
2. Motels or hotels.
3. Light industry/research uses subject to the provisions of [KCC 17-23](#).
4. Dwellings ~~and household pets.~~
5. Social halls, lodges, fraternal organizations.
6. Automotive repair that does not break the continuity of retail store frontage for pedestrians, does not impose a nuisance on residences or other surrounding uses, does not create traffic hazards or undue traffic congestion, and has pump islands located so that vehicles serviced or awaiting service do not block any public sidewalk or driveway.
7. Amusement arcades.
8. Public utility substations.
9. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
10. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

17-27-3 Allowed Uses

The allowed uses within a project are as follows:

1. When applied in the R-M zoning district:
 - a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses.
 - i. Offices.
 - i. Retail sales and services, not including storage services, sale of beer for consumption on the premises, sale of liquor for consumption on

the premises and conditional uses in [KCC 17-19-4](#).

- i. Amusement arcades
 - iv. Where the R-M zone limits the number of dwellings to no more than 1 dwelling per 2,800 sq. ft. of property, the MU Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of potential units.
 - b. The uses allowed by conditional use permit in the underlying zone and the following shall be considered Conditional Uses:
 - i. Motels or hotels.
 - i. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
 - i. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.
 - c. 50% or more of the square footage of development should be residential use and 30% or more of the square footage of development should be for commercial use.
 - i. Required commercial shall be built before or at the same time as residential development.
2. When applied with the GC and CC zoning districts:
- a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses.
 - i. Multiple dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of units allowed.
 - i. Minor home occupations subject to the provisions of [KCC 17-26](#).
 - i. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
 - iv. ~~Two household pets per dwelling unit.~~
 - v. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
 - vi. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of [KCC 17-31-2](#).
 - b. The uses allowed by conditional use permit in the underlying zone shall continue to be considered conditional uses, however; the following uses are not allowed on a site where the MU zone has been applied:
 - i. Public utility substations
 - c. 50% or more of the square footage of development should be for commercial use, and 30% or more of the square footage of development should be for residential use:
 - i. Required commercial shall be built before or at the same time as residential development.

3. When applied with the LI zoning district:
- a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses.
 - i. Multiple dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking rations will determine the number of units allowed.
 - ii. Minor home occupations subject to the provisions of KCC 17-26.
 - iii. Major Home Occupation 'C' subject to the provisions of KCC 17-26.
 - iv. ~~Two household pets per dwelling unit.~~
 - v. Private swimming pools subject to the provisions of KCC 17-31-9.
 - vi. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of KCC 17-31-2.
 - b. The uses allowed by conditional use permit in the underlying zone shall continue to be considered conditional uses, however; the following uses are not allowed on a site where the MU zone has been applied:
 - i. Public utility substations.
 - c. 50% or more of the square footage of development should be for commercial/(clean) light industrial use, and 30% or more of the square footage of development should be for residential use.

Required commercial shall be built before or at the same time as residential development.

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

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

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this X day of _____, 2023.

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

**KAYSVILLE CITY
ORDINANCE 22-10-03**

**AN ORDINANCE AMENDING TITLE 15, CHAPTER 3, SECTION 6 OF THE
KAYSVILLE CITY CODE REGARDING THE NUMBER OF DOGS AND CATS
ALLOWED IN THE CITY AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Kaysville City has a long standing relationship where Davis County provides animal care and control for the City; and

WHEREAS, the County Animal Control Department works with most of the municipalities throughout the County; and

WHEREAS, the County has asked the City (and sister cities throughout the County) to amend its code so that there is continuity throughout the County; and

WHEREAS, the Kaysville City Council has determined that amending its Animal codes to favor county-wide continuity advances the public health, safety, and well-being of Kaysville City.

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

SECTION 1: AMENDMENT “15-3-6 Number Of Dogs Per Residence” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

15-3-6 Number Of Dogs Per Residence

No person or persons at any one (1) residence within the jurisdiction of this Title shall at any one time own, harbor, license or maintain more than ~~two (2)~~ three (3) cats and dogs in any combination, ~~except as otherwise provided in this Chapter.~~ The Animal Control Division may issue a permit to owners of Dogs and Cats to keep up to four (4) dogs or cats (but not more than four Household Pets) in a residential area.

1. Exemptions for number of dogs and cats per residence:

- a. Under the provisions of Section 10-8-65, Utah Code Annotated, a person may keep a service animal, a retired service animal, or both in addition to that limit. See “Service Animal” as defined in 06.04.010 (AB) Definitions. An exemption shall be issued for such dog upon the filing of an affidavit with the county showing that the dog qualifies for exemption;
- b. Dogs especially trained to assist officials of governmental agencies in the performance of their duties, and which are owned or maintained by such agencies. An exemption shall be issued for such dog upon the filing of an

affidavit with the county showing that the dog qualifies for exemption.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 3: **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.

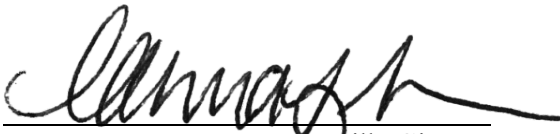
SECTION 4: **EFFECTIVE DATE** This Ordinance shall become effective shall become effective 20 days after publication or posting, or 30 days after final passage by the governing body, whichever is sooner.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL OCTOBER 20, 2022.

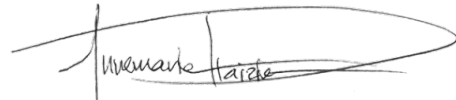
	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Council Member Blackham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council Member Hunt	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council Member Jackson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council Member Oaks	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Tamara Tran, Mayor, Kaysville City



Annemarie Plaizier, City Recorder,
Kaysville City



CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: January 5, 2023

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: Personnel Policies and Procedures Manual Changes

EXECUTIVE SUMMARY:

City staff makes every effort to reflect actions in managing personnel with policies established by the City Council. To that end, an annual review to the city's policy manual with recommended changes is completed by the city HR team and recommended to the Council. Most significant changes are agendaized individually for discussion, for example recently we added a Holiday and converted from Vacation to PTO.

Most of the changes recommended for 2023 fall in to one of two major categories:

- 1) Adapt to changing laws (for example, changes in the definitions of family members for bereavement per state code).
- 2) Clean up grammatical errors and to degenderize individuals (changing "he" to "they", for example).

There are a lot of changes. Most are very small. A spreadsheet of all changes is included in the packet for your review.

This was presented as a Work item last meeting and Staff believes it is ready for adoption.

Council Options: 1) Approve changes as presented 2) Remand to Staff with further direction

Recommended Options: Approve changes as presented

Fiscal Impact & Fund Source for Recommended Action: None.

Personnel Policies and Procedures Manual Changes - Summary

Pg. #	Description	Current Language	Proposed Language
4	Change from funeral leave to bereavement	"4.02 Funeral Leave"	"4.02 Bereavement Leave"
7	Remove reference to "He"	"He shall have power to exercise.."	"The City Manager shall have power to exercise.."
7	Remove reference to "Him"	"The City Manager may delegate any of the powers and duties conferred upon him as..."	"The City Manager may delegate any of the powers and duties conferred upon them as..."
8	Add paragraph to section 1.05	N/A	"No verbal or written agreements, understandings, representations or statements made by a supervisor, or anyone, can change the policies outlined in these regulations or bind the city to any course of action. The policies and statements contained in these regulations and in other statements that may be issued from time to time do not create a contract or agreement of any kind between the city and it's employees."
11	Add language for gender and sexual orientation	"..religion, sex, age.."	"..religion, sex (including gender, sexual orientation, gender identity), age.."
11	Add space	"..disability,status as a veteran.."	"..disability, status as a veteran.."
11	Remove "s"	"..prohibits any form of unlawful employees harrassment."	"..prohibits any form of unlawful employee harrassment."
12	Update section 2.02 language	"Recruitment for qualified applicants will be carried on as necessary in order to insure that the City will have available applicants of interested, qualified persons for possible employment. In general, all new and vacant Council approved positions will be posted externally on the Kaysville City Website and through the Utah Department of Workforce Services. Other media, including newspapers, social media, and professional publications, may be used. The City shall attempt to fill all vacant positions with qualified applicants from its existing work force. The selection of individuals to fill vacant positions shall be based upon specific knowledge, job related skills and abilities, character, general competence (past performance), ability to work and relate with co workers, and the ability to relate to the goals and objectives of the City in a cooperative and productive manner."	"Recruitment for qualified applicants will be carried on as necessary in order to insure that the City will have applications from interested, qualified persons for possible employment. In general, most new and vacant positions will be posted externally on the Kaysville City Website and through other appropriate means in order to recruit the best possible candidate for hire. Open recruitment is not required for all openings. Any opening not publicized to the general public, including internal promotions, should be approved by the City Manager. The City shall attempt to fill all vacant positions with qualified applicants from its existing work force."
13	Update wording for application process	"All candidates for employment shall file an application on an official City application form."	"All candidates for employment shall submit an application online through Kaysville's official city website. Those requiring assistance may contact the Human Resources Department. Applications must be submitted within the time period specified within the job announcement."
14	Remove reference to "his"	"Questions about the City required medical examinations should be directed to the City Manager or his designee."	"Questions about the City required medical examinations should be directed to the City Manager or their designee."
15	Update police and fire hours under full-time regular employee paragraph	"..171 hours in a 28 day work period and fire employees hired to work 212 hours in a 28 day work period."	"..80 hours in a 14 day work period and fire employees hired to work an average of 112 hours in a 14 day work period (2,912 annual average)."
15	Update police and fire hours under non-exempt employees paragraph	"..(police employees beyond 171 hours in a 28 day period and fire employees hired to work 212 hours in a 28 day period).."	"..(police employees beyond 80 hours in a 14 day period and fire employees beyond 106 hours in a 14 day period).."
15	Update police and fire hours under exempt employees paragraph	"..(police employees beyond 171 hours in a 28 day period and fire employees hired to work 212 hours in a 28 day period).."	"..(police employees beyond 80 hours in a 14 day period and fire employees beyond 106 hours in a 14 day period).."
15	Add comma	"..benefits may include retirement, insurance and accrual.."	"..benefits may include retirement, insurance, and accrual.."
15	Remove reference to vacation and sick	"...accrual of vacation and sick leave at a rate proportionate..."	"...accrual of PTO at a rate proportionate..."
15	Remove reference to permanent position	"..determine if the employee status will be designated regular, permanent status. The granting of regular permanent status.."	"..determine if the employee status will be designated regular status. The granting of regular status.."
16	Replace "will" with "must"	"Light duty assignments over thirty (30) days will be approved by the City Manager."	"Light duty assignments over thirty (30) days must be approved by the City Manager."
16	Replace "On-Call" with "Part-Time" as it relates to firefighters	"Paid On-Call Firefighter"	"Paid Part-Time Firefighter"
17	Remove reference to sick and vacation under 2.12	"..shall retain all accumulated sick leave and annual leave."	"..shall retain all accumulated leave balances."
17	Remove reference to grade under 2.09	"..salary range or grade outlined for their position.."	"..salary range outlined for their position.."
17	Remove reference to steps under 2.10	"..each employee's step and movement to steps of the Compensation Plan.."	"..each employee's compensation within the Compensation Plan.."

Personnel Policies and Procedures Manual Changes - Summary

17	Remove reference to steps under 2.11. Also remove guaranteed 5% promotion increase.	"If the present pay level is equal to or exceeds the class to which she or he is promoted the employee shall be promoted to the next step which guarantees the employee at least a five (5) percent increase in pay."	Remove entire sentence.
17	Remove reference to class under 2.13	"If such salary exceeds the maximum of the range for the class to which they are assigned, they shall receive the maximum for the class."	"If such salary exceeds the maximum of the range for the new position to which they are assigned, they shall receive the maximum for the position."
17	Add the word "will" under 2.11	"An employee receiving a promotion be eligible."	"An employee receiving a promotion will be eligible."
18	Clarify which insurance benefits they will receive.	"...with up to two years of health insurance benefits."	"...with up to two years of medical insurance benefits (not including dental or vision)."
19	Remove 7 days requirement and change to immediately under 2.18	"...and submitted to human resources within seven (7) days of the injury."	"...and submit a completed and signed accident/incident report to human resources as soon as reasonably possible following the injury."
23	Under 3.04 the standard work period for police and fire is now 14 days	"...is twenty-eight consecutive days."	"...is fourteen consecutive days."
24	Remove reference to vacation and sick under 3.05	"...should submit vacation, sick, comp."	"...should submit, PTO, comp."
24	Remove reference to "his" in section 3.07	"The City Manager is hereby authorized to designate other work periods and workinghours for employees when, in his opinion..."	"The City Manager is hereby authorized to designate other work periods and workinghours for employees when, in their opinion..."
24	Remove reference to "his" in section 3.08	"An employee unable to report to duty on a workday shall notify his immediate supervisor of that fact with reasonable notice."	"An employee unable to report to duty on a workday shall notify their immediate supervisor of that fact with reasonable notice."
25	Remove reference to vacation and sick under 3.09 Non-exempt employee	"(You are paid for non-working hours, i.e. sick leave, vacation leave, etc. at straight time and these non-working hours are not used to calculate overtime.)"	"Non-working hours, i.e. PTO, Comp Time, STML, etc. are not used to calculate overtime."
26	Non-exempt public safety bullet point 1. Update police and fire hours	"...all hours accumulated through the one hundred and sixtieth (171) for police and two hundred and twelve (212) for fire in any given twenty eight day work period."	"...all hours accumulated through the eightieth hour (80) for police and one hundred and sixth hour (106) for fire in any given fourteen day work period."
26	Non-exempt public safety bullet point 2. Update police and fire hours	"...all hours accumulated beyond the one hundred and sixtieth (171) for police and two hundred and twelve (212) for fire in any given twenty eight day work period."	"...all hours accumulated beyond the eightieth hour (80) for police and one hundred and sixth hour (106) for fire in any given fourteen day work period."
26	Non-exempt public safety bullet point 3. Update police and fire hours	"Any amount over 160 hoursfor police and 212 for fire per 28 day work period qualifies as overtime."	"Any amount over 80 hours for police and 106 hours for fire per 14 day work period qualifies as overtime."
26	Non-exempt public safety bullet point 3. Update reference to sick and vacation	"(You are paid for non-working hours, i.e. sick leave, vacation leave, etc. at straight time and these non-working hours are not used to calculate overtime.)"	"Non-working hours, i.e. PTO, Comp Time, STML, etc. are not used to calculate overtime."
26	Non-exempt public safety bullet point 5. Clarify the language for police and fire relating to working on a holiday.	"Required Overtime work that falls on a holiday and outside of current job schedule and assignment will be paid at a rate designated by the City Manager."	"Required Overtime work that falls on July 4th, Thanksgiving, and Christmas will be paid at a rate designated by the City Manager."
26	Non-exempt public safety bullet point 3. Add public safety examples for emergency OT	"...determined by the City Manager (water leak, snow plowing/salting, flooding, power outages, natural disaster etc.)"	"...determined by the City Manager (house fire, emergency backup, natural disaster, etc.)"
26	Remove reference to "he" in section 3.10	"The Police Chief shall be compensated at straight time for working additional shifts of other officers or for time when he is otherwise required to work."	"The Police Chief shall be compensated at straight time for working additional shifts of other officers or for time when they are otherwise required to work."
26	Remove conflicting language relating to final paycheck and add reference to another section discussing it.	"Final paychecks shall include compensation for unused annual leave up to the maximum of thirty (30) days allowed and compensatory time up to the allowed carryover limit."	"Final paychecks shall include compensation for unused annual PTO (See Section 4.01 PTO Payout at Separation) and compensatory time up to the allowed carryover limit."
27	Remove reference to "he" in section 3.15	"If an officer is in court when his regular shift terminates and he is required to remain..."	"If an officer is in court when their regular shift terminates and they is required to remain..."
29	Bullet point 3. Remove reference to on-call firefighters. We no longer offer life insurance to them since it would be a qualifying benefit for URS.	"Life insurance coverage on full-time employees and paid on-call firefighters is provided..."	"Life insurance coverage on full-time employees is provided..."
31	Add a period and remove comma under paragraph 3.20	"Police Officers, Reserve Officers shall receive a uniform cleaning allowance as part of the compensation plan Such allowances..."	"Police officers and reserve officers shall receive a uniform cleaning allowance as part of the compensation plan. Such allowances..."
31	Add period to section 3.20	"Police Officers, Reserve Officers shall receive a uniform cleaning allowance as part of the compensation plan Such allowances are to be used to maintain the department uniform in a neat and proper manner."	"Police Officers and Reserve Officers shall receive a uniform cleaning allowance as part of the compensation plan. Such allowances are to be used to maintain the department uniform in a neat and proper manner."
33	Update annual accrual hours for firefighters under 4.01	Level 1 - 214.5 hours; Level 2 - 292.5 hours; Level 3 - 380.5 hours	Level 1 - 247 hours; Level 2 - 304.2 hours; Level 3 - 364 hours
33	Update annual accrual hours for regular under 4.01	Level 1 - 174 hours; Level 2 - 216 hours; Level 3 - 260 hours	Level 1 - 174.2 hours; Level 2 - 215.8 hours; Level 3 - 260 hours

Personnel Policies and Procedures Manual Changes - Summary

34	Donating PTO and/or STML - Add new paragraph to pg 34	N/A	"Donating PTO/STML – "Employees are allowed to donate PTO and/or STML to another employee on a case by case basis with approval from the City Manager. This is intended to be allowed in certain medical/family situations and is not intended for donations for vacation use, to add additional time to another employee, to reduce balances close to exceeding limits, or other similar unsuitable purposes."
34	Under the PTO payout at Separation paragraph add a line stating that hours exceeding the maximum accrual will be paid out at \$0.50 on the dollar upon termination.	N/A	"Any amount of unused accrued PTO above the maximum accrual limits will be paid out at \$0.50 on the dollar."
34	Under the PTO Cash-Out paragraph add a firefighter equivalent amount of PTO hours that are required to use each year.	"Employees who have used at least 40 hours of PTO in the respective year and still have.."	"Employees who have used at least 40 hours (56 hours for firefighters) of PTO in the respective year and still have.."
36	Add policy for miscarriage and stillbirth. See Utah SB 63. Section 10-3-1103. Sickness, disability, and death benefits.	"..husband, brother, sister, children, grandchildren, or grandparents."	"..husband, brother, sister, children (including miscarriage and stillbirth), grandchildren, or grandparents."
36	Remove reference to HR director	"The Human Resources Director is authorized.."	"Human Resources is authorized.."
36	Change from funeral leave to bereavement under 4.02	"4.02 Funeral Leave"	"4.02 Bereavement Leave"
36	Change from funeral leave to bereavement under 4.02	"..City shall allow up to three days of Funeral Leave with pay."	"..City shall allow up to three days of Bereavement Leave with pay."
36	Specify hours for beareavement	"When a death occurs in the family of an employee, the City shall allow up to three days of.."	"When a death occurs in the family of an employee, the City shall allow up to 24 hours in a three day period of.."
37	Remove reference to vacation and sick in section 4.03	"Leave is considered to be without compensation. However, all City benefits that operate on an accrual basis (e.g., vacation and paid sick days) continue to accrue only during the first thirty days of your medical leave."	"Leave is considered to be without compensation. However, all City benefits that operate on an accrual basis (e.g., PTO days) continue to accrue only during the first thirty days of your medical leave."
37	Remove reference to vacation in section 4.03	"Employees may take accrued sick, personal, or vacation time and apply it as paid leave during any part of their absence."	"Employees may take accrued PTO or Comp time and apply it as paid leave during any part of their absence."
38	Remove reference to vacation in section 4.04	"This leave shall be in addition to annual vacation leave with pay."	"This leave shall be in addition to annual PTO."
39	Word clarification	"3. Be a full- or permanent part-time, regular employee (temporary employees and interns are not eligible for this benefit)."	"3. Be a full-time or benefitted part-time, regular employee (temporary employees and interns are not eligible for this benefit)."
40	Remove references to vacation and sick in section 4.06	"2. After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick or vacation time. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA."	"2. After the paid parental leave (and any short-term medical leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued PTO or Comp time. Upon exhaustion of accrued PTO and Comp time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA."
40	Remove references to vacation and sick in section 4.06	"...other City paid leave such as paid vacation leave or paid sick leave."	"...other City paid leave such as PTO."
44	Remove reference to "his" in section 5.02	"...The Board may, in its decision, provide that an employee shall receive his pay for the period..."	"...The Board may, in its decision, provide that an employee shall receive their pay for the period..."
45	Remove reference to "he" in section 5.03	"The immediate supervisor shall render a decision within five (5) workdays of the date he became aware of the grievance by the employee's report."	"The immediate supervisor shall render a decision within five (5) workdays of the date they became aware of the grievance by the employee's report."
45	Remove reference to "he" in section 5.03	"STEP 2 - If no mutually agreeable settlement is reached under Step 1, then the grievance shall be filed in writing to the employee's department head by the affected employee, specifying which term(s) or condition(s) of their employment he feels have been violated or might require relief, within five (5) workdays after receiving the decision from his immediate supervisor. The department head shall have five (5) workdays after receiving the written grievance to thoroughly investigate the matter, place his finding in writing, and notify the parties concerned of his decision."	"STEP 2 - If no mutually agreeable settlement is reached under Step 1, then the grievance shall be filed in writing to the employee's department head by the affected employee, specifying which term(s) or condition(s) of their employment they feel have been violated or might require relief, within five (5) workdays after receiving the decision from their immediate supervisor. The department head shall have five (5) workdays after receiving the written grievance to thoroughly investigate the matter, place their finding in writing, and notify the parties concerned of their decision."
50	Add line to section 6.09 relating to phones requiring that the employee pay off current phone before they are allowed to purchase a new phone.	"Employees may upgrade their phone once a year (unless broken or deemed unworkable)."	"Employees may upgrade their phone once a year (unless broken or deemed unworkable). Employees must have paid off any current phones before purchasing a new phone."
52	Remove reference to "he" in section 6.11	"...within one working day after the employee learns of the action related to his driver's license."	"...within one working day after the employee learns of the action related to their driver's license."
61	Under Reporting Procedure replace finance director with Human Resources	"City Finance Director"	"Human Resources"

Personnel Policies and Procedures Manual Changes - Summary

62	Incomplete sentence under supervision of youth paragraph	"No out of program contact is permitted between representatives of the city and minors, all contact shall"	"No out of program contact is permitted between representatives of the city and minors."
69	Add breathe test	"When drug and alcohol screening is required or performed under the provisions of this policy, a urinalysis and/or blood test will be given to detect the presence of one or more or all of the following drugs or drug groups:..."	"When drug and alcohol screening is required or performed under the provisions of this policy, a urinalysis and/or blood test or breathe test will be given to detect the presence of one or more or all of the following drugs or drug groups:..."
69	Remove alcohol test requirement	"Applicants for all classes of employment will be required to undergo a drug and alcohol test upon an offer..."	"Applicants for all classes of employment will be required to undergo a drug test upon an offer..."
69	Replace and with and/or	"1. Before a drug and alcohol test is administered, Employees and job Applicants..."	"1. Before a drug and/or alcohol test is administered, Employees and job Applicants..."
69	Remove alcohol test requirement	"The City Manager or designee will schedule an alcohol and drug screening test for the Applicant."	"The City Manager or designee will schedule a drug test for the Applicant."
20 & 21	Remove duplicate language. Section 11 and 12 are the same. Remove section 12.	"12. No person shall remove, displace, destroy, or carry away any safety device or safeguard provided for use in place of City employment or interfere with the use of any method or process adopted for the protection of employees. No employees shall refuse or neglect to follow and obey reasonable orders that are issued for the protection of health, life, safety, or welfare of employees."	Remove entire section.
25 & 26	Bullet point 5. FLSA requires that comp time be paid out within one year of earning it. That can be a nightmare to track so to make it easy we could just pay out all comp time balances at the end of each year. https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/compensatory-time-off/	"If you elect to receive compensatory leave in lieu of overtime pay, you will be allowed to accumulate up to 80 hours."	"If you elect to receive compensatory leave in lieu of overtime pay, you will be allowed to carryover up to 80 hours at the final pay period each calendar year. Any amount over 80 hours as of the final pay period will be forfeited."
25 & 26	Bullet point 3. Change holiday leave hours to no longer be considered a working hour for OT	"Approved City holidays are calculated as hours worked."	"Approved City holidays are non-working hours and will not be used to calculate overtime."

RESOLUTION 23-~~XX-XX~~

**A RESOLUTION APPROVING ALTERATIONS TO THE CITY'S
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Kaysville City Council desires to effectively use City Council time to address legislative questions; and

WHEREAS, the City Council desires to alter the existing policy manual to address several grammatical, clerical, and substantive changes; and

WHEREAS, the City believes that updating this policy will lead to greater value returned to the City; and

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

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

1. The policy amendments which are attached to this resolution are hereby incorporated herein by this reference and approved.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **5th day of January, 2023.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

SECTION 1: AMENDMENT “1.02 Administration Of The Personnel System” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

1.02 Administration Of The Personnel System

The City Manager is the Personnel Officer and shall administer the Personnel System except for the hiring and discharge of department heads, which shall require City Council confirmation. ~~He~~The City Manager shall have power to exercise general control and supervision over employees subject to these Rules and Regulations. The City Manager may delegate any of the powers and duties conferred upon ~~him~~them as the Personnel Officer to any other officer or employee of the City.

SECTION 2: AMENDMENT “1.05 Employment Constitutes Acceptance Of These Rules” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

1.05 Employment Constitutes Acceptance Of These Rules

In accepting employment with Kaysville City, each employee agrees to be governed by and to comply with the Personnel Rules and Regulations, administrative rules and procedures established by the City Manager pursuant thereto, and rules, regulations, and directives of the department in which he or she is employed.

All employees holding a position in City service on the REVISED date of these Rules and Regulations shall thereafter be subject in all aspects to the provisions herein. Reasonable effort will be made by City Administration to distribute this document to all employees.

Personnel Policies are applied at the discretion of Kaysville City. Kaysville City reserves the right to change, withdraw, apply, or amend any of our policies or benefits, including those covered in these Regulations at any time. Kaysville City may notify you of such changes via email, posting on the City’s Intranet, or via a printed memo, but may in its discretion make such changes at any time, with or without notice and without a written revision of these Regulations.

No verbal or written agreements, understandings, representations or statements made by a supervisor, or anyone, can change the policies outlined in these regulations or bind the city to any course of action. The policies and statements contained in these regulations and in other statements that may be issued from time to time do not create a contract or agreement of any kind between the city and its employees.

SECTION 3: AMENDMENT “2.01 Equal Employment Opportunity Statement” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

2.01 Equal Employment Opportunity Statement

It is the policy of Kaysville City to provide equal employment opportunity. Personnel will be compensated on a fair and equitable basis. Kaysville City will hire, promote, classify, transfer, discipline, and discharge all persons concerned without reference to race, color, religion, sex (including gender, sexual orientation, gender identity), age, disability, national origin, political affiliation, pregnancy, childbirth or pregnancy-related condition, disability, status as a veteran, or genetic information, in accordance with applicable Federal and State laws. It is the policy and commitment of the City to protect the civil rights of all employees and applicants for employment with the City and to provide a work environment free from discrimination and harassment. The City expressly prohibits any form of unlawful employees harassment. Improper interference with the ability of City's employees to perform their expected job duties is not tolerated. With respect to sexual harassment, the City prohibits:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - b. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 - c. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Offensive comments, jokes, innuendos, pictures, cartoons and other sexually oriented statements.

Complaint Procedure

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers.

If you experience any job-related harassment based on your sex, your race, or another factor, or believe you have been treated in an unlawful, discriminatory manner, promptly report the incident to your supervisor, who will investigate the matter and take appropriate action, including reporting it to the City Manager. If you believe it would be inappropriate to discuss the matter with your supervisor, report it directly to the City Manager, who will undertake an investigation. Your complaint will be kept confidential to the maximum extent possible.

If the City determines that an employee is guilty of harassing another employee, appropriate disciplinary action will be taken against the offending employee.

The City prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. However, if, after investigating any complaint of harassment or unlawful discrimination, the City determines that the complaint is not bona fide or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

SECTION 4: AMENDMENT “2.02 Recruitment And Selection Criteria” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.02 Recruitment And Selection Criteria

Recruitment for qualified applicants will be carried on as necessary in order to insure that the City will have ~~available applicants of~~applications from interested, qualified persons for possible employment. In general, ~~all~~most new and vacant ~~Council approved~~ positions will be posted externally on the Kaysville City Website and through ~~the Utah Department of Workforce Services. Other media, including newspapers, social media, and professional publications, may be used;~~other appropriate means in order to recruit the best possible candidate for hire. Open recruitment is not required for all openings. Any opening not publicized to the general public, including internal promotions, should be approved by the City Manager.

The City shall attempt to fill all vacant positions with qualified applicants from its existing work force. ~~The selection of individuals to fill vacant positions shall be based upon specific knowledge, job-related skills and abilities, character, general competence (past performance), ability to work and relate with co-workers, and the ability to relate to the goals and objectives of the City in a cooperative and productive manner.~~

SECTION 5: AMENDMENT “2.03 Application” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.03 Application

All candidates for employment shall ~~file-submit~~ an application ~~on an official City application form~~ online through Kaysville's official city website. Those requiring assistance may contact the Human Resources Department. Applications must be submitted within the time period specified within the job announcement.

SECTION 6: **AMENDMENT** “2.06 Medical Examinations” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.06 Medical Examinations

As part of City's employment procedures after a conditional offer of employment is extended, an applicant is required to undergo a pre-employment alcohol and drug screening that is conducted by an agency designated by the City. Any offer of employment that an applicant receives from the City is contingent upon, among other things, satisfactory completion of examinations and a determination by the City and its examining physicians that the applicant is capable of performing the responsibilities of the position that has been offered. Questions about the City required medical examinations should be directed to the City Manager or ~~his~~ their designee.

SECTION 7: **AMENDMENT** “2.08 Employment Status” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.08 Employment Status

Classification of Employment

For purposes of salary administration and eligibility for overtime payments and employment benefits, the City classifies its employees as follows:

Council Approved Positions

Full-Time Regular Employees - Employees hired to work the City's normal, full-time forty hour workweek on a regular basis and police employees (post certified) hired to work ~~171~~80 hours in a ~~28~~14 day work period and fire employees hired to work ~~212~~an average of 112 hours in a ~~28~~14 day work period (2,912 annual average). Such employees may be "exempt" or "nonexempt" as defined below.

Part-Time Regular Employees - Same as full-time employees, but works less than 40 hours per week and usually more than 20 hours a week.

Part-Time employees may be eligible for some benefits normally provided by the City. These benefits may include retirement, insurance, and accrual of ~~vacation and sick leave~~PTO at a rate proportionate to the hours worked unless otherwise required by law.

Introductory Period - All new hires shall have a six month introductory period. During this period, the employee may be discharged or laid off at the sole discretion of the City. Upon completion of the six month period, a performance review will be completed to determine if the employee status will be designated regular, ~~permanent~~ status. The granting of regular ~~permanent~~ status does not grant any additional employment status.

Non-exempt Employees - Employees who are required to be paid overtime at the rate of time and one half (i.e., one and one-half times) their regular rate of pay for all hours worked beyond forty hours in a workweek, (police employees beyond ~~171~~80 hours in a ~~28~~14 day period and fire employees ~~hired to work 212~~beyond 106 hours in a ~~28~~14 day period) in accordance with applicable federal wage and hour laws.

Exempt Employees - Employees who are not required to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. (Police employees beyond ~~171~~80 hours in a ~~28~~14 day period and fire employees ~~hired to work 212~~beyond 106 hours in a ~~28~~14 day period) Executive, professional employees, managers, and certain employees in administrative positions are typically exempt.

You will be informed of your initial employment classification and of your status as an exempt or nonexempt employee during your orientation session. If you change positions during your employment as a result of a promotion, transfer, or otherwise, you will be informed by the City Manager or his designee of any change in your exemption status.

Administratively Approved Positions

Light Duty Status - Employees that incur a medical condition and are recommended by a medical doctor to only be involved in "light duty" activity may be assigned work in accordance with light duty operations and functions as approved by human resources in cooperation with the Department Head. Light duty assignments will be temporary and short term in nature, usually not exceeding thirty (30) work days. Each case will be reviewed independently and will only be extenuating circumstances. Light duty assignments over thirty (30) days ~~will~~must be approved by the City Manager.

Paid ~~On-Call~~Part-Time Firefighter - An employee hired to work as needed at an hourly wage. A paid-on-call firefighter (1) shall work less than an average of 30 hours per week calculated on an annual basis; (2) shall be an at-will employee and may be terminated at any time with or without notice or cause; and (3) is generally not eligible for benefits.

Temporary Employees-

Seasonal Employee - All employees hired on a temporary, seasonal, provisional or emergency basis. Seasonal employees are not eligible for benefits unless required by law. Seasonal employees are at-will employees and may be terminated at any time with or without notice or cause. Seasonal employees may be employed up to 40 hours per week for up to but not including 9 months Any exceptions must be approved in writing by the City Manager. A seasonal employee may be re-hired as a seasonal employee after at least a three month break.

Limited Part-Time Employees - Employees who usually work an average of 20 hours or less per week calculated on an annual basis. Limited part-time employees are not eligible for benefits unless required by law. Limited part-time employees are at-will employees and may be terminated at any time with or without notice or cause.

Volunteers - Volunteers are persons who donate services as authorized by the City without pay or other compensation other than expenses actually and reasonably incurred as approved by the City. The City Manager may establish volunteer programs and develop guidelines for the use of volunteers. Volunteer programs and guidelines proposed by the City Manager that are either outside of the current adopted budget or involves an exceptional amount of risk would require approval from the City Council. All volunteers providing services for the City shall sign an agreement defining the nature and terms of the volunteer services. A volunteer may not donate any service to the City unless the volunteer's services are approved by the City manager and the volunteer has submitted a signed volunteer form to the City as required herein.

Volunteers may be provided protections under the Volunteer Government Workers Act, as set forth in Utah Code which provides volunteers may be deemed an employee of the City for purposes of workers' compensation benefits, operation of motor vehicles, and liability protection and indemnification normally afforded paid government employees.

Please direct any questions regarding your employment classification or exemption status to the City Manager or designee.

SECTION 8: **AMENDMENT** "2.09 Initial Appointment" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.09 Initial Appointment

All initial appointees are assigned to the salary range ~~or grade~~ outlined for their position as specified in the Classification and Compensation Plans.

SECTION 9: **AMENDMENT** “2.10 Performance Evaluation” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.10 Performance Evaluation

On or near the beginning of each fiscal year, each employee will be evaluated by his or her supervisor in accordance with the standards of Kaysville City. These evaluations shall be used in determining each employee's ~~step and movement to steps of~~ compensation within the Compensation Plan, and other personnel actions based on performance.

SECTION 10: **AMENDMENT** “2.11 Promotion” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.11 Promotion

Because it is the policy of Kaysville City to encourage the advancement of personnel within the organization, promotional examinations for vacancies will be conducted as the needs of the City require. An employee receiving a promotion will be eligible for the corresponding merit increases of that range. ~~If the present pay level is equal to or exceeds the class to which she or he is promoted the employee shall be promoted to the next step which guarantees the employee at least a five (5) percent increase in pay.~~

SECTION 11: **AMENDMENT** “2.12 Transfer” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.12 Transfer

Any employee may be transferred from one department or division to another for which she or he is qualified as the structure of the work force is changed, at the discretion of the City Manager. A transferred employee shall retain all accumulated ~~sick leave and annual~~ leave balances.

SECTION 12: **AMENDMENT** “2.13 Reassignment” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.13 Reassignment

Employees who are reassigned shall be paid at the same salary that they received prior to reassignment. If such salary exceeds the maximum of the range for the ~~class~~new position to which they are assigned, they shall receive the maximum for the ~~class~~position.

SECTION 13: **AMENDMENT** “2.17 Retirement” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.17 Retirement

Retirement from City service shall be subject to the terms and conditions of the City's Retirement Systems. Employees may retire at any time following eligibility after the two (2) weeks notice is given to the Personnel Officer.

Employees that choose to retire from Kaysville City may be compensated with up to two years of health insurance benefits (not including dental or vision) available to all other city employees for them and their spouse if they meet all of the following criteria:

1. Employee is retiring with an official filing with the Utah Retirement System;
2. Employee provides at least 3 months' notice of retirement date; and
3. Employee, or their spouse, does not qualify for any other employer- or government-funded (i.e. Medicare) health insurance coverage.

SECTION 14: **AMENDMENT** “2.18 Worker's Compensation” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.18 Worker's Compensation

Kaysville City operates under the provisions of the State of Utah Worker's Compensation Act which provides that - "any employee injured, or the dependents of any employee killed during the course of his or her duty, shall receive compensation for loss sustained on account of such injury or death, and for medical, nurse and hospital services, medicines, and funeral expenses."

The size of the awards and the conditions connected with these claims are contained in the State Laws covering Worker's Compensation cases. Any injury occurring on the job must be reported to the supervisor immediately and submitted ~~within seven (7) days of~~ a completed and signed accident/incident report to human resources as soon as reasonably possible following the injury.

SECTION 15: **AMENDMENT** "2.19 Safety" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

2.19 Safety

It is the intent of the City to comply with all applicable rules and regulations pertaining to the Occupational Safety and Health Act as established under federal or state law.

The City employees are expected to be safety conscious and to assist in keeping the City a safe workplace. The following general safety rules will apply in all City work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area to promote safety.

Each department head or supervisor shall post, in a conspicuous place, a list of telephone numbers or addresses as may be applicable so that necessary help can be obtained in case of emergency. The list shall include: doctor, hospital, fire department, police or sheriff, ambulance, and responsible supervisor.

Employees shall be required to participate in safety training programs. The City will provide safety equipment.

General Safety Rules

The following general safety rules will apply in all City work places. Each Department may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.

1. Extreme caution should be exercised by employees operating any type of power

equipment.

2. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, and hard hats, if required or appropriate to the work performed.
3. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines.
4. All accidents, regardless of severity, personal or vehicular, are to be reported immediately to the supervisor.
5. Defective equipment should be reported immediately to the supervisor.
6. Employees will not operate equipment or use tools for which training or orientation has not been received.
7. In all work situations, safeguards as required by State and Federal Safety Orders will be provided.
8. All supervisors and workers shall be required to insure clean work areas. An excessively littered or dirty work area constitutes an unsafe, hazardous condition of employment and should be remedied within a reasonable amount of time. When no other method or combination of remedies exist to minimize hazards due to toxic dust, fumes, gases, flying objects, dangerous rays, or burns from heat, acid, caustics or any hazard of a similar nature, the City shall provide each worker with the necessary personal protection equipment, such as respirators, goggles, gas masks, certain types of protective clothing, etc. Provision shall also be made to keep all such equipment in good, sanitary working condition at all times.
9. Report of any on-the-job injury resulting in disability or compensable lost time shall be submitted by the department head or other designated official to the Industrial Commission and to the affected employee within seven (7) calendar days on the "First Report of Injury" form. Should any sudden or unusual occurrence or change of conditions occur (such as the appearance of toxic or unusual fumes or gases, major equipment failure, explosion, fires, etc.) that might affect the safety or health of City employees or tend to increase the hazards thereof, the department head or other designated authority shall notify the Industrial Commission of Utah. Such notification MUST be made whether or not any actual injuries result from the above occurrences or changes of conditions.
10. All fatal, potentially fatal, and serious accidents shall be reported immediately to the appropriate Utah State agency over Labor.
11. No person shall remove, displace, destroy, or carry away any safety device or safeguard provided for use in place of City employment or interfere with the use of any method or process adopted for the protection of employees. No employees shall refuse or neglect to follow and obey reasonable orders that are issued for the protection of health, life, safety, or welfare of employees.
- ~~12. No person shall remove, displace, destroy, or carry away any safety device or safeguard provided for use in place of City employment or interfere with the use of any method or process adopted for the protection of employees. No employees shall refuse or neglect to follow and obey reasonable orders that are issued for the protection of health, life, safety, or welfare of employees.~~
13. In addition to the rules and regulations specified above, the following shall apply:
 - a. Employees who do not understand or speak the English language shall not be

- assigned to any duty or place where the lack or partial lack of understanding or speaking of English might adversely affect their safety or that of other employees.
- b. Where there is a risk of injury from hair entanglement in moving parts of machinery, employees shall confine their hair to eliminate the hazard.
 - c. Loose sleeves, tails, ties, lapels, cuffs, or similar garments which can become entangled in moving machinery shall not be worn where an entanglement hazard exists.
 - d. Wrist watches, rings, or other jewelry shall not be worn on the job where they constitute a safety hazard.
 - e. No employee shall carry liquor into a place of employment.
 - f. No intoxicated person shall be allowed to go into, or loiter around, any operation where workers are employed.

Additional information relative to the Occupational Safety and Health Act can be obtained from www.osha.gov.

SECTION 16: **AMENDMENT** “3.04 Work Periods” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

3.04 Work Periods

The standard work period for the City, except the Police and Fire Departments, are seven consecutive days beginning each Saturday at 12:01 a.m. and ending each Friday at 12:00 midnight.

The standard work period for the Police and Fire Departments (Post certified) is ~~twenty-eight~~fourteen consecutive days.

The work shifts for each department are as determined by the department head with the approval of the City Manager. All employees are to be working on City matters during their work shift.

The Public Works and Power Department will have one member of each department on-call at all times to respond to emergency situations as deemed necessary by the City Manager and Department Head.

The Police and Fire Departments will provide continuous coverage through shift schedules.

SECTION 17: **AMENDMENT** “3.05 Recording Work Hours” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

3.05 Recording Work Hours

It is the policy of the City to comply with applicable laws that require records to be maintained of the hours worked by our employees. To ensure that accurate records are kept of the hours actually worked (including overtime hours where applicable) and of the accrued leave time taken, and to ensure payment in a timely manner, all Non-Exempt employees will be required to record their time worked and absences on City's official time period form. This form should be completed daily, signed, and forwarded to your supervisor at the conclusion of each pay period. After reviewing the form and resolving any discrepancies, the supervisor will sign the form and forward it to payroll for processing.

Exempt employees are expected to work at least 40 hours in a work week. As needed an exempt employee may be required to work more than 40 depending on circumstance and work load. Exempt employees, while not required to “clock in”, should submit ~~vacation, sick~~PTO, comp, and any other “non-worked” hours used in a work week to come to a minimum of 40 hours. These hours should be reported to payroll on a bi-weekly basis with the transmission of all other department time cards.

All employees should ensure that actual hours worked and leave time taken are recorded accurately. Falsification of a time record is a breach of City policy and is grounds for disciplinary action, including the possibility of immediate dismissal. All questions about recording work hours should be directed to an employee’s immediate supervisor.

SECTION 18: **AMENDMENT** “3.07 Exceptions To Work Periods” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

3.07 Exceptions To Work Periods

The City Manager is hereby authorized to designate other work periods and working hours for employees when, in ~~his~~their opinion, the best interest of the City may be served by such adjustments of the work periods and hours and in accordance with Fair Labor Standards Act (FLSA) laws.

SECTION 19: **AMENDMENT** “3.08 Attendance” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

3.08 Attendance

An employee unable to report to duty on a workday shall notify ~~his~~their immediate supervisor of that fact with reasonable notice.

SECTION 20: **AMENDMENT** “3.09 Overtime” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

3.09 Overtime

In case of disaster, state of extreme emergency, or local peril, as declared by the Mayor or City Manager, the overtime procedures herein established shall not be in effect and compensation procedures will be determined at that time for such conditions.

Your supervisor will attempt to provide you with reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible.

Overtime may be authorized only when it is not possible to adjust staffing and/or employee work schedules to perform essential work assignments during regular hours. Overtime should be authorized by the Department Head. No employee may authorize overtime for himself or herself.

Employees may elect to receive compensatory time or payment in the pay period following the period in which such overtime is worked, providing that the time record form has been properly prepared, approved by the supervisor, and forwarded to payroll for processing in a timely manner.

Non-exempt Employee except Public Safety

If you are classified as a nonexempt employee, you will receive compensation for approved overtime work as follows:

1. You will be paid at straight time (i.e., your regular hourly rate of pay) for all hours accumulated and worked through the fortieth hour in any given workweek.
2. You will be paid one and one-half times your regular hourly rate of pay for all hours accumulated and worked beyond the fortieth hour in any given workweek.

3. Overtime is calculated by adding the hours worked. Any amount over 40 hours per week qualifies as overtime. (~~You are paid for non-working hours, i.e. sick leave, vacation leave~~PTO Comp Time, STML, etc. ~~at straight time and these non-working hours~~ are not used to calculate overtime.) Approved City holidays are ~~calculated as hours worked~~non-working hours and will not be used to calculate overtime. Any unscheduled hours worked in response to an emergency as determined by the City Manager (water leak, snow plowing/salting, flooding, power outages, natural disaster etc.) outside normal shift hours will be paid at an overtime rate regardless of non-working hours during the week.
4. For the purpose of calculating overtime, the workweek normally begins at 12:01 a.m. Saturday and ends at midnight of the following Friday, unless designated otherwise because of varying shifts.
5. You may elect to receive compensatory leave in lieu of overtime pay. You will receive compensatory leave at the rate of one and one-half times your overtime worked in any given work week. If you elect to receive compensatory leave in lieu of overtime pay, you will be allowed to ~~accumulate~~carryover up to 80 hours at the final pay period of each calendar year. Any amount over 80 hours as of the final pay period will be forfeited.
6. Required Overtime work that falls on a holiday and outside of current job schedule and assignment will be paid at a rate designated by the City Manager.

Non-exempt Public Safety Employee

If you are classified as a non-exempt public safety employee, (non-administrative) you will receive compensation for approved overtime work as follows:

1. You will be paid at straight time (i.e. your regularly hourly rate of pay) for all hours accumulated through the ~~one hundred and sixtieth (171)~~eightieth hour (80) for police and ~~two hundred and twelve~~one hundred and sixth hour (106) ~~(212)~~ for fire in any given ~~twenty-eight~~fourteen day work period.
2. You will be paid one and one-half times your regular hourly rate of pay for all hours accumulated beyond the ~~one hundred and sixtieth (171)~~eightieth hour (80) for police and ~~two hundred and twelve (212)~~one hundred and sixth hour (106) for fire in any given ~~twenty-eight~~fourteen day work period. The City Manager may determine a work period more liberal for public safety employees in the calculation of overtime not to exceed the accrual rate of non-public safety employees.
3. Overtime is calculated by adding the hours worked. Any amount over ~~160~~80 hours for police and ~~212~~106 for fire per ~~28~~14 day work period qualifies as overtime. (~~You are paid for non-working hours, i.e., sick leave, vacation leave~~PTO, Comp Time, STML, etc. ~~at straight time and these non-hours~~ are not used to calculate overtime.) Approved city holidays are calculated as hours worked. For all contract work billed at a rate of 1 ½ rate officers will be compensated commensurately. Any un-scheduled hours worked in response to an emergency as determined by the City Manager (~~water leak, snow plowing/salting, flooding, power outages~~house fire, emergency backup, natural disaster etc.) outside normal shift hours will be paid at an overtime rate regardless of non-working hours during the week.

4. You may elect to receive compensatory leave in lieu of overtime pay. You will receive compensatory leave at the rate of one and one-half times your overtime worked in any given work week. If you elect to receive compensatory leave in lieu of overtime pay, you will be allowed to ~~accumulate~~carryover up to 80 hours, and ~~112~~106 hours for fire personnel, at the final pay period of each calendar year. Any amount over 80 hours as of the final pay period will be forfeited.
5. Required Overtime work that falls on July 4th, Thanksgiving, and Christmas~~a holiday and outside of current job schedule and assignment~~ will be paid at a rate designated by the City Manager

SECTION 21: **AMENDMENT** “3.10 Exemptions From Overtime” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

3.10 Exemptions From Overtime

All executive, administrative, and professional employees are exempt from overtime pay. The Police Chief shall be compensated at straight time for working additional shifts of other officers or for time when ~~he is~~ they are otherwise required to work.

SECTION 22: **AMENDMENT** “3.11 Separation Pay” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

3.11 Separation Pay

When employees terminate, they shall be required to return all tools, safety helmets, and other property of the City and to clear all financial obligations prior to receiving their final paycheck. Any obligations not cleared shall be deducted from their final paycheck. Final paychecks shall include compensation for unused annual ~~leave up to the maximum of thirty (30) days~~ allowed PTO (See Section 4.01 PTO Payout at Separation) and compensatory time up to the allowed carryover limit.

SECTION 23: **AMENDMENT** “3.15 Off Duty Court Time” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

3.15 Off Duty Court Time

Police Officers on official duty attending court trials or hearings on their off duty time will be paid for two (2) hours at one and one-half (1 1/2) of the officer's base rate. If the officer is required to stay beyond two (2) hours, ~~he or she~~ they will be paid at one and one-half the base rate for the time attended. The time will begin upon arrival at the court and end when the officer is released by the prosecutor.

To be eligible for payment, the subpoena or court notice must reflect that the employee's appearance was required at least one hour before actually reporting on regular duty. For instance, if an employee is scheduled to report on duty at 1500 hours on any given date, the subpoena or court notice must reflect that the employee reported, according to the subpoena or court notice, prior to 1400 hours to be eligible for compensation. If the subpoena or court notice reflects that the employee reported after 1400 hours, it is assumed that the officer's appearance was in connection with regular duty. If an officer is in court when ~~his~~ their regular shift terminates and ~~he is~~ they are required to remain to give testimony or as a witness in excess of one hour's time, then the employee is eligible to receive compensation.

On the occasions where an employee receives two subpoenas or court notices on the same day, compensation will be received on each subpoena. However, the time lapse between subpoena or court notices must be in excess of two hours.

In the event a trial or hearing is cancelled, the employee will not be compensated unless the employee received notification less than one hour before the trial or hearing. In that event, the employee will be compensated for two hours.

SECTION 24: **AMENDMENT** “3.17 Benefits Administration” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

3.17 Benefits Administration

FULL-TIME AND PART-TIME EMPLOYEES:

1. RETIREMENT PLAN - Full-time employees are covered by retirement plans. Part-time regular employees working 20 hours or more per week may be eligible to be members of the Utah State Retirement System. In an effort to be as fair as possible and to recruit and retain the best employees, the City may choose to compensate employees differently under certain retirement plans to make up for deficiencies from one plan to another. This determination will be made on a case by case basis by the City Manager.
2. HEALTH INSURANCE - The City pays a contribution towards the premium for medical and dental coverage on full-time employees. Health insurance is available to

part time employees who work an average of 30 or more hours per week calculated on an annual basis at a rate proportionate to the hours worked unless otherwise required by law. The health insurance contribution is established as part of the Compensation Plan. Employees may waive coverage upon proof of individual medical insurance coverage. Dependent coverage is optional as part of the group plan.

3. LIFE INSURANCE - Life insurance coverage on full-time employees ~~and paid on-call firefighters~~ is provided for by the City as established as part of the compensation plan. Additional coverage for full-time employees is available upon payment of the premium at group rates by the employee.
4. LONG TERM DISABILITY INSURANCE AND ACCIDENTAL DEATH/ DISMEMBERMENT- Long term disability insurance and accidental death/dismemberment is provided for by the City as established as part of the compensation plan.

ALL EMPLOYEES:

1. SOCIAL SECURITY - All paid employees of the City contribute to the F.I.C.A., or Social Security program, as administered by the Federal Government. This is a system of retirement benefits based on equal employer and employee contribution to public insurance reserves.
2. WORKER'S COMPENSATION - Coverage is maintained in accordance with law.

Details on all Benefits Administration can be obtained from the Finance Director.

SECTION 25: **AMENDMENT** “3.20 Uniform Cleaning Allowance” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

3.20 Uniform Cleaning Allowance

Police Officers, ~~R~~ and reserve officers shall receive a uniform cleaning allowance as part of the compensation plan. Such allowances are to be used to maintain the department uniform in a neat and proper manner.

SECTION 26: **AMENDMENT** “4.01 Paid Time Off And Short Term Medical Leave” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

4.01 Paid Time Off And Short Term Medical Leave

Paid Time Off (PTO) The City grants annual, paid time off (PTO) to its appointed, regular, and part-time benefitted employees. The amount of PTO you are given is based on your length of service since your hire date, as follows:

	<u>Years of Service</u>	<u>Annual Accrual</u>	<u>Bi-Weekly Accrual</u>	<u>Maximum Accrual</u>
<u>Appointed & Regular**</u>	Hire date through completion of 5th	174. <u>2</u> hours	6.7 hours	320 hours*
	Start of 6th through completion of 10th	21 <u>5.86</u> hours	8.3 hours	
	Start of 11th year	260 hours	10 hours	
<u>Firefighters</u>	Hire date through completion of 5th	214.5 <u>247</u> hours	9.5 hours	480 hours*
	Start of 6th through completion of 10th	292.5 <u>304.2</u> hours	11.7 hours	
	Start of 11th year	380.5 <u>364</u> hours	14 hours	
* Any PTO hours over the 320/480-hour maximum accrual limits as of January 1 of each year will be forfeited.				

Part-Time Benefitted

Part-time benefitted employees accrue PTO based on the number of hours the employee is regularly scheduled to work. When you take PTO, you are paid for the number of hours you are normally scheduled to work. For example, an employee scheduled to work 20 hours a week would accrue half of the regular PTO accrual rate and when they take PTO days, they would be paid for the four hours a day they regularly work. The maximum accrual limit for part-time benefitted employees is also prorated based on the employee's regular schedule. If you have questions about your accrual rates, please contact Human Resources.

Seasonal & Part-Time

These positions do not receive paid time off but may be allowed leave without pay, if approved in advance by an employee's supervisor.

PTO Scheduling

PTO may be taken as weekly periods, individual days or hourly increments, as long as the periods chosen meet with departmental approval. For scheduled leave, submit a leave request to your supervisor as early as possible. The supervisor reserves the right to deny leave requests. It is the employee's responsibility to manage their leave time.

Employees may also need to use PTO for unforeseen circumstances such as illness or emergencies. Please immediately notify your supervisor in the event that you are ill on the job or are sick and cannot come to work on a given day. In the event of extended or numerous absences due to illness, you may be required by your supervisor to submit a medical statement from the attending physician. If your absence is due to an emergency, you or a member of your immediate family should inform your supervisor as soon as is practical. You may be required to submit to the Human Resources Office a detailed medical statement from the attending physician stating the reasons why and how long you will be ill or disabled.

Donating PTO/STML

Employees are allowed to donate PTO and/or STML to another employee on a case-by-case basis with approval from the City Manager. This is intended to be allowed in certain medical/family situations and is not intended for donations for vacation use, to add additional time or another employee, to reduce balances close to exceeding limits, or other similar unsuitable purposes.

PTO Cash-Out

Employees who have used at least 40 hours (56 hours for firefighters) of PTO in the respective year and still have a balance of at least 240 hours (360 hours for firefighters) of PTO are eligible to cash-out between 40 - 100 hours each year. Provided they have a remaining balance of at least 200 hours (320 hours for firefighters) of PTO after the cash-out. There will be one opportunity each year to cash-out PTO in the last quarter of the calendar year as designated by Human Resources. Employees will receive \$0.50 on the dollar for each hour of PTO that is cashed-out. For example, an employee paid \$20/hour who chooses to cash-out 40 hours will receive \$400 (\$20 x 40 x 0.50). An employee can designate the cash-out be distributed in one of the following ways: Income (subject to normal payroll taxes), a retirement account contribution, or an HSA contribution. Employees are responsible for making sure any contributions to retirement or HSA accounts comply with federal limits. PTO cash-outs don't count as compensation for purposes of the Utah Retirement System. Cash-out requirements for part-time employees will be prorated based on the employee's work schedule. Contact Human Resources for more information.

PTO Payout at Separation

At the time of separation, an employee will receive payment for all unused accrued PTO at the full dollar value rather than \$0.50 on the dollar. For example, an employee paid \$20/hour who has 300 hours of PTO at the time of separation hour will receive a PTO payout of \$6,000 (subject to normal payroll taxes). Any amount of unused accrued PTO above the maximum accrual limits will be paid out at \$0.50 on the dollar.

Short Term Medical Leave (STML)

The City recognizes that the inability to work because of extended illness or injury may cause economic hardship. For this reason, the City provides short term medical leave (STML) to appointed, regular, and part-time benefitted employees. STML should not be used for purposes other than extended illness or injury. Abuse of STML may result in disciplinary action up to and including termination. Eligible employees accrue STML at the following rates:

<u>Employment Classification</u>	<u>Annual Accrual</u>	<u>Maximum Accrual</u>
Appointed, Regular & Firefighters	40 hours	480 hours
Part-time Benefitted 35 hours/ week	35 hours	420 hours
Part-time Benefitted 32 hours/ week	32 hours	384 hours
Part-time Benefitted 30 hours/ week	30 hours	360 hours
Part-time Benefitted 25 hours/ week	25 hours	300 hours
Part-time Benefitted 20 hours/ week	20 hours	240 hours
Seasonal & Part-time Non-benefitted	Not eligible	Not eligible

STML hours will accrue on January 1 of each calendar year assuming the employee's STML balance is below the maximum allowed amount. STML accrual amounts may be reduced if the employee is at or near the maximum allowed amount. For new employees, if your hire date is before July 1, you will receive all 40 hours of STML that calendar year. If you are hired after July 1, you will receive 20 hours of STML that calendar year. Employee STML balances may never exceed the maximum amount unless the employee has been grandfathered in and allowed to maintain a higher balance. Once a grandfathered employee's balance drops below the maximum allowed amount, they then become subject to the maximum accrual limits set forth above.

No payments are made for accrued unused STML at the end of any calendar year or in the event of termination.

Qualifying for Short Term Medical Leave

In the event of extended illness or injury, an employee may access their STML after using 80 hours of PTO or other leave. If there is more than one event in the calendar year, an employee will only need to use 40 hours of PTO or other leave for each subsequent event. This amount is pro-rated for part-time employees. In order to use STML an employee must apply for STML by completing the STML application form available through Human Resources. Access to STML will not begin until the completed application has been submitted to Human Resources. STML will be used concurrently with FMLA if eligible. Eligibility to use STML will be determined based on FMLA criteria.

Correlation of STML with PTO, Workers Compensation and Disability Benefits

~~The~~ Human Resources ~~Director~~ is authorized to correlate STML with workers' compensation and employee disability insurance. An employee cannot receive full STML/PTO pay, worker's compensation, and disability insurance at the same time. STML should be used prior to disability benefits. Up to 60 hours of STML may also be used to supplement worker's compensation up to the employee's net base pay at the time of injury.

SECTION 27: **AMENDMENT** "4.02 Funeral Leave" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

4.02 ~~Funeral~~Bereavement Leave

When death occurs in the family of an employee, the City shall allow up to ~~three days~~24 hours in a three day period of ~~Funeral~~Bereavement Leave with pay. The family shall be construed to mean father, mother, father-in-law, mother-in-law, wife, husband, brother, sister, children (including miscarriage and stillbirth), grandchildren, or grandparents.

SECTION 28: **AMENDMENT** "4.03 Family And Medical Leave" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

4.03 Family And Medical Leave

It is the purpose of the City to grant leave in accordance with the Family and Medical Leave Act of 1993, as amended (FMLA or Act). The provisions set forth herein are intended to comply with such Act, and if any conflict arises or if an issue or definition is not addressed herein, the Act shall control.

Employees who are eligible for family or medical leave must have been employed with the City for at least 12 months and worked a minimum of 1250 hours during the last year of employment.

An employee may take up to 12 workweeks of leave when the employee or a member of the employee's immediate family (i.e. spouse, son, and daughter) has a serious health condition.

Serious health condition is interpreted to mean illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital or continuing treatment by a health care provider.

Leave is not to be taken intermittently unless otherwise agreed upon by both the City and employee or when medically necessary.

If you expect to be absent for more than five consecutive work days as a result of an illness, injury, or disability (including pregnancy), you must submit a written request for medical leave to your supervisor and the City Manager as far in advance of your anticipated leave date as practicable. If your absence is due to an emergency, you or a member of your immediate family must inform your supervisor or head of your department as soon as is practicable. This should be followed up with a written leave request, normally submitted within three days of the beginning of your leave. All medical leave requests must be accompanied by appropriate medical certification from your physician, indicating the condition necessitating your leave request and your projected date of return to work.

If your leave request is granted, you are required to provide the City with additional physician's statements at least once every thirty days or more frequently if requested attesting to your continued disability and inability to work. If there is reason to doubt the validity of the physician's statement the City may require a second opinion. A third opinion may also be requested by the City but such opinion is considered final and binding. You may also be required to provide the City access to your medical records.

Before being permitted to return from medical leave, you are required to present the City with a note from your physician indicating that you are capable of returning to work.

Leave is considered to be without compensation. However, all City benefits that operate on an accrual basis (e.g., ~~vacation and paid sick~~PTO days) continue to accrue only during the first thirty days of your medical leave. All City group health benefits (e.g., hospitalization and major medical insurance) continue during leave on the same terms as if the employee had continued to work. Employees may take accrued ~~sick, personal, or vacation~~PTO or Comp Time and apply it as paid leave during any part of their absence. In the event that an employee fails to return after taking leave the City may recover premiums paid to maintain medical coverage during the term of the leave.

The City endeavors to place employees returning from leave in their former positions or positions comparable in status and pay, subject to budgetary restrictions, the City's need to fill vacancies, and the ability of the City to find qualified temporary replacements.

SECTION 29: **AMENDMENT** “4.04 Military Leave” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

4.04 Military Leave

Military leave is authorized for full-time City employees pursuant to the following conditions:

1. Employees who are members of the organized reserve of the United States armed forces shall be compensated up to 120 hours per year of additional leave to be spent on duty at annual encampment or rifle competition or other duties in connection with the reserve training and instruction requirements of the armed forces of the United States, including the National Guard of this state. This leave shall be in addition to annual ~~vacation leave with pay~~PTO. Employees who are members of reserve units for the military shall notify their immediate supervisor at least four (4) weeks in advance and shall indicate in writing their intention and anticipation with regard to participating in periods of active duty. Such written notification shall be made part of the individual employee's personnel file.
2. Employees who enlist or are called or inducted into and enter active service in the State Militia or any branch of the United States armed forces shall be entitled to absent himself from his or her duties or service while engaged in the performance of active duty and while going to and returning from such duty in accordance with the provisions of state or federal law.

SECTION 30: **AMENDMENT** “4.06 Paid Parental Leave” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

4.06 Paid Parental Leave

Purpose

Kaysville City will provide up to three weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births or adoptions occurring on or after January 1, 2022.

Eligibility

Eligible employees must meet the following criteria:

1. Have been employed with the City for at least 12 months.
2. Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
3. Be a full-~~time~~ or ~~permanent~~~~benefitted~~ part-time, regular employee (temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

1. Have given birth to a child.
2. Be a spouse or committed partner of a woman who has given birth to a child.
 - a. Committed Partner means an unrelated and unmarried person who shares common living quarters with an employee and lives in a committed, intimate relationship.
3. Have adopted a child (the child must be 17 years old or younger). The adoption of a new spouse's child is excluded from this policy.

Amount, Time Frame, and Duration of Paid Parental Leave

1. Eligible employees will receive a maximum of three weeks of paid parental leave per birth or adoption. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the three-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than three weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption event occurs within that 12-month time frame.
2. Employees who are birthing mothers will be eligible to receive the three weeks described above and an additional three weeks (total of six weeks) to support recovery from childbirth. All other conditions in this section including multiple births and the rolling 12-month time frame apply to employees who are birthing mothers.
3. Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
4. Approved paid parental leave may be taken at any time during the three-month period immediately following the birth or adoption. Paid parental leave may not be used or extended beyond this three-month time frame.
5. Employees may take paid parental leave in one continuous period or take the parental leave in smaller periods of time, but must use all paid parental leave during the three-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the three-month time frame.
6. Upon termination of the individual's employment at the City, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

1. Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

2. After the paid parental leave (and any short-term ~~disability~~ medical leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued ~~sick or vacation~~ PTO or Comp t Time. Upon exhaustion of accrued ~~sick, vacation and personal t~~ PTO and Comp T Time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
3. The City will maintain all benefits for employees during the paid parental leave period just as if they were taking any other City paid leave such as ~~paid vacation leave or paid sick leave~~ PTO.
4. If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
5. If the employee is on paid parental leave when the City offers administrative leave, that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave entitlement.
6. An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.

Requests for Paid Parental Leave

1. The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete any necessary HR forms and provide all documentation as required by the HR department to substantiate the request.
2. As is the case with all City policies, the City has the exclusive right to interpret this policy.

SECTION 31: **AMENDMENT** “5.02 Appeal Of Discharge Or Transfer” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

5.02 Appeal Of Discharge Or Transfer

All full-time and part-time regular employees of the City, other than the City Manager, department heads, and those employees still in the introductory phase of their employment, shall have the right to appeal any discharge or transfer.

The appeal shall be taken by filing written notice of the appeal with the City Recorder within ten (10) days after discharge or transfer. Upon the filing of the appeal, the City Recorder shall forthwith refer a copy of the same to the City Manager. Upon receipt of the referral from the City Recorder, the City Manager shall forthwith commence an investigation, take and receive evidence and fully hear and determine the matter which relates to the cause of the discharge or transfer. The employee shall be entitled to meet with the City Manager in person and discuss and examine any evidences against them. The City Manager will have ten business days after the formal meeting in which to render a decision in the appeal.

In the event that the City Manager does not uphold the discharge or transfer, the employee will be reinstated at their previous level, pay, and job description, the case shall be closed, and no further proceedings shall be held.

In the event the City Manager upholds the discharge or transfer, the employee may have 14 days thereafter to appeal to the Appeal Board decision shall be final. The Appeal Board shall be established by City Ordinance.

The employee shall be entitled to appear in person and to be represented by counsel, to confront the witness whose testimony is to be considered, and to examine the evidence to be considered by the Appeal Board.

The decision of the Appeal Board shall be by secret ballot, and shall be certified to the Recorder within five (5) days from the date the matter is referred to it. The Board may, in its decision, provide that an employee shall receive ~~his~~their pay for the period of time during which he or she is discharged, or any deficiency in pay for the period he or she was transferred to a position of less remuneration but not to exceed a 15 day period. In no case shall the employee be discharged or transferred, where an appeal is taken, except upon a concurrence of at least a majority of the Appeal Board of the municipality.

In the event that the Appeal Board does not uphold the discharge, or transfer, the Recorder shall certify the decision to the employee affected, and also to the Head of the Department from whose order the appeal was taken. The employee shall be paid, commencing with the next working day following certification by the Recorder of the Appeal Board's decision, provided that the employee, or officer concerned, reports for his assigned duties during that next working day.

The decision of the Appeal Board shall be deemed to be final and no other appeals in such case shall be heard.

SECTION 32: **AMENDMENT** “5.03 Employee Grievance Procedure” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

5.03 Employee Grievance Procedure

POLICY - It shall be the policy of Kaysville City to address grievances of all employees in a prompt, forthright, and professional manner. Within the framework of existing laws and regulations, every effort shall be made to address grievances in a manner mutually satisfactory to employees and management. A grievance may exist when an employee is dissatisfied with some condition or aspect of employment over which he or she has no control but desires remedial action and is desirous of filing an appeal for relief of that condition. Employees who have grievances created by work situations shall have the right to submit such grievances for orderly disposition according to the procedures developed in this section.

PURPOSE AND OBJECTIVE - The purpose of this section is to establish a grievance procedure which will provide all Kaysville City employees with a clearly defined and easily understood communications system through which employees may present complaints or grievances to their supervisor(s). The objective of these procedures is to provide employees and management with a system of grievance resolution which is free from discrimination, coercion, intimidation, restraint, or reprisal, and which will also enable employees to receive fair and equitable treatment and adjustments to those grievances which they may have.

DEFINITIONS:

GRIEVANCE - A grievance is a dispute regarding the interpretation or application of any rule, regulation, policy, or procedure which exists under the personnel administration system of Kaysville City Corporation, filed by a City employee alleging a violation of the terms, provisions, and/or conditions of his or her employment, except for involuntary financially remunerative matters.

NON-GRIEVANCE - A non-grievance is any matter of action taken by the City or any of its representatives for which relief is provided under the statutes of the State of Utah, or any matter specifically excluded from this set of procedures by provisions included herein, such as wages, and salaries, or any policy decision made by the City Council and/or City Manager.

EMPLOYEES - An employee in the grievance process is any person in the classified service in full-time regular or part-time regular, or full-time fire employees status.

MANAGEMENT - Management includes the City Manager and all department heads.

PROCEDURES

All grievances shall be handled in the following manner:

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

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

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

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

RESPONSIBILITIES

EMPLOYEE - The employee having the grievance shall be responsible to carry on the grievance process as far as she or he deems necessary to reach a satisfactory solution.

MANAGEMENT - Management shall ensure that all supervisory personnel respond affirmatively to this directive and process any grievance which they may receive appropriately.

SECTION 33: **AMENDMENT** “6.09 Telephones And Cell Phones” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

6.09 Telephones And Cell Phones

Much of the City's business is conducted over the telephone and should be used for business. If personal calls are necessary, they should be brief so as not to interfere with business. Casual "chatty" conversation during business hours is inappropriate. Personal long-distance calls shall not be charged to City telephones without prior approval and reimbursement by the user.

Only those employees authorized by their department head and/or the City Manager are authorized to have a City-issued cell phone. The level of monthly service for such City-issued cell phone shall be commensurate with the amount of City business conducted and needed by the employee. If the employee would like additional features or minutes for personal use, they may purchase them at a rate set to cover the additional cost incurred. Employees may upgrade their phone once a year (unless broken or deemed unworkable). Employees must have paid off any current phones before purchasing a new phone. At the time of upgrade the employee has the option to upgrade their phone from the department issued standard cell phone at an additional cost. If the employee pays the additional cost to upgrade the phone, the phone becomes property of the employee upon disconnection from the City plan

The primary purpose of all City-issued cell phones shall be to facilitate City business. The City will allow limited personal use of the City-issued cell phones, though personal use of City cell phones shall not be excessive and shall not interfere with the performance of job duties. The City reserves the right to monitor the billing and use of all City-issued cell phones. By accepting the use of a City-issued cell phone, the employee also understands that excessive use of the cell phone that hinders job performance may result in disciplinary action. Cellular transmissions can be overheard by others. Discretion should be used in discussing confidential information on a cell phone. Employees, who are authorized to use a City-issued cell phone shall agree to be readily available to take calls, respond to e-mails and text messages during working hours. Employees, who are authorized to use their personal phone for work purposes shall use best judgment when taking calls, responding to e-mails, and text messages outside of his or her working hours to ensure that he or she is not working unreasonable or unapproved overtime. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment. An employee who violates the conditions of these policies relating to cell phones and use will be subject to having the use of his or her City-issued cell phone terminated.

In addition, employees may be subject to disciplinary action, up to and including termination, for any violation of these policies.

SECTION 34: **AMENDMENT** “6.11 Vehicle Use” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

6.11 Vehicle Use

PURPOSE AND OBJECTIVE - The purpose of this policy is to define and describe the conditions related to the use of City vehicles, or the use of personal vehicles in the conduct of City business by City employees. The objectives are as follows:

1. Ensure the safety and well-being of City employees and other persons sharing the roadways with City vehicles or personal vehicles operated by City employees in the

- conduct of City business.
2. Facilitate the efficient and effective usage of City resources.
 3. Minimize liability to the City.
 4. Establish standard requirements and procedures for all City Departments and employees who drive a City owned or personally owned vehicle in the course of City business.

SCOPE AND APPLICATION - The Vehicle Use Policy applies to all City employees to whom the City grants the privilege of operating a City owned, leased, or rented vehicle and to all employees engaged in the operation of a personally owned vehicle in the conduct of City business. Administration and application of these provisions is the responsibility of each Department Head. Each Department Head shall designate a Department Fleet Manager to implement and apply these provisions under the direction of the Department Head. The Department Head may elect to perform the duties of Fleet Manager for that Department.

GENERAL VEHICLE USE - The City reserves the right to deny any employee the use of a City vehicle or the right to use a personally owned vehicle in the conduct of City business for failure to adhere to the Vehicle Use Policy and may upon notification in writing to the employee, elect to not indemnify an employee for events arising out of an employee's operation of a City owned vehicle or a personally owned vehicle while engaged in the conduct of City business. An employee who does not adhere to the City's Vehicle Use Policy may be subject to appropriate disciplinary action up to and including termination.

In order to be authorized to operate a City vehicle or to operate a personal vehicle in the conduct of City business, an operator must be an employee of Kaysville City and must possess a valid Utah Driver's License. This license must be issued in the appropriate license classification. Non city employees are able to ride in city owned vehicles when prudent to carry out city business but should never operate city owned vehicles.

The employee must sign the Kaysville City Driver's License and Driving History Information authorization form and be deemed as insurable based on the standards outlined in the Kaysville City Motor Vehicle Record and Insurability Standards.

In the event an employee's driver's license is suspended, limited in any manner, or revoked for any reason, the employee shall promptly notify in writing the employee's Department Head with written notice within one working day after the employee learns of the action related to ~~his~~ their driver's license. A copy of the notice shall be forwarded by the Department Head with a record of action taken by the Department Head to the City Manager and Human Resource Director. The employee shall not operate any City vehicle or personal vehicle while engaged in the conduct of City business during the term of the stipulated suspension, any penalty, restriction, limitation, or other disciplinary action imposed. It is the responsibility of a City employee to report all citations issued by any police agency to the employee related to the employee's operation of a City owned vehicle or a personal vehicle while engaged in the conduct of City business. Failure to comply with this provision of this Vehicle Use Policy provision shall subject an employee to disciplinary action up to and including termination from employment.

The driver and all occupants must wear seat belts at all times when operating any City vehicles or while operating a personal vehicle while engaged in the conduct of City business. The driver must obey all traffic laws at all times. Drivers of City vehicles must follow all motor vehicle laws, rules of the road, and operate the vehicle in a safe and courteous manner.

The use of alcohol, illegal drugs, or any legal drugs or substances that may impair or might reasonably be expected to impair in any way the operator of a City vehicle or a personal vehicle while engaged in the conduct of City Business is prohibited.

Smoking is prohibited in City vehicles.

Upon approval to operate a City owned vehicle or to operate a personal vehicle in the conduct of City business an employee is deemed to have been given notice that the employee has read and understands he/she is responsible under the provisions of this paragraph. Payment of any fines or legal costs associated with vehicular infractions incurred while operating a City vehicle shall be the sole responsibility of the driver unless deemed by the City Manager that the associated fine was due to no fault of the operator; for example, a vehicle safety infraction.

In the event of a motor vehicle accident involving a City owned vehicle or personal vehicle engaged in the conduct of City business, it is the driver's responsibility to immediately seek the assistance of ambulance or EMT services if there are injuries resulting from the accident, notify police, their immediate supervisor, and ensure that an Accident Report is completed at the scene. The driver's immediate supervisor is to notify the City Manager and Finance Director immediately. If a motor vehicle accident results in any one or more of the following, the driver shall submit to a drug test at the earliest possible time after the accident at a facility determined by the City Administration:

1. Injury to any person:
2. Issuance of a moving violation to the driver who is employed by the City:
3. The driver is taking any medications; and
4. There is any other reason the employee's supervisor deems it advisable to have a drug test performed to secure the invested interest of the City.

DESIGNATED EMPLOYEE USE -

1. Fleet Use:
City vehicles are assigned by the Department for the daily use to perform work related activities. The vehicle is limited to official City business. Reasonable stops may be made while en route of City operations or during break or lunch periods. The vehicle is garaged at a City facility.
2. On-call Emergency Use:
City vehicles may be assigned by the Department for overnight use to an employee for work related activities on an on-call basis. Incidental personal use of City Vehicles is permissible. Vehicles may be garaged overnight at the employee's residence when the employee is officially on-call only.
3. Assigned Vehicle (Non-Public Safety):

City vehicles may be assigned by their Departments to employees to allow them to respond to work related activities as required and as determined by the Department, and vehicle use by Department Heads as determined by the City Manager. Non-City employees are prohibited from riding in or operating any City-owned vehicles unless authorized by the Department Head and only in limited circumstances. Incidental use while traveling to and from work is permissible. Vehicles may be garaged overnight at the employee's residence.

4. Assigned Vehicle (Public Safety):

City vehicles are assigned to each officer to allow him/her to respond to public safety related activities as required. These employees have 24-hour use of their assigned vehicles and may be used for personal use. Any non-public safety passengers prior to the officer responding to an emergency response situation must be discharged from the vehicle in a safe location prior to responding to a situation. Non-public safety passengers may ride in public safety vehicles when authorized by the Department. Vehicles may be garaged overnight at the employee's residence.

All City vehicles must be garaged no more than twenty-five miles from the City.

MAINTENANCE AND CARE OF VEHICLES - Each employee using a City owned vehicle shall inspect the vehicle each day prior to usage for damage, inoperable lights, safe tires and any other condition that may be a safety hazard. Any issues discovered as a result of such inspection shall be reported to a supervisor.

All City vehicles shall be locked when not in use or when unattended.

Proper use, care and cleanliness of the City vehicle is the responsibility of the employee assigned to or utilizing the vehicle.

Each employee assigned a City owned vehicle is responsible for scheduling or returning the vehicle for routine or scheduled maintenance or repairs.

IDENTIFICATION OF CITY VEHICLES - Each vehicle unless otherwise exempt (Utah Code 41-1-a-407) shall have a license plate displaying the letters "EX" on every vehicle owned, operated or leased by the City.

Each city owned vehicle shall display a visible identification logo, eleven inches or larger in diameter designating the vehicle as the property of the City and placed in a conspicuous place on both sides of the vehicle.

Safety is critical to our operations, therefore all employees or volunteers operating Kaysville City owned vehicles or who operate any vehicle while conducting business for or on behalf of Kaysville City must be qualified as an "Acceptable" driver per this Driver Qualification Policy prior to operating said vehicles on any public roadway.

A Commercial Driver's License is required for operators of commercial motor vehicles. This license is required pursuant to the Commercial Motor Vehicle Safety Act.

Drivers, or potential drivers' MVR (Motor Vehicle Record) will be screened pre-hire and monitored thereafter.

Drivers will be qualified as "Acceptable," "Borderline" or "Unacceptable." Drivers whose qualification is "Borderline" will require approval from their Department Head before operating a vehicle on public roadways while conducting, or traveling for Kaysville City business. Drivers with a "Borderline" qualification who are authorized by management to drive may do so on a probationary basis. Drivers with an "Unacceptable" qualification will not be allowed to operate Kaysville City owned vehicles or any vehicle while conducting, or traveling for Kaysville City business. An "Unacceptable" qualification will remain in place for 1 year or until alternative measures are taken to mitigate the violation(s) that result in a negative qualification status.

All drivers must possess a valid Driver License with endorsements appropriate for the vehicles to be operated. The driver qualification evaluation will be based on the driver's MVR and other work related motor vehicle incidents, whether or not the incident is reported to the DLD (Driver License Division) and recorded on the driver's MVR. All violations or incidents recorded on the MVR, whether they occurred on the job or not, are included in the driver qualification evaluation.

"Acceptable", "Borderline" and "Unacceptable" qualification will be determined using the following criteria:

Moving Violations	At-Fault Accidents			
	0	1	2	3
0	Acceptable	Acceptable	Borderline	Unacceptable
1	Acceptable	Acceptable	Borderline	Unacceptable
2	Borderline	Borderline	Unacceptable	Unacceptable
3	Unacceptable	Unacceptable	Unacceptable	Unacceptable
4	Unacceptable	Unacceptable	Unacceptable	Unacceptable

Any single major violation may result in an "Unacceptable" qualification as determined by the City Manager. Major violations include the following or an equivalent:

- Driving under the influence of alcohol/drugs
- Failure to stop/report an accident
- Reckless driving/speeding contest
- Driving while impaired
- Making a false accident report

- Vehicular homicide, manslaughter or assault
- Driving while license is suspended/revoked
- Careless driving
- Attempting to elude a police officer

SECTION 35: **AMENDMENT** “6.15 Sexual Abuse And Misconduct Prevention” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

6.15 Sexual Abuse And Misconduct Prevention

Kaysville City Corporation (City) prohibits and does not tolerate sexual abuse or misconduct in the workplace or during any city-related activity. The City provides procedures for employees, volunteers, elected officials, appointed officials or any other victims of sexual abuse to report such acts. Those reasonably suspected or believed to have committed sexual abuse or misconduct will be appropriately disciplined, up to and including termination of employment, as well as criminal prosecution. No employee, volunteer, elected official, appointed official or other person, regardless of his or her title or position has the authority to commit or allow sexual abuse or misconduct.

Definitions and Examples

The following definitions or examples of sexual abuse, misconduct or harassment, may apply to any and/or all of the following persons – employees, volunteers, officials or other third-parties.

Sexual abuse or misconduct may include, but is not limited to:

- Child sexual abuse – any sexual activity, involvement or attempt of sexual contact with a person who is a minor (under 18 years old) where consent is not or cannot be given.
- Sexual activity with another who is legally incompetent or otherwise unable to give consent.
- Physical assaults or violence, such as rape, sexual battery, abuse, molestation or any attempt to commit such acts.
- Unwanted and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging someone’s neck or shoulders and/or pulling against another’s body or clothes.
- Material such as pornographic or sexually explicit images, posters, calendars or objects.
- Unwelcome and inappropriate sexual activities, advances, comments, innuendoes,

bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail, etc.), exploitation, exposure, leering, stalking or invasion of sexual privacy.

- A sexually hostile environment characterized as comments or conduct that unreasonably interferes with one's work performance or ability to do the job or creates an intimidating, hostile or offensive environment.
- Direct or implied threats that submission to sexual advances will be a condition of employment or affiliation with the organization.

Reporting Procedure

Immediately report suspected sexual abuse or misconduct to any of the following individuals:

- ~~City Finance Director~~ Human Resources
- City Manager
- City Attorney
- Mayor

It is not required to directly confront the person who is the source of the report, question or complaint before notifying any of the individuals listed. The City will take every reasonable measure to ensure that those named in any complaint of misconduct, or are too closely associated with those involved in the complaint, will not be part of the investigative team.

Anti-Retaliation and False Allegations

The City prohibits retaliation made against any employee, volunteer, board member or other person who lodges a good faith complaint of sexual abuse or misconduct or who participates in any related investigation. Making knowingly false or malicious accusations of sexual abuse or misconduct can have serious consequences for those who are wrongly accused. The City prohibits making false or malicious sexual misconduct allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination of employment or membership and criminal prosecution.

Investigation and Follow-up

The City will take all allegations of sexual abuse or misconduct seriously and will promptly, thoroughly and equitably investigate whether misconduct has taken place. The City may utilize an outside third-party to conduct an investigation of misconduct. The City will cooperate fully any investigation conducted by law enforcement or other regulatory/protective services agencies. The City will make every reasonable effort to keep the matters involved in the allegations as confidential as possible while still allowing for a prompt and thorough investigation.

Reporting to Law Enforcement or Appropriate Child or Adult Protective Services

The City is committed to following the state and federal legal requirements for reporting allegations or incidents of sexual abuse or misconduct to appropriate law enforcement and child or adult protective services organizations. It is the policy of the City not to attempt to investigate or assess the validity or credibility of an allegation of sexual or physical abuse as a condition before reporting the allegation to the property law enforcement authorities or protective services organizations.

Employee and Worker Screening and Selection

As part of its sexual abuse and misconduct prevention program, the City is committed to maintaining the diligent screening program for prospective and existing employees, volunteers, elected officials, appointed officials and others that may have interaction with those employed by, associating with or serviced by the City. The City may utilize a variety of methods of screening and selection, including but not limited to applications, personal interviews, criminal background checks and personal and professional references.

Supervision of Youth

To provide a safe environment for minors, the City strives that a minimum of two adult workers supervise or be in attendance with minors during organization-related activities. The purpose is to avoid one-on-one interactions between adults and minors that are not easily observable by others. No out of program contact is permitted between representatives of the city and minors. ~~all contact shall~~

SECTION 36: **AMENDMENT** “7.03 Drugs For Which Tests To Be Conducted” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

7.03 Drugs For Which Tests To Be Conducted

When drug and alcohol screening is required or performed under the provisions of this policy, a urinalysis and/or blood test or breath test will be given to detect the presence of one or more or all of the following drugs or drug groups:

The City may test for the following substances: marijuana, cocaine, opiates/opioid, phencyclidine, amphetamines/methamphetamines, barbiturates, benzodiazepines, methadone, propoxyphene, Spice, and buprenorphine.

The City reserves the right to test for additional drugs, add or delete drugs, or to change the cutoff levels at the City’s sole discretion and/or based on State, Federal, Including Federal Motor Carrier Safety Regulations and SAMHSA certified laboratory conditions or standards.

In accordance with Utah Code Ann. § 26-61a-111, Kaysville City will treat an employee's use of medical cannabis under a valid medical cannabis card in the same way it treats the use of any prescribed controlled substance, and such employee will not be subject to adverse action for failing a drug test due to marijuana or tetrahydrocannabinol unless there is evidence that the employee was impaired or otherwise adversely affected in the employee's job performance due to the use of the medical cannabis. Notwithstanding the foregoing, any employee whose position is dependent on a license that is subject to federal regulations, including but not limited to CDL license holders, are still subject to the City's policy concerning marijuana use.

SECTION 37: **AMENDMENT** "7.04 Job Applicant Testing: General Standard" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

7.04 Job Applicant Testing: General Standard

Applicants for all classes of employment will be required to undergo a drug ~~and alcohol~~ test upon an offer of employment and prior to their final appointment. This includes current Employees who are applying for other City positions.

SECTION 38: **AMENDMENT** "7.06 Notice And Consent" of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

7.06 Notice And Consent

1. Before a drug and or alcohol test is administered, Employees and job Applicants will be required to sign a consent form authorizing the test and permitting release of test results to City officials. The consent form shall provide space for Employees and Applicants to acknowledge that they have been notified of the City's drug testing policy and to indicate current or recent use of prescription and over-the-counter medication
2. The Employee or job Applicant, in signing the consent form also indicates that he/she has received information regarding:
 - a. the City Drug and Alcohol Policy and its purpose;
 - b. the consequences of a confirmed positive test result;
 - c. the right to explain a confirmed positive test result and the appeal procedures available; and
 - d. the consequences of refusing to undergo a drug and alcohol test.

All recruitment announcements for any position, including in-house recruitment and promotion within the City, will disclose that a drug and alcohol test is a requirement for hiring.

SECTION 39: **AMENDMENT** “7.07 Pre-Employment Testing” of the Kaysville Personnel Policies & Procedures is hereby *amended* as follows:

AMENDMENT

7.07 Pre-Employment Testing

1. Before any City hiring authority offers employment to an Applicant, he/she will notify the City of the final or top Applicant for the position. The City Manager or designee will schedule ~~an alcohol and drug screening~~ test for the Applicant.
2. The City Manager or designee or Department representative shall give the Applicant a copy of this policy, a consent form to complete and the date of the test appointment. The consent form must be signed before the Applicant may be tested.
3. After the City Manager or designee has received the test results from the medical testing facility, he/she will inform the hiring Department head of the test results. This disclosure will only be whether the test is positive or negative, and shall be kept confidential by City personnel.
4. The Department head or City Manager or designee will notify the Applicant of the test results.

CITY COUNCIL STAFF REPORT



MEETING DATE: January 5, 2023

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Rezone application for 391 North Flint Street from John V. Flint & Shauna S. Flint to go from A-1 Light Agricultural District to R-M Multiple Family Residential District with a Mixed Use Zoning District Overlay over a portion of the property

EXECUTIVE SUMMARY:

This item was presented at the December 8, 2022 Planning Commission meeting and a public hearing was held. There were a handful of public comments made during the meeting and several email comments were submitted to the Commission. The email comments are attached to this memo.

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

The Planning Commission sent the City Council a 7-0 recommendation of approval and staff recommends the Council approve the rezone request and development agreement.

City Council Options:

1. Approve the rezone request and development agreement as presented.
2. Approve the rezone request and development agreement with alternate or additional conditions.
3. Deny the rezone request.

Recommended Option 1:

Based on the findings outlined in the staff report and the Planning Commission's positive recommendation, staff recommends the City Council approve the rezone application and development agreement for 391 North Flint Street to R-M Multiple Family Residential District with a Mixed Use Zoning District Overlay over a portion of the property.

Fiscal Impact:

Approval of the rezone will bring a broader commercial base to the City and will increase tax revenues.

Attachments:

1. December 8, 2022 Planning Commission Staff Report and packet
 2. Public comments received
 3. Draft zoning ordinance
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Melinda Greenwood, Community Development Director
Date: December 2, 2022

Agenda Item #4: Public Hearing for a rezone application for 391 North Flint Street from John V. Flint & Shauna S. Flint to go from A-1 Light Agricultural District to R-M Multiple Family Residential District with a Mixed Use Zoning District Overlay over a portion of the property

Meeting Date	December 8, 2022
Application Type	Rezone
Applicant Owner	John V. Flint & Shauna S. Flint
Address Parcel ID Number	391 North Flint Street 11-095-0106
Lot Size	~6.43 acre ~280,307 ft ²
Current Use	One single family dwelling and farm land
Current Zoning	A-1 Light Agricultural District
Density Entitlement	7 single family dwellings (40,000 ft ² minimum)
Requested Zoning	R-M Multiple Family and R-M Mixed Use Overlay
Density Entitlement	R-M (~4.59 acres; 199,940 ft ²) – 71 dwelling units (46 proposed) R-M MU (~1.84 acres; 80,150 ft ²) – No assigned density (36 proposed)

1. BACKGROUND

The subject property is a 6.43 acre (280,307 ft²) parcel on the west side of Flint Street adjacent to the back side of Smith's Marketplace. The applicant is requesting a rezone from A-1 Light Agricultural District to R-M Multiple Family Residential District with a Mixed Use Zoning District Overlay (MU) over approximately 1.84 acres (80,150 ft²) of the east side of the property which fronts Flint Street.





The proposed R-M MU property includes a mix of five commercial buildings for a total ~18,000 ft² of ground floor commercial which would border Flint Street. Four of the commercial buildings would have 2 floors of apartments over the commercial space, with the northernmost building having only one story of live-work space above. In total, 36 dwellings are proposed on the R-M MU parcel.

The proposal includes 4.69 acres of R-M that includes 16 single-family or twin-homes and 30 townhome style residences. Overall, the project includes 82 dwelling units.

The project proposes a public road connecting from Flint Street into Pleasant View Drive. It provides shared open space which includes a walking path and a playground. A connection to the Denver and Rio Grande Western Rail Trail which would be open to the public, is also proposed.

2. SURROUNDING LAND USE

The parcel is located directly north of the Smith's Marketplace on Flint Street. The area currently consists of a grocery store, restaurants and several other commercial services. There is a regional rail trail on the west side of the property and the north portion of the property is adjacent to a handful of single family homes. The existing zones and characteristics are discussed in more detail in the bulleted list which follows.

- **Adjacent** – Directly adjacent to the subject property is LI, R-1-20 and some R-A.
- **North** – The subject property is bordered by R-1-20 and R-A.
- **South** – Directly south of the parcel is Smith's Marketplace, which is zoned LI.
- **East** – Across Flint Street to the east is R-A and LI.
- **West** – The property is bordered by the Denver and Rio Grande Western Rail Trail, with R-1-20 on the other side of the trail.

3. 2022 GENERAL PLAN

The 2022 General Plan Future Land Use Map shows the property is to be used as Single Family Residential, so this zone change is not consistent with this particular component of the 2022 General Plan. However, the fourth of the five **Guiding Principles** in the 2022 General Plan is to "Provide diverse housing options" with the following statement:

We will work to preserve our existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.

Given the zoning and surrounding uses noted in section 2 of this report, a rezone of the subject property to R-M and Mixed Use Zoning District Overlay would provide more diverse housing options and serve as a transitional buffer between the incompatible uses of a commercial zone backing up to single family homes. This rezone application and request is aligned with the guiding principle of the 2022 General Plan.



Provide diverse housing options

We will work to preserve our existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.

Chapter 1, Goal 7 of the 2022 General Plan advises we should *“Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility.”* Objective 7.1 states we should *“Provide land use transitions and development buffers between incompatible land uses”* and provides this implementation measure:

- *Buffer residential uses from commercial and similar uses through the use of transitional land uses and/or physical buffers (tree rows, walls, fences, berms, etc.).*

The applicant has been particularly thoughtful as they designed this project to buffer the entire property with a walking path, placing townhomes towards the LI property to the south and placing single family homes or twin homes on the north portion of the project where they would abut single family homes which are in existence. This rezone request and the proposed project fulfills this goal.

Chapter 1, Goal 8 continues with *“Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live.”* Kaysville is limited in its existing housing options and affordability, so the provision of patio homes, twin homes, town homes and apartments would diversify housing options and costs. Additionally, the implementation measure states we should *“Allow and encourage new residential development models that meet the future needs of the community.”* The diversity of housing types provided within this proposed project can meet the full life-cycle of housing needs.

Chapter 2: Transportation & Connectivity reiterates the importance of having neighborhoods which are connected and the section regarding Neighborhood Streets stresses that we should *“Connect new development to the existing street and pathway network in ways that respect and support neighborhood livability.”* Pleasant View Drive is a stubbed road which abuts the subject property near the northwest portion of the property. The roadway was meant to be connected to future development and the proposed project provides that connectivity with the extension of Pleasant View Drive through the project to Flint Street.

The **Community Trail Corridors** section states that trail corridors should *“include frequent access points to the surrounding Kaysville neighborhoods.”* The project would bring a neighborhood connection to the Denver and Rio Grande Western Rail Trail which the neighborhood to the north is currently lacking. The project also provides for an open space walking path through the development.

Chapter 2, Goal 1 says we should look to *“Preserve and enhance access to and from the greater region”* with Objective 1.6 stating we should look for ways to *“Reduce travel demand for single occupant vehicle trips.”* A mixed-use project’s intent is to reduce vehicle travel. Those who live in the housing in the proposed development as well as those who would work there would have close and easy pedestrian access to grocery shopping, restaurants and a full service park, which would likely reduce the amount of vehicle trips.

Objective 2.3 says we should *“Create a connected network”* by creating highly connected streets and pathways for both existing and new development as well as access to community destinations. The proximity of this project to a regional trail, park and a retail hub and the proposed road extension and pathway connections are congruent with this objective.

Objective 2.5 states we should increase access to the existing trail corridors and specifically calls out the Denver & Rio Grande Western Rail Trail. The proposed project would provide a new and close proximity access for the existing homes as well as the mixed-use development.

Chapter 3: Housing and Neighborhoods was recently amended to account for state requirements for moderate income housing elements in the general plans. The chapter reports that 92% of housing in Kaysville is single family housing. This project would provide needed housing which is outside the customary housing product offered in the city. The goals and objectives recently revised in this chapter offer great support for this rezone and project.

Chapter 3, Goal 1 states Kaysville should aim to *“Provide a full range of housing opportunities to meet economic, lifestyle, and lifecycle needs and expectations for residents.”* **Objective 1.3**, taken word for word from state code says we should *“Rezone for densities necessary to facilitate the production of moderate income housing.”* The R-M and R-M MU rezone would meet this objective and approval of the rezone would allow us to report positive progress back to the State in the 2023 Moderate Income Housing report.

Other objectives in Chapter 3 continue to support this rezone application, and **Objective 1.4** offers great specificity in support of this application.

(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

As similarly mentioned above, approval of this rezone would also assist in reporting measureable progress for the Moderate Income Housing requirements.

As detailed in this section, the 2022 General Plan contains adequate principals, goals and objectives to support the requested rezone.

4. ZONING

The Mixed Use Zoning District Overlay requires a development agreement to be accompanied with the zone change application, and that agreement is attached to this memo.

The purpose statement of the MU overlay zoning code says the district is designed:

“...to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choice.”

The purpose statement continues with:

“The flexibility in use provided by this zone should help promote "live, work, and play" opportunities within the city while creating an appropriate transition from surrounding development.”

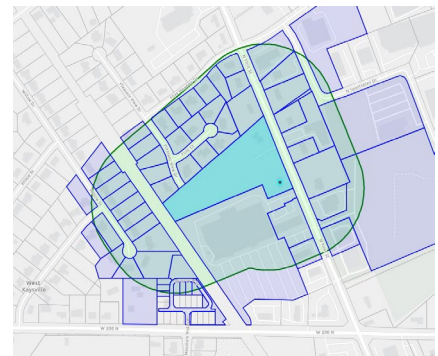
The R-M MU overlay zone allows offices, retail service and sales, arcades, hotels and beer sales by conditional use permit. The proposed project is a mix of ground floor commercial with apartments above, some twin homes, townhomes and single family homes. As proposed, the project uses are in compliance with the zoning code.

Staff believes the rezone request and proposed project meet the stated purpose of the Mixed Use Zoning District Overlay.

Further, staff has completed a review of the proposed project in relation to the zoning regulations and believes the project and development agreement are in compliance with the zoning code.

5. PUBLIC NOTICE AND PUBLIC COMMENT

On November 23, 2022, a total of 62 public notices were mailed to property owners within 500' of the subject property as shown in the map. As of the date of this report, two email comments have been received. One citizen was in favor of the project and another cited concerns of density, traffic, parking, and emergency vehicle access.



6. SUMMARY

The full site plan, concept and building renderings are attached as well as the development agreement and the traffic impact study.

The traffic study has been reviewed by both the Public Works Director and City Engineer and due to the low impact of the project, there are no recommended mitigation measures.

These findings are offered to the Planning Commission in consideration of the rezone request.

- a. The project is harmonious with the Guiding Principle of the 2022 General Plan “Provide diverse housing options.”

- b. Chapters 1, 2 and 3 of the 2022 General Plan contain adequate goals, policy objectives and implementation measures which support approval of the rezone request.
- c. The rezone approval would allow the city to account for positive progress to the State for the 2023 Moderate Income Housing reporting.
- d. The design of the project as outlined in the site plan and development agreement would not negatively impact the character of the existing neighborhood to the north.
- e. The project would diversify the housing product available in Kaysville and provide opportunities for full life-cycle housing within the development.
- f. The proposed rezone and project enhances connectivity to regional trails and neighborhood access.
- g. The project will not profoundly negatively impact traffic in the area.
- h. Staff review has found the project to be compliant with the R-M and Mixed-Use zoning code.

7. RECOMMENDATION

Based on the findings outlined in the staff report, staff recommends the Planning Commission forward a recommendation of approval to the City Council for the Development Agreement and the rezone of 391 North Flint Street from A-1 to R-M with the Mixed Use Overlay over the eastern portion of the property.

ATTACHMENTS:

- 1. Draft Development Agreement for 397 North Flint Street
- 2. Proposed Flint Street Mixed Use Site Plan
- 3. Flint Property Traffic Impact Study (October 6, 2022)

**DEVELOPMENT AGREEMENT
FOR 391 NORTH FLINT STREET**

THIS AGREEMENT is made and entered into this ____ day of _____, 2023 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the "City"), and Millstream Management, LLC, a Utah limited liability company and its successors and/or assigns (hereinafter collectively referred to as the "Developer");

RECITALS

WHEREAS, Developer is desirous of developing a mixed-use development (the "Community") on certain real property located at 391 North Flint Street in the City of Kaysville, County of Davis, State of Utah and more particularly described on the Property Location Map attached hereto as Exhibit A (the "Property") and in the Area Description in Section 1.A of this Agreement; and

WHEREAS, the purpose of this Agreement is to define the development standards, conditions and improvements, schedule for development of the Community and other terms and conditions pursuant to which the Community proposed by Developer is to be developed within the City; and

WHEREAS the City is willing to grant the R-M (Multiple Family Residential District) rezone of the Property with the Mixed-Use Zoning District Overlay to a portion of the Property as further set forth in this Agreement and to generally authorize the development of the Community proposed by Developer in conformance with this Agreement, City Ordinances, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. GENERAL DESCRIPTION.

- A. Area Description. The Property upon which the Community will be constructed is located as shown on the Property Location Map, a copy of which is attached as Exhibit A hereto and incorporated by reference herein. The property is further described as a 6.435 acre parcel of real property identified on the Davis County records as parcel #11-095-0106 and addressed as 391 North Flint Street.
- B. Project Description. The project proposed by Developer is a mixed-use development consisting of rentable commercial space (office/retail) and residential space including single family homes, twin homes, townhomes and/or apartments substantially

conforming to the concept site plan attached hereto as Exhibit B and incorporated by this reference (the "Site Plan").

- C. Subdivision for Mixed-Use Overlay. Development of the Community will require a subdivision of the Property once the City Council has approved a rezone of the Property to R-M (Multiple Family Residential District) with the Mixed-Use Zoning District Overlay on the eastern portion of the Property fronting Flint Street. Consequently, within 180 days of the date the City Council approves such rezoning request, Developer shall apply for, and the City shall grant, subdivision of the Property into two separate parcels that substantially complies with the Site Plan and separates the Property into a (a) "Mixed-Use Overlay Parcel" consistent with the legal description of said parcel set forth on Exhibit C attached hereto and incorporated by this reference, and (b) a R-M Parcel, which consists of the remainder of the Property other than the Mixed-Use Overlay Parcel portion (and each referred to in this Agreement as the "Mixed-Use Overlay Parcel" and the "R-M Parcel", respectively). The City hereby acknowledges that Developer would not seek subdivision of the Property prior to receiving City approval of the Community and as such approval of the subdivided parcels with approval of the portions of the Community to be built thereon shall be provided in timely manner as a matter of right as long as Developer submits such subdivision request in compliance with the other terms and conditions of this Agreement.

2. DEVELOPMENT STANDARDS AND GUIDELINES

- A. Adoption of Development Standards. As allowed by Kaysville City Code 17-27-7, the City hereby adopts, as the development standards and guidelines for the Community (the "Development Standards"), the following in addition to all other applicable City Ordinances, standards and guidelines:

- (1) Compliance with Approved Plans. Developer shall develop the site in substantial compliance with the Site Plan. This includes:
- a. Approximately 18,000 square feet of rentable commercial space within the Mixed-Use Overlay Parcel;
 - b. 36 residential units within the Mixed-Use Overlay Parcel;
 - c. 97 parking stalls within the Mixed-Use Overlay Parcel;
 - d. 16 single family and/or twin homes on the north side of the Extended Road (as defined below) and along the existing fence on the north side of the Property within the R-M Zone;
 - e. No more than 30 townhomes on the south side of the Extended Road and/or along the existing fence bordering the Smith's retail development on the south side of the Property within the R-M Zone;
 - f. Approx. 1.8 total acres of open space (including park strips, etc.) shall be provided for the Community with open space to include an area with

playground equipment for children and open space shall be counted towards the requirement for both the R-M Parcel and the Mixed-Use Overlay Parcel;

- g. Connectivity between the sidewalks and/or pathways within the Community and the rail trail adjacent to the west border of the Property; and.
- h. Setbacks within the Mixed-Use Overlay parcel shall follow those outlined in the site plan attached in Exhibit B.

(2) Density. Based on the size of the Property within the R-M Parcel, Developer and City are aware the Developer may construct up to 71 dwelling units within the R-M Parcel. In consideration of this Agreement, Developer agrees, and the City approves, the construction of up to 46 dwelling units within the R-M Parcel. Within the Mixed-Use Overlay Parcel, Developer agrees, and the City approves, 36 residential units. The overall Community unit count shall not exceed 82 units.

(3) Architecture. Developer shall construct the Community in substantial compliance and conformance with the Architecture styles known as Craftsman, Traditional or contemporary Farmhouse *provided, however*, that within the Mixed-Use Overlay Parcel the buildings shall be constructed in a commercially reasonable manner using Architectural styles generally found in other mixed-use developments in Davis County, Utah.

(4) Building Height. In the Mixed-Use Overlay Parcel, no building shall be permitted to exceed thirty-five feet (35') in height as defined by Kaysville City Ordinances. In the R-M Parcel, no building shall be permitted to exceed thirty feet (30') in height as defined by Kaysville City Ordinances.

(5) Fencing. The existing fence along the north side of the Property shall be maintained or a new fence installed along property lines shared with existing residential homes. Any new fencing shall be a solid or visual screening structure and shall meet all fence standards as defined by Kaysville City Ordinances.

(6) Commercial Uses. Developer agrees to use the first floor of any building within the Mixed-Use Overlay Parcel as rentable commercial space.

(7) Parking. Developer acknowledges the parking requirements of the Kaysville City Code and shall provide parking as follows:

- a. Within the R-M Parcel, each dwelling unit shall have a dedicated garage, and the number of parking stalls shall meet or exceed requirements set forth in Kaysville City Code 17-32-5-2.
- b. Within the Mixed-Use Overlay Parcel Developer shall provide 3.5 stalls per 2,000 feet of rentable commercial space and shall comply with Kaysville City

Code 17-32-5-2 with respect to any residential units within the Mixed-Use Overlay Parcel; *provided* that Developer may receive duplicative credit of up to two stalls for the rentable commercial space requirement and residential unit requirement (e.g., if 103 spaces are required total per code for both commercial and residential, Developer will be deemed to be in compliance by providing 101 spaces) as allowed by Kaysville City Code 17-27-7-5.

(8) Road Connection. Developer agrees to construct a road built to city standards which will connect Pleasant View Drive with Flint Street in substantially the manner conceived in the Site Plan.

(9) Landscaping. Developer will not install grass or sod in park strip areas but will use water wise vegetation and materials. Developer agrees to use water wise vegetation and materials in other landscaping areas where commercially reasonable. To provide screening and privacy, trees shall be planted between the R-M Parcel and existing housing to the north at a minimum distance of 30’.

(10) Neighbor Concessions. Developer has held several meetings with residents in close proximity to the Property to gather feedback and understand potential neighbor concerns with the Community. Developer desires to develop the Community in a manner that responds to such concerns where commercially reasonable, and as such the site plan includes the following items that are included as a result of the Developer’s efforts to incorporate neighbor feedback into the Community:

- a. The northern-most building in the Mixed-Use Overlay Parcel is designed to be two stories instead of three stories in order to provide a more gradual transition from single-family homes facing Flint Street to the north of the Community.
- b. The improvements on the north side of the Community (north of the new extended Pleasant View Drive) were designed to be single-family homes in order to have “like border like” and act as a more natural transition.
- c. The Community was originally designed to have a cluster of four townhomes in the northwest corner of the Property (to the west of Pleasant View Drive) but that was changed to two connected single-family units in response to concerns from the neighbor immediately to the north (Jake and Sharon Garn).
- d. Installing a walking trail system that connects the Community to the rail trail to the west.
- e. Connecting the Community trail system to the rail trail system on the side by Smith’s as opposed to along the northwest corner of the Community (which

adds linear feet and will increase costs to construct the Community) in order to draw foot traffic away from the single-family home that borders the northwest corner of the Community.

- f. Design of walking trail between the fence on the north side of the Community and the patio homes to be developed in order to add further “buffer” between the new Community and the existing single-family homes to the north.
- g. Orientation of the townhome clusters in order to promote view corridors in response to concerns that tight single family, two-story homes or other kinds of commercial development can create a “wall” feel.
- h. Providing a park for new Community residents.
- i. Replacement of the existing chain link fence along the north side of the Property with a more presentable and functional fence (See Section 2.A(5) above).
- j. Placement of screening trees along the north side of the Property (See Section 2.A(9) above).

- B. Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the Community, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable residential Community in an appropriate location. The City further finds that the development of the Community, in conformance with the Development Standards and this Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council.

Subject to the Developer’s performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Developer’s rights to develop the Community in accordance with the approved site plan, construction drawings and building plans is vested.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Community, at Developer’s sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, the secondary water provider as applicable, The Central Davis Sewer District, and other relevant providers and the State of Utah.

4. OFF-SITE PROJECT IMPROVEMENTS

In accordance with applicable standards and subject to the design approval of the City Engineer, Developer shall construct and install street improvements, sidewalks, utilities, and drainage improvements along the Property frontage with Flint Street with the construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that it has authority to proceed with the Community.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Community. Developer agrees to begin construction of the Community as soon as practicable and use commercially reasonable efforts to complete development with occupancy approval by December 31, 2024 absent the occurrence of any global pandemic or systematic supply-chain disruptions.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City staff consents to such assignment, which consent shall not be unreasonably withheld, conditioned or delayed upon a showing to the satisfaction of the City staff that such third party has the financial ability to perform Developer's obligations hereunder *provided, however* that Developer may assign this Agreement to any other third party in which Developer, or any affiliate of Developer, holds an ownership interest without the consent of the City staff.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. ATTORNEY'S FEES

In the event of any dispute between the parties hereto arising out of or relating to this Agreement or the breach hereof, or the interpretation hereof, or brought to enforce the terms hereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, including, without limitation, reasonable attorneys' fees, and costs incurred herein, or in the enforcement or collection of judgment or award rendered therein.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah without regard to the conflict or choice of law provisions thereof.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

A. City. The execution of this Agreement by the City has been authorized by the City Council of Kaysville City at a regularly scheduled meeting of that body, pursuant to the notice.

B. Developer. The execution of this Agreement has been duly authorized by the Developer.

(remainder of page intentionally left blank; signature page follows)

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Millstream Partners

By: _____

TITLE

TITLE

ATTEST:

KAYSVILLE CITY

By:

Annemarie Plaizier
City Recorder

Tamara Tran
Mayor

On the _____ day of _____, 2023, personally appeared before me TAMARA TRAN, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for herself that she, the said TAMARA TRAN, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said ANNEMARIE PLAIZIER, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said TAMARA TRAN and ANNEMARIE PLAIZIER, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On the ____ day of _____, 202__, personally appeared before me, _____, the signer of the foregoing Development Agreement for 391 North Flint Street, who duly acknowledged to me that he executed the same for and on behalf of Millstream Management, LLC, a Utah limited liability company.

NOTARY PUBLIC

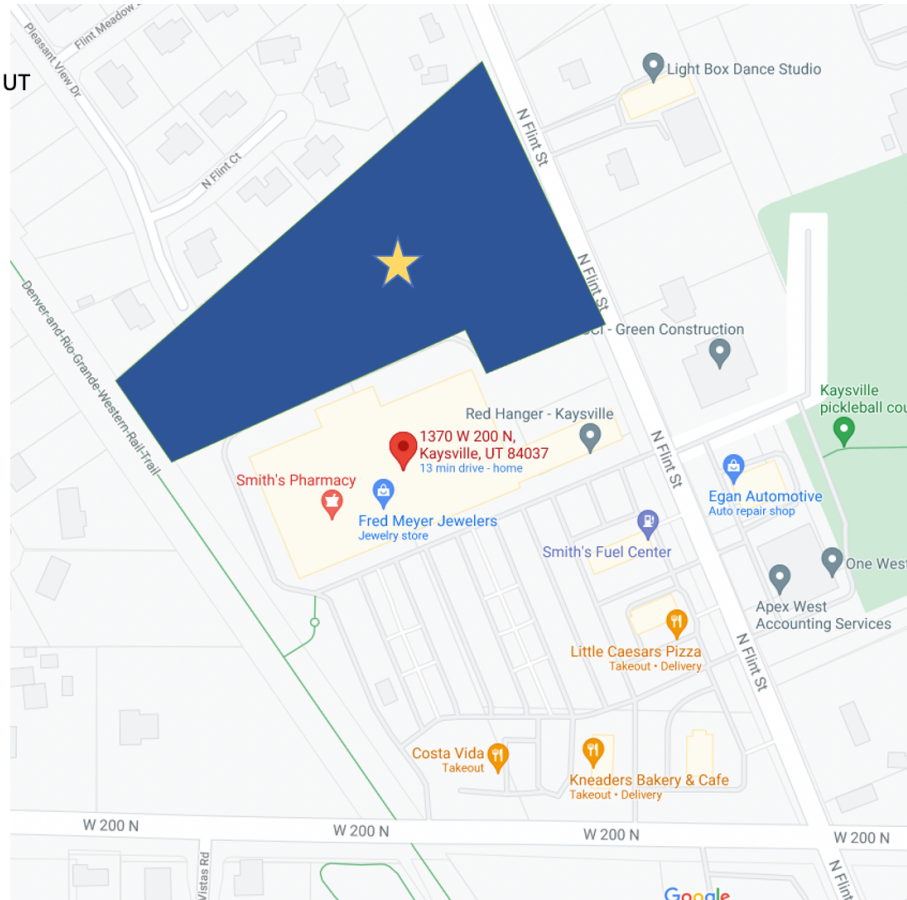
(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

EXHIBIT A

PROPERTY LOCATION MAP & LEGAL DESCRIPTION

- **Address**
391 N. Flint St., Kaysville, UT
84037
- **Parcel ID** – 110950106
- **Acrage** - 6.435
- **Current Zoning:** A-1



LEGAL DESCRIPTION:

BEG AT A PT ON THE E BNDRY LINE OF THE UTAH TRANSIT AUTHORITY PPTY, SD COR BEING S 89°31'10" E 181.65 FT ALG THE SEC LINE & N 761.02 FT FR THE W 1/4 COR OF SEC 33-T4N-R1W, SLB&M; TH N 34°42'20" W 154.32 FT ALG SD E LINE TO THE SW COR OF FLINT MEADOWS SUB; TH N 49°20'55" E 718.30 FT ALG THE S BNDRY LINE OF SD FLINT MEADOWS SUB TO THE SW COR OF THE LARRY & CLAIR HARRIS PPTY; TH N 49°54'19" E 57.97 FT (N 46°13'27" E 37.47 FT BY DEED) ALG THE S BNDRY LINE OF SD HARRIS PPTY TO THE NW COR OF THE LLOYD & JERALDINE COLEMERE PPTY; TH THE FOLLOWING 2 (TWO) COURSES BEING ALG SD COLEMERE PPTY: (1) S 22°40'32" E 185.18 FT (S 23°25'00" E 188.10 FT BY DEED); (2) N 48°00'00" E 155.73 FT (N 45°25'00" E BY DEED) TO A PT ON THE W'LY LINE OF FLINT STR, SD PT BEING 39.00 FT PERP'LY DISTANT W'LY FR THE CENTERLINE THEREOF; TH S 22°37'45" E 360.56 FT (S 23°25'00" BY DEED) TO A PT ON THE N'LY BNDRY LINE OF KAYSVILLE NEIGHBORHOOD CENTER SUB; TH THE FOLLOWING 3 (THREE)

COURSES BEING ALG SD KAYSVILLE NEIGHBORHOOD CENTER SUB: (1) S 67°22'15" W 190.00 FT (S 65°28'30" W BY DEED); (2) N 22°37'45" W 103.54 FT (S 24°31'30" E BY DEED); (3) S 67°22'15" W 663.14 FT TO THE POB. CONT. 5.77 ACRES. ALSO, BEG ON W LINE OF PPTY CONV IN WARRANTY DEED RECORDED 05/08/2014 AS E# 2802674 BK 6014 PG 62, AT A PT 21.60 CHAINS E & 22.15 CHAINS N 23°25' W & S 48°17'56" W 6.36 FT FR SW COR OF NW 1/4 OF SEC 33-T4N-R1W, SLM; TH S 45°25' W 153.36 FT; TH N 23°25' W 2.85 CHAINS TO BNDRY LINE AGMT 2216-1174; TH ALG SD AGMT THE FOLLOWING COURSE: N 48°00'00" E 153.15 FT TO W LINE HWY #6; TH S 22°19'50" E 184.59 FT ALG SD W LINE TO POB. CONT. 0.665 ACRES. TOTAL ACREAGE 6.435 ACRES. (NOTE: THIS REMAINING LEGAL WAS WRITTEN IN THE DAVIS COUNTY RECORDER'S OFFICE FOR I.D. PURPOSES. IT DOES NOT REFLECT A SURVEY OF THE PROPERTY.)

EXHIBIT B

SITE PLAN

(see attached)

EXHIBIT C

MIXED-USE OVERLAY PARCEL DESCRIPTION

A part of the Northwest Quarter of Section 33, Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, in Davis County, Utah:

Beginning at the Northeasterly Corner of Lot 1, Kaysville Neighborhood Center Subdivision on the Westerly Line of Flint Street as widened to 39.00 foot half-width located 1000.61 feet South 89°13'14" East along the Section Line; and 1000.63 feet North 0°46'46" East from the West Quarter Corner of said Section 33; and running thence South 67°40'11" West 190.03 feet along the Northerly Line of said Lot 1 to an angle point in said Northerly Line; thence North 22°19'49" West 111.50 feet along the Northerly Line of said Lot 1 and said line extended; thence North 67°40'11" East 40.18 feet; thence North 22°19'49" West 220.48 feet; thence North 10°34'57" West 79.56 feet; thence North 22°19'49" West 88.87 feet; thence North 48°31'15" East 141.48 feet to the Westerly Line of said Flint Street; thence South 22°19'50" E 545.15 feet along said Westerly Line to the point of beginning.

**Contains 80,248 sq ft
or 1.842 acres**



SIDEWALKS AND TRAILS
TOTAL LENGTH SHOWN IS NEARLY 3/4 MILES
CONNECTION TO RAIL TRAIL, COMMERCIAL AREA, AND FLINT STREET

Flint Property Road and Trails

1" = 30'-0"
(1" = 60'-0" ON 11x17 PAPER)

0 15' 30' 60'



 **JWRA Architects**

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PAGE 1 OF 9





Flint St. Mixed Use

Kaysville, Utah





Flint St. Mixed Use

Kaysville, Utah

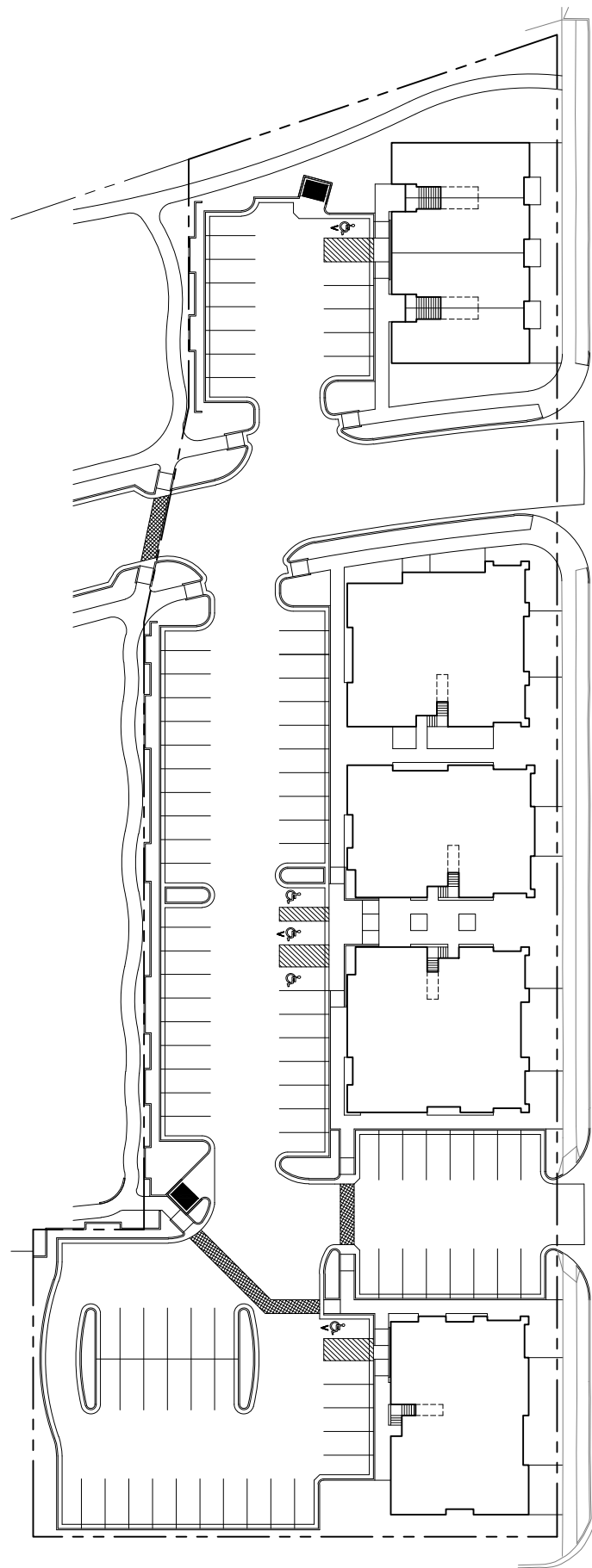




Flint St. Mixed Use
Kaysville, Utah

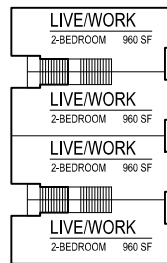


OPEN SPACE
80,240 SF OPEN SPACE (EXCLUDING PARK STRIPS)
7,388 SF PARK STRIP LANDSCAPING
87,628 SF TOTAL OPEN SPACE (2.01 ACRES)
(NOTE: OPEN SPACE AREA INCLUDES TRAILS AROUND AND THROUGH THE PROPERTY, BUT EXCLUDES SIDEWALKS ALONG THE ROAD AND NEXT TO THE COMMERCIAL BUILDINGS.)

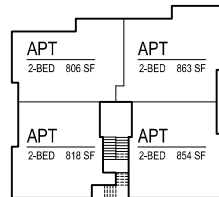


LEVEL ONE PLANS

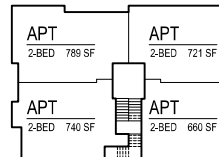
C1 LIVE/WORK
RETAIL/OFFICE 3,620 SF
2-STORY BUILDING



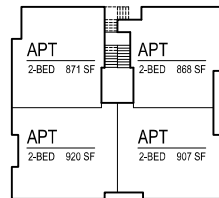
C2 MIXED USE
RETAIL/OFFICE 3,468 SF
3-STORY BUILDING



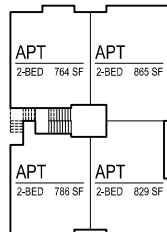
C3 MIXED USE
RETAIL/OFFICE 3,032 SF
3-STORY BUILDING



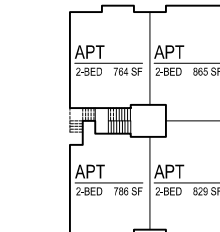
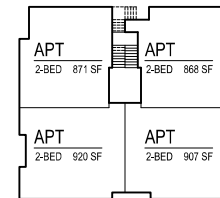
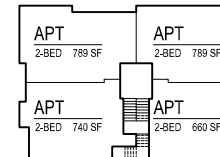
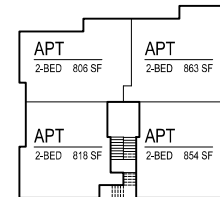
C4 MIXED USE
RETAIL/OFFICE 3,694 SF
3-STORY BUILDING



C5 MIXED USE
RETAIL/OFFICE 3,402 SF
3-STORY BUILDING



LEVEL TWO PLANS



LEVEL THREE PLANS

Flint Mixed Use Residential Unit Plans

1" = 30'-0"
(1" = 60'-0" ON 11x17 PAPER)

0 15' 30' 60'



Flint Property

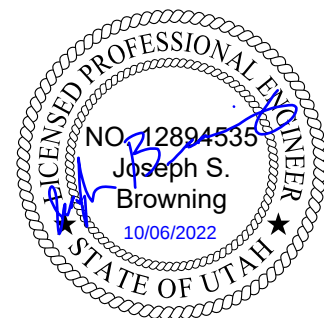
Traffic Impact Study



Kaysville, Utah

October 6, 2022

UT22-2326



EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Flint Property development located in Kaysville, Utah. The development is located on the west side of Flint Street, just south of Flint Meadow Drive.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) and future (2027) conditions with and without the proposed project and to recommend mitigation measures as needed. The evening peak hour level of service (LOS) results are shown in Table ES-1. A site plan of the project is provided in Appendix A.

Table ES-1: Evening Peak Hour Level of Service Results

Intersection		Level of Service			
		Existing (2022)		Future (2027)	
		BG	PP	BG	PP
1	Flint Meadow Drive / Flint Street	c	c	c	c
2	Flint Street / 200 North	C	C	C	C
3	Pleasant View Drive / Flint Street	-	b	-	b
4	Mixed-use Access / Flint Street	-	b	-	b

1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter)

2. BG = Background (without project traffic), PP = Plus Project (with project traffic)

Source: Hales Engineering, October 2022

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of residential townhome, apartment, and single-family units, as well as some office and retail space
- The project is anticipated to generate approximately 1,316 weekday daily trips, including 102 trips in the morning peak hour, and 168 trips in the evening peak hour

2022	Background	Plus Project
Assumptions	None	Some background traffic was rerouted through new Pleasant View Dr connection
Findings	- Acceptable LOS - Excessive queueing at the Flint St / 200 North intersection	- Acceptable LOS - Excessive queueing at the Flint St / 200 North intersection

Mitigations	• Flint St / 200 North: The City could consider planning for a future NB RT lane ○ This improvement may not be feasible at this time due to the location of existing utilities. However, it is recommended that the improvement be implemented once funding becomes available.	• None
2027	Background	Plus Project
Assumptions	• West Davis Corridor partially complete	• None
Findings	• Acceptable LOS • Excessive queueing at the Flint St / 200 North intersection	• Acceptable LOS • Excessive queueing at the Flint St / 200 North intersection

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F. Recommended Storage Lengths	Error! Bookmark not defined.
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Appendix A: Project Site Plan

Appendix B: Turning Movement Counts

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I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Flint Property development located in Kaysville, Utah. The proposed project is located on the west side of Flint Street, just south of Flint Meadow Drive. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) and future (2027) conditions with and without the proposed project and to recommend mitigation measures as needed.



Figure 1: Vicinity map showing the project location in Kaysville, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Flint Meadow Drive / Flint Street
- Flint Street / 200 North
- Pleasant View Drive / Flint Street
- Mixed-use Access / Flint Street

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The *Highway Capacity Manual* (HCM), 7th Edition, 2022 methodology was used in this study to remain consistent with “state-of-the-practice” professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix C. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with “state-of-the-practice” traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS		Description of Traffic Conditions	Average Delay (seconds/vehicle)	
			Signalized Intersections	Unsignalized Intersections
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 7th Edition, 2022 Methodology (Transportation Research Board)

II. EXISTING (2022) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

Flint Street – is a city-maintained roadway which is classified by the Kaysville General Plan (Draft) as a collector. The roadway has one travel lane in each direction with a center two-way left-turn lane along the property frontage. The posted speed limit is 30 mph in the study area.

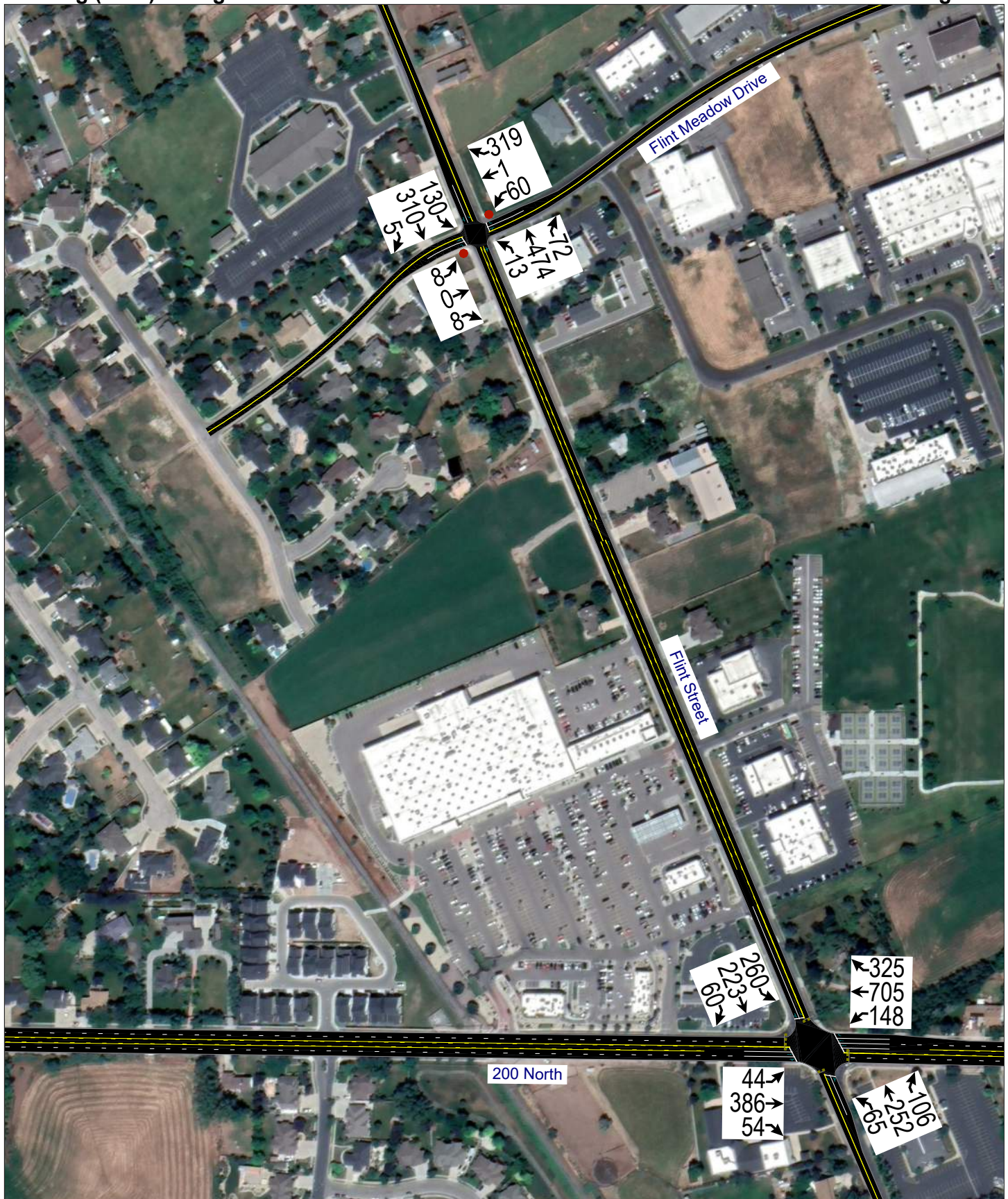
C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Flint Meadow Drive / Flint Street
- Flint Street / 200 North

The counts were performed on Tuesday, September 20, 2022. The morning peak hour was determined to be between 8:00 and 9:00 a.m., and the evening peak hour was determined to be between 5:00 and 6:00 p.m. The evening peak hour volumes were approximately 70% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix B.

Figure 2 shows the existing evening peak hour volumes as well as intersection geometry at the study intersections.



D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the evening peak hour, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2022) conditions.

Table 2: Existing (2022) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Flint Meadow Drive / Flint Street	EB/WB Stop	WBT	20.9	c
Flint Street / 200 North	Signal	-	28.3	C

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2022

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Some significant queueing was observed during the evening peak hour. Significant 95th percentile queue lengths during the evening peak hour are summarized as follows:

- Flint Meadow Dr / Flint St:
 - Westbound: 150 feet
- Flint St / 200 North:
 - Northbound: 425 feet

F. Mitigation Measures

No mitigation measures are recommended. A separate northbound right-turn lane at the Flint Street / 200 North intersection would likely reduce the queue, but this improvement may not be feasible at this time as it would require moving utility systems and possibly a signal pole. The City could consider planning ahead for such an improvement in the future when funding becomes available.

III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed Flint Property development is located on the west side of Flint Street, just south of Flint Meadow Drive. The development will consist of a mixture of residential units, including single-family detached, townhome, and apartment units, as well as some retail/office space along the Flint Street frontage. A concept plan for the proposed development is provided in Appendix A. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity
Single-family detached housing	14 Units
Townhomes	32 Units
Apartments	36 Units
Commercial / Retail	9,350 sq. ft.
Office	9,350 sq. ft.

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 11th Edition, 2021. Trip generation for the proposed project is included in Table 4.

The total trip generation for the development is as follows:

- Daily Trips: 1,316
- Morning Peak Hour Trips: 102
- Evening Peak Hour Trips: 168

Table 4: Trip Generation

Trip Generation Kaysville - Flint Property TIS								
Land Use ¹	# of Units	Unit Type	Trip Generation			New Trips		
			Total	% In	% Out	In	Out	Total
Weekday Daily								
Single-Family Detached Housing (210)	14	DU	166	50%	50%	83	83	166
Single-Family Attached Housing (215)	32	DU	194	50%	50%	97	97	194
Multifamily Housing (Low-Rise) (220)	36	DU	308	50%	50%	154	154	308
Small Office Building (712)	9.4	KSF	136	50%	50%	68	68	136
Strip Retail Plaza, <40k (822)	9.4	KSF	512	50%	50%	256	256	512
TOTAL			1,316			658	658	1,316
AM Peak Hour								
Single-Family Detached Housing (210)	14	DU	14	26%	74%	4	10	14
Single-Family Attached Housing (215)	32	DU	12	31%	69%	4	8	12
Multifamily Housing (Low-Rise) (220)	36	DU	36	24%	76%	9	27	36
Small Office Building (712)	9	KSF	16	82%	18%	13	3	16
Strip Retail Plaza, <40k (822)	9	KSF	24	60%	40%	14	10	24
TOTAL			102			44	58	102
PM Peak Hour								
Single-Family Detached Housing (210)	14	DU	16	63%	37%	10	6	16
Single-Family Attached Housing (215)	32	DU	16	57%	43%	9	7	16
Multifamily Housing (Low-Rise) (220)	36	DU	38	63%	37%	24	14	38
Small Office Building (712)	9	KSF	22	34%	66%	7	15	22
Strip Retail Plaza, <40k (822)	9	KSF	76	50%	50%	38	38	76
TOTAL			168			88	80	168
1. Land Use Code from the Institute of Transportation Engineers (ITE) <u>Trip Generation</u> , 11th Edition, 2021. SOURCE: Hales Engineering, October 2022								

D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is shown in Table 5.

Table 5: Trip Distribution

Direction	% To/From Project
North	30%
South	30%
East	35%
West	5%

These trip distribution assumptions were used to assign the evening peak hour trip generation at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.

E. Access

The proposed access for the site will be gained at the following locations:

Flint Street:

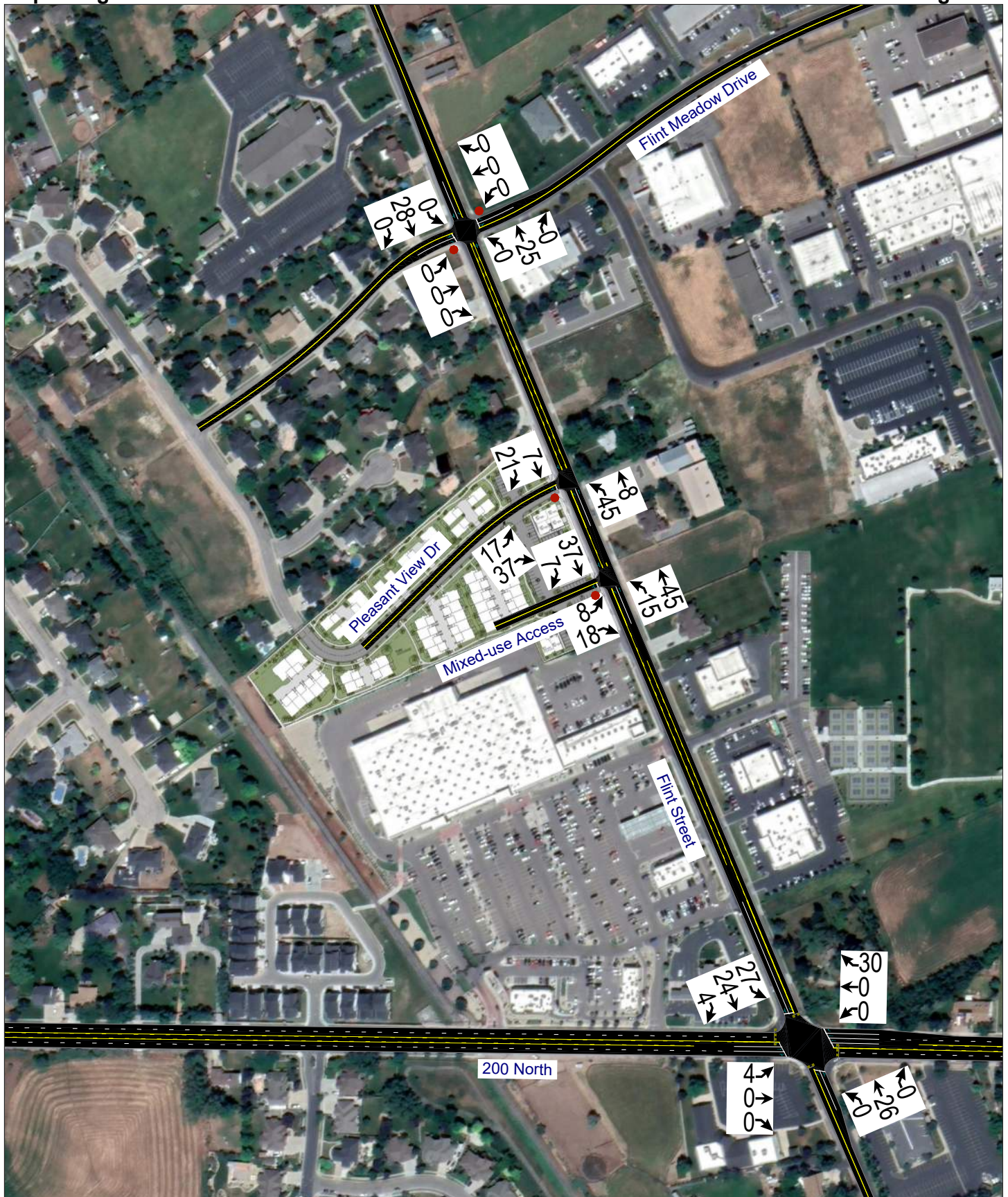
- Pleasant View Drive will be located approximately 610 feet south of the Flint Meadow Drive / Flint Street intersection. It will access the project on the west side of Flint Street. It is anticipated that the access will be stop-controlled.
- The Mixed-use Access will be located approximately 110 feet north of the North Smith's Access / Flint Street intersection. It will access the project on the west side of Flint Street. It is anticipated that the access will be stop-controlled.

F. Auxiliary Lanes

Auxiliary lanes are deceleration (ingress) or acceleration (egress) turn lanes that provide for safe turning movements that have less impact on through traffic. These lanes are sometimes needed at accesses or roadway intersections if right- or left-turn volumes are high enough.

Deceleration (ingress) lanes are generally needed when there are at least 50 right-turn vehicles or 25 left-turn vehicles in an hour. These guidelines were used for the City roadways in the study area.

Based on these guidelines and the anticipated project traffic, no auxiliary lanes are recommended. The existing TWLTL should accommodate northbound left turns into the site.



IV. EXISTING (2022) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2022) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the existing (2022) background traffic volumes to predict turning movement volumes for existing (2022) plus project conditions. It was assumed that minimal traffic would reroute through the new Pleasant View Drive connection. Existing (2022) plus project evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added, as shown in Table 6.

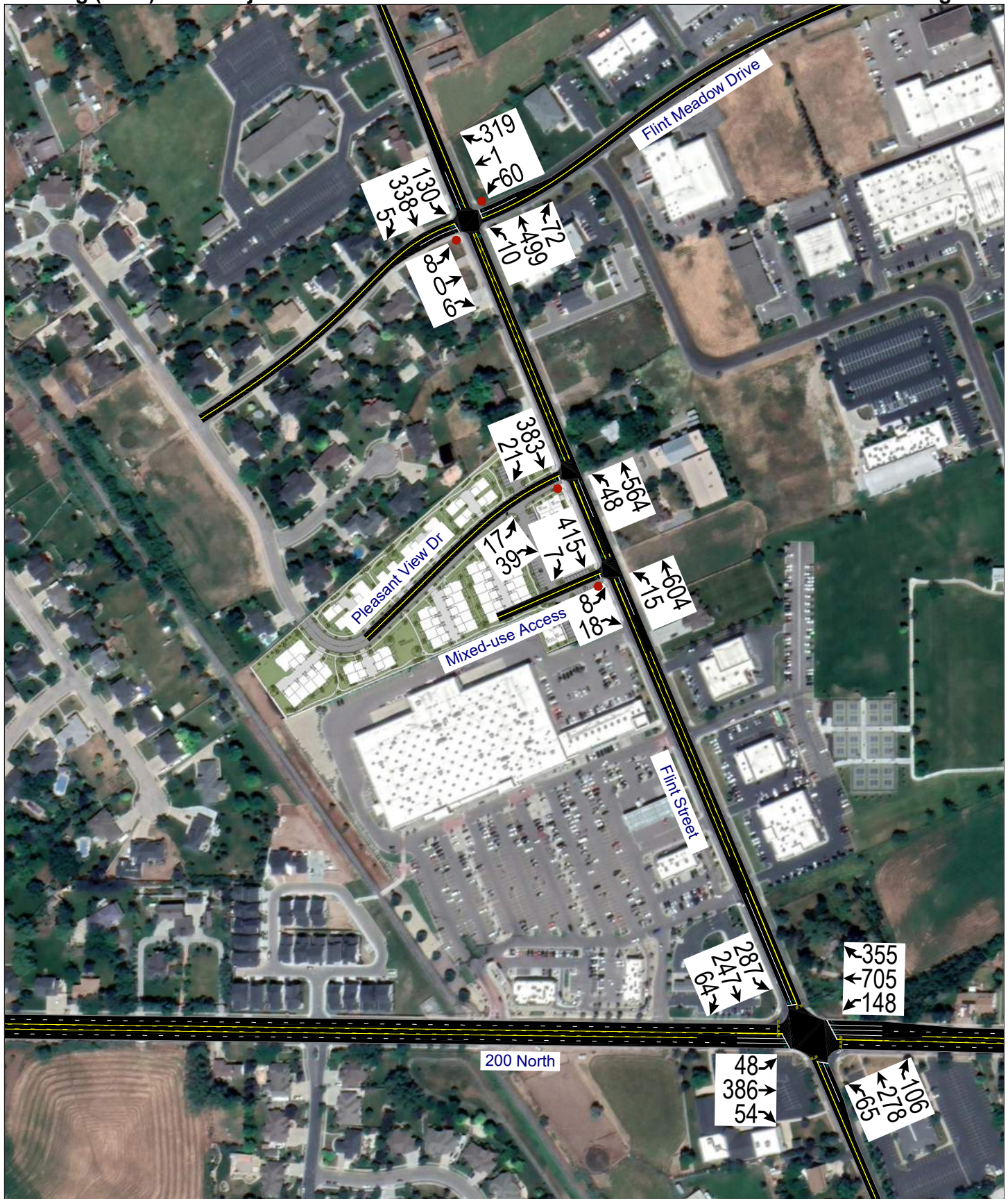
Table 6: Existing (2022) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Flint Meadow Drive / Flint Street	EB/WB Stop	WBL	19.9	c
Flint Street / 200 North	Signal	-	32.7	C
Pleasant View Drive / Flint Street	EB Stop	EBL	12.5	b
Mixed-use Access / Flint Street	EB Stop	EBL	10.7	b

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2022



D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Some significant queueing is anticipated during the evening peak hour. Significant 95th percentile queue lengths during the evening peak hour are summarized as follows:

- Flint Meadow Dr / Flint St:
 - Westbound: 150 feet
- Flint St / 200 North:
 - Northbound: 525 feet

E. Mitigation Measures

No mitigation measures are recommended.

V. FUTURE (2027) BACKGROUND CONDITIONS

A. Purpose

The purpose of the future (2027) background analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions. Through this analysis, future background traffic operational deficiencies can be identified, and potential mitigation measures recommended.

B. Roadway Network

West Davis Corridor is currently under construction, and it was assumed that it would be partially complete by 2027. This was accounted for in the analysis.

C. Traffic Volumes

Hales Engineering obtained future (2027) forecasted volumes from the Wasatch Front Regional Council (WFRC) / Mountainland Association of Governments (MAG) travel demand model. Peak period turning movement counts were estimated using National Cooperative Highway Research Program (NCHRP) 255 methodologies which utilize existing peak period turn volumes and future average weekday daily traffic (AWDT) volumes to project the future turn volumes at the major intersections. Future (2027) evening peak hour turning movement volumes are shown in Figure 5.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are anticipated to operate at acceptable levels of service during the evening peak hour in future (2027) background conditions, as shown in Table 7. These results serve as a baseline condition for the impact analysis of the proposed development for future (2027) conditions.

Table 7: Future (2027) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Flint Meadow Drive / Flint Street	EB/WB Stop	WBL	21.7	c
Flint Street / 200 North	Signal	-	31.8	C

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2022



E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Some significant queueing is anticipated during the evening peak hour. Significant 95th percentile queue lengths during the evening peak hour are summarized as follows:

- Flint Meadow Dr / Flint St:
 - Westbound: 150 feet
- Flint St / 200 North:
 - Northbound: 525 feet

F. Mitigation Measures

No mitigation measures are recommended.

VI. FUTURE (2027) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the future (2027) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on future background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the future (2027) background traffic volumes to predict turning movement volumes for future (2027) plus project conditions. Future (2027) plus project evening peak hour turning movement volumes are shown in Figure 6.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour in future (2027) plus project conditions, as shown in Table 8.

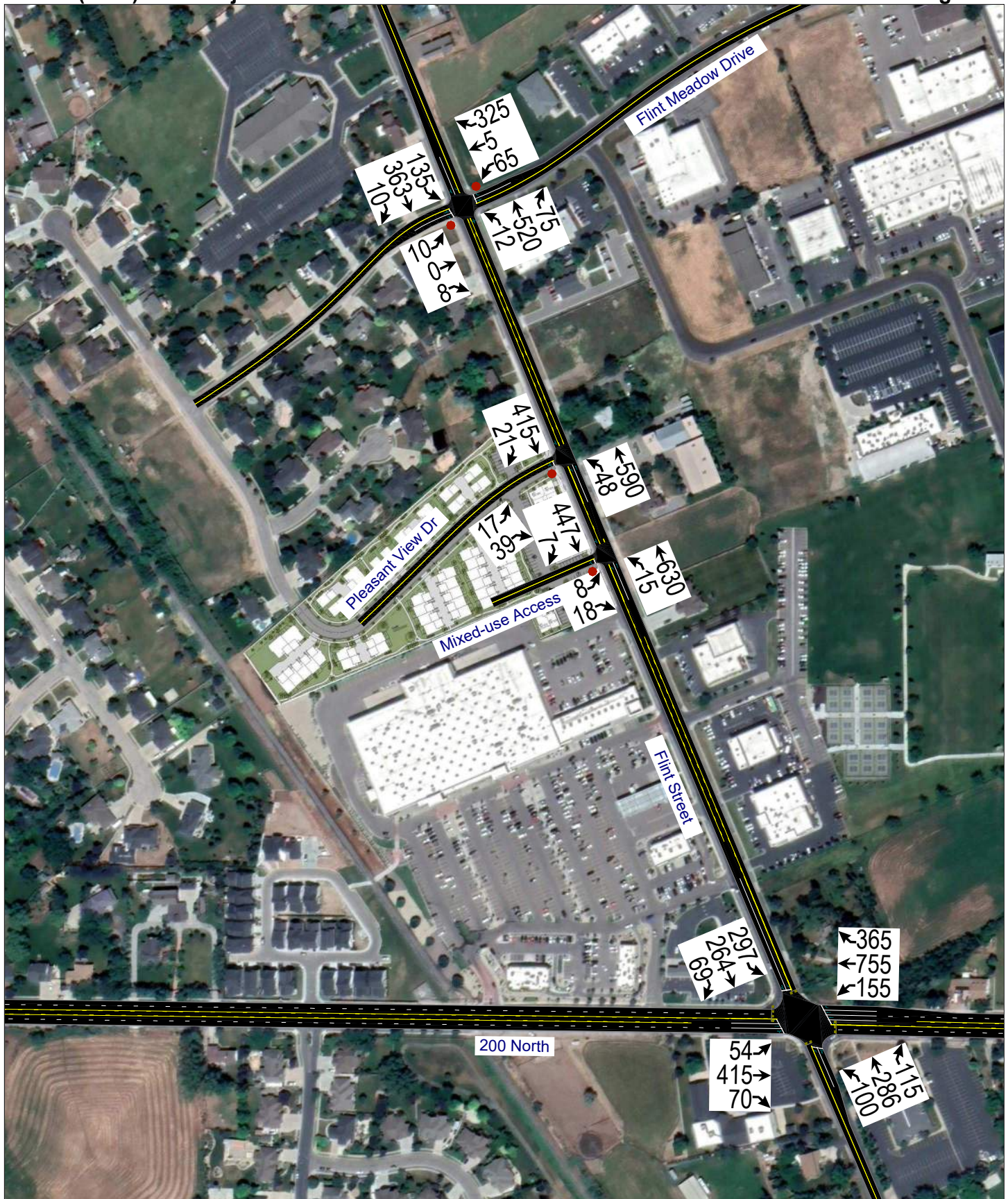
Table 8: Future (2027) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Flint Meadow Drive / Flint Street	EB/WB Stop	WBL	24.0	c
Flint Street / 200 North	Signal	-	33.9	C
Pleasant View Drive / Flint Street	EB Stop	EBL	12.7	b
Mixed-use Access / Flint Street	EB Stop	EBL	12.9	b

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, October 2022



D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Some significant queueing is anticipated during the evening peak hour. Significant 95th percentile queue lengths during the evening peak hour are summarized as follows:

- Flint Meadow Dr / Flint St:
 - Westbound: 150 feet
- Flint St / 200 North:
 - Northbound: 550 feet

E. Mitigation Measures

No mitigation measures are recommended.

APPENDIX A

Site Plan



C1 LIVE/WORK
RETAIL/OFFICE 3,840 SF
2-STORY BUILDING - 4 UNITS

C2 MIXED USE
RETAIL/OFFICE 3,497 SF
3-STORY BUILDING - 8 UNITS

C3 MIXED USE
RETAIL/OFFICE 3,745 SF
3-STORY BUILDING - 8 UNITS

C4 MIXED USE
RETAIL/OFFICE 3,605 SF
3-STORY BUILDING - 8 UNITS

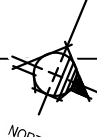
C5 MIXED USE
RETAIL/OFFICE 4,005 SF
3-STORY BUILDING - 8 UNITS

 JWRA Architects

Flint Property Site Plan

1" = 30'-0"
(1" = 60'-0" ON 11x17 PAPER)

0 15' 30' 60'



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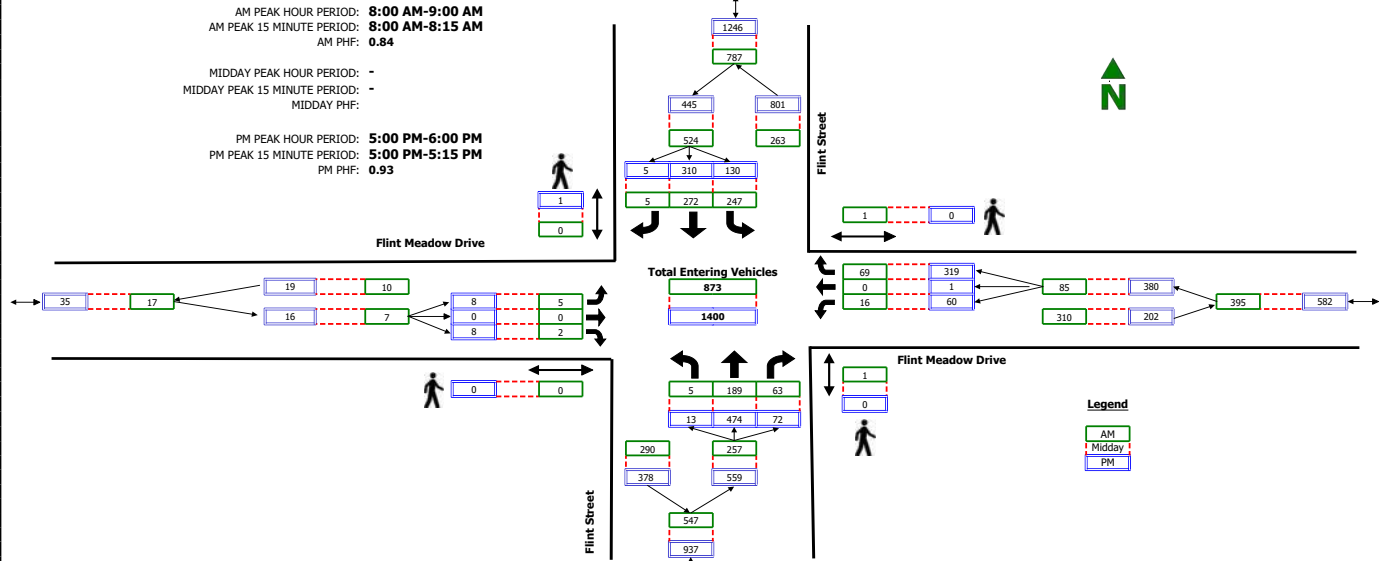
APPENDIX B

Turning Movement Counts

Intersection Turning Movement Summary

Intersection: Flint Street / Flint Meadow Drive
North/South: Flint Street
East/West: Flint Meadow Drive
Jurisdiction: Kaysville
Project Title: Kaysville Flint Property TIS
Project No: UT22-2326
Weather: Clear

Date: 9-20-22, Tue
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

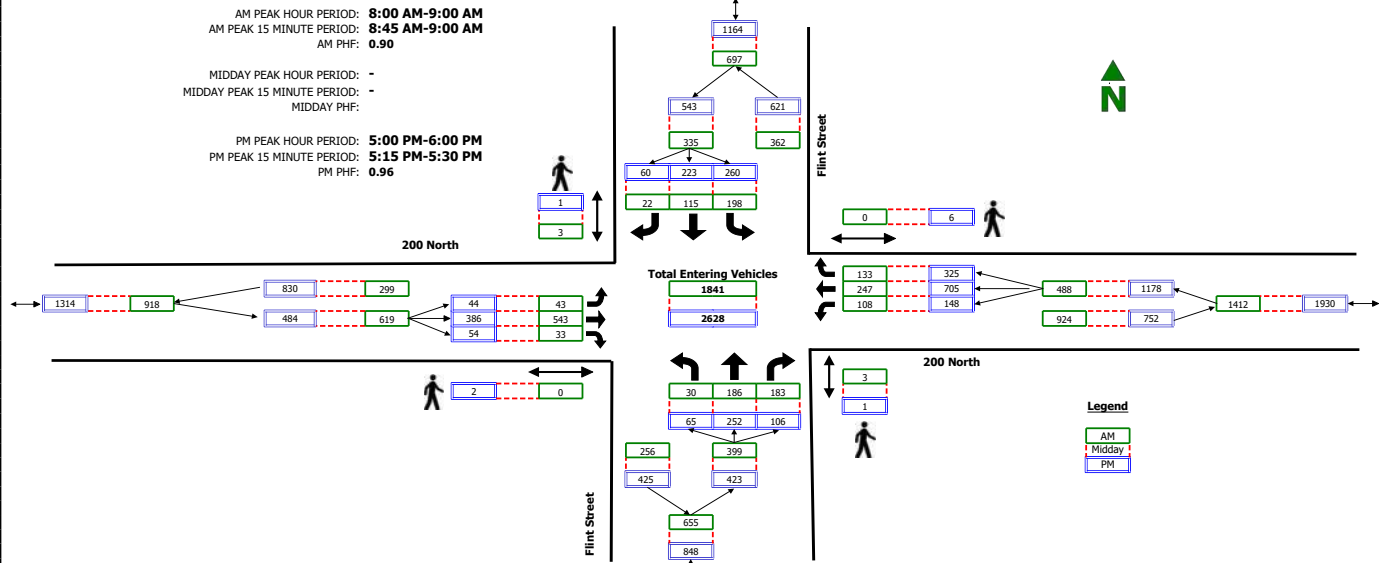


RAW COUNT SUMMARIES	Flint Street Northbound				Flint Street Southbound				Flint Meadow Drive Eastbound				Flint Meadow Drive Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	0	19	7	0	42	78	0	0	0	0	8	0	11	0	12	0	177
7:15 - 7:30	0	32	8	0	54	76	0	0	0	1	6	0	4	0	9	0	190
7:30 - 7:45	1	31	6	0	64	84	0	0	2	0	0	0	5	0	20	0	213
7:45 - 8:00	2	45	19	0	80	86	0	0	3	0	2	0	7	0	16	0	260
8:00 - 8:15	3	38	18	0	78	98	2	0	1	0	0	0	3	0	20	0	261
8:15 - 8:30	0	54	13	1	47	52	0	0	1	0	0	0	5	0	19	0	191
8:30 - 8:45	0	42	8	0	55	63	0	0	1	0	1	0	4	0	11	0	185
8:45 - 9:00	2	55	24	0	67	59	3	0	2	0	1	0	4	0	19	1	236
MIDDAY PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	1	90	12	0	45	56	4	0	1	0	0	0	18	1	80	0	308
16:15 - 16:30	5	122	4	0	25	64	2	0	5	0	3	0	7	1	39	0	277
16:30 - 16:45	2	111	10	0	41	83	4	0	2	0	2	0	7	0	52	0	314
16:45 - 17:00	1	133	27	1	37	76	5	0	4	0	2	0	12	0	56	0	353
17:00 - 17:15	1	129	19	0	25	79	2	0	3	0	2	0	13	1	102	0	376
17:15 - 17:30	2	126	19	0	40	72	1	1	0	0	2	0	14	0	92	0	368
17:30 - 17:45	5	125	17	0	31	84	1	0	0	0	2	0	10	0	56	0	331
17:45 - 18:00	5	94	17	0	34	75	1	0	5	0	2	0	23	0	69	0	325

Intersection Turning Movement Summary

Intersection: Flint Street / 200 North
North/South: Flint Street
East/West: 200 North
Jurisdiction: Kaysville
Project Title: Kaysville Flint Property TIS
Project No: UT22-2326
Weather: Clear

Date: 9-20-22, Tue
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0



RAW COUNT SUMMARIES	Flint Street Northbound				Flint Street Southbound				200 North Eastbound				200 North Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	2	15	30	0	90	37	6	0	4	233	5	0	8	37	18	0	485
7:15 - 7:30	6	18	35	0	73	25	4	0	6	193	3	0	32	57	27	0	479
7:30 - 7:45	3	23	25	0	61	28	2	0	7	135	5	0	17	55	21	0	382
7:45 - 8:00	6	26	33	1	79	32	7	0	12	165	5	0	28	41	27	0	461
8:00 - 8:15	6	45	53	1	52	61	3	0	13	150	12	0	39	52	23	0	509
8:15 - 8:30	5	43	52	1	42	20	8	0	7	136	2	0	30	40	23	0	408
8:30 - 8:45	9	34	44	1	56	14	6	0	6	112	9	0	14	73	36	0	413
8:45 - 9:00	10	64	34	0	48	20	5	3	17	145	10	0	25	82	51	0	511
MIDDAY PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	21	62	28	0	41	52	4	0	11	96	10	0	38	127	53	0	543
16:15 - 16:30	15	65	26	0	61	45	5	2	5	78	8	0	32	134	67	0	541
16:30 - 16:45	22	89	30	0	63	38	11	0	12	87	8	0	21	138	64	1	583
16:45 - 17:00	14	65	24	0	66	42	8	0	20	99	13	1	35	174	69	0	629
17:00 - 17:15	22	76	30	1	46	51	16	1	8	104	7	0	34	174	76	4	644
17:15 - 17:30	15	62	23	0	62	60	16	0	13	95	16	0	40	196	88	0	686
17:30 - 17:45	14	60	21	0	80	51	16	0	13	94	14	2	40	160	81	0	644
17:45 - 18:00	14	54	32	0	72	61	12	0	10	93	17	0	34	175	80	2	654

APPENDIX C

LOS Results

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Existing (2022) Background
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Flint Meadow Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	13	14	106	4.8	A
	T	536	532	99	1.9	A
	R	72	67	93	1.6	A
	Subtotal	621	613	99	1.9	A
SB	L	130	128	98	6.3	A
	T	310	313	101	0.6	A
	R	5	6	120	0.9	A
	Subtotal	445	447	100	2.2	A
EB	L	8	8	97	14.8	B
	R	8	8	97	6.2	A
	Subtotal	16	16	100	10.5	B
WB	L	60	59	99	18.3	C
	T	1	1	100	20.9	C
	R	319	320	100	12.1	B
	Subtotal	380	380	100	13.1	B
Total		1,462	1,456	100	5.0	A

Intersection: Flint Street & 200 North
Type: Signalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	65	63	97	45.8	D
	T	252	242	96	51.6	D
	R	106	103	97	42.1	D
	Subtotal	423	408	96	48.3	D
SB	L	260	257	99	43.0	D
	T	223	228	102	30.5	C
	R	60	60	100	22.4	C
	Subtotal	543	545	100	35.5	D
EB	L	44	48	109	37.6	D
	T	386	384	100	23.9	C
	R	54	56	103	17.0	B
	Subtotal	484	488	101	24.5	C
WB	L	148	141	95	28.2	C
	T	705	710	101	22.1	C
	R	325	324	100	10.1	B
	Subtotal	1,178	1,175	100	19.5	B
Total		2,626	2,616	100	28.3	C

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Existing (2022) Plus Project
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Flint Meadow Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	10	10	98	4.6	A
	T	500	498	100	1.8	A
	R	72	74	103	1.2	A
	Subtotal	582	582	100	1.8	A
SB	L	130	135	104	6.4	A
	T	338	338	100	0.6	A
	R	5	5	100	0.5	A
	Subtotal	473	478	101	2.2	A
EB	L	8	7	85	17.1	C
	R	6	7	117	6.2	A
	Subtotal	14	14	100	11.7	B
	L	60	57	95	19.9	C
WB	T	1	0	0		
	R	319	314	98	14.0	B
	Subtotal	380	371	98	14.9	B
	Subtotal	380	371	98	14.9	B
Total		1,449	1,445	100	5.4	A

Intersection: Flint Street & 200 North
Type: Signalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	65	65	100	52.7	D
	T	278	277	100	60.5	E
	R	106	108	102	51.6	D
	Subtotal	449	450	100	57.2	E
SB	L	287	287	100	55.3	E
	T	247	243	98	27.4	C
	R	64	68	107	22.4	C
	Subtotal	598	598	100	40.2	D
EB	L	48	49	102	41.9	D
	T	386	390	101	26.1	C
	R	54	58	107	20.1	C
	Subtotal	488	497	102	27.0	C
WB	L	148	145	98	33.2	C
	T	705	706	100	25.1	C
	R	355	355	100	12.4	B
	Subtotal	1,208	1,206	100	22.3	C
Total		2,742	2,751	100	32.7	C

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Existing (2022) Plus Project
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Pleasant View Dr
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	48	48	99	3.9	A
	T	564	566	100	0.4	A
	Subtotal	612	614	100	0.7	A
SB	T	384	384	100	0.8	A
	R	21	18	87	0.6	A
	Subtotal	405	402	99	0.8	A
EB	L	17	16	93	12.5	B
	R	39	38	97	6.2	A
	Subtotal	56	54	96	8.1	A
Total		1,073	1,070	100	1.1	A

Intersection: Flint Street & Mixed-use Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	15	15	98	6.0	A
	T	666	665	100	2.8	A
	Subtotal	681	680	100	2.9	A
SB	T	415	414	100	0.4	A
	R	7	9	124	0.1	A
	Subtotal	422	423	100	0.4	A
EB	L	8	8	97	10.7	B
	R	18	18	99	5.6	A
	Subtotal	26	26	100	7.2	A
Total		1,130	1,129	100	2.0	A

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Future (2027) Background
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Flint Meadow Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	15	14	92	4.6	A
	T	555	558	101	2.0	A
	R	75	70	93	1.6	A
	Subtotal	645	642	100	2.0	A
SB	L	135	132	98	6.7	A
	T	335	338	101	0.7	A
	R	10	11	107	0.5	A
	Subtotal	480	481	100	2.3	A
EB	L	10	10	98	15.3	C
	R	10	13	127	5.6	A
	Subtotal	20	23	115	9.8	A
WB	L	65	68	105	21.7	C
	T	5	5	100	20.2	C
	R	325	316	97	12.8	B
	Subtotal	395	389	98	14.5	B
Total		1,541	1,535	100	5.4	A

Intersection: Flint Street & 200 North
Type: Signalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	100	103	103	52.5	D
	T	260	255	98	61.5	E
	R	115	109	95	49.7	D
	Subtotal	475	467	98	56.8	E
SB	L	270	277	103	47.6	D
	T	240	239	100	29.2	C
	R	65	67	103	22.8	C
	Subtotal	575	583	101	37.2	D
EB	L	50	46	92	42.4	D
	T	415	406	98	26.0	C
	R	70	73	105	18.2	B
	Subtotal	535	525	98	26.4	C
WB	L	155	151	97	31.9	C
	T	755	750	99	24.8	C
	R	335	341	102	12.0	B
	Subtotal	1,245	1,242	100	22.1	C
Total		2,830	2,817	100	31.8	C

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Future (2027) Plus Project
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Flint Meadow Drive
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	12	11	90	4.4	A
	T	521	506	97	1.8	A
	R	75	77	103	1.3	A
	Subtotal	608	594	98	1.8	A
SB	L	135	130	96	6.8	A
	T	363	362	100	0.7	A
	R	10	9	88	0.4	A
	Subtotal	508	501	99	2.3	A
EB	L	10	10	98	19.9	C
	R	8	10	121	6.4	A
	Subtotal	18	20	111	13.2	B
WB	L	65	69	107	24.0	C
	T	5	4	80	21.9	C
	R	325	330	102	13.5	B
	Subtotal	395	403	102	15.4	C
Total		1,530	1,518	99	5.8	A

Intersection: Flint Street & 200 North
Type: Signalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	100	99	99	54.6	D
	T	286	280	98	62.1	E
	R	115	115	100	53.2	D
	Subtotal	501	494	99	58.5	E
SB	L	297	302	102	48.4	D
	T	264	265	100	27.1	C
	R	69	68	99	22.2	C
	Subtotal	630	635	101	36.7	D
EB	L	54	53	98	43.9	D
	T	415	410	99	29.3	C
	R	70	75	108	22.8	C
	Subtotal	539	538	100	29.8	C
WB	L	155	154	99	35.8	D
	T	755	759	101	27.4	C
	R	365	354	97	13.5	B
	Subtotal	1,275	1,267	99	24.5	C
Total		2,945	2,934	100	33.9	C

SimTraffic LOS Report

Project: Kaysville - Flint Property TIS
Analysis Period: Future (2027) Plus Project
Time Period: Evening Peak Hour

Project #: UT22-2326

Intersection: Flint Street & Pleasant View Dr
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	48	47	97	4.1	A
	T	590	576	98	0.4	A
	Subtotal	638	623	98	0.7	A
SB	T	415	418	101	0.9	A
	R	21	24	116	0.8	A
	Subtotal	436	442	101	0.9	A
EB	L	17	18	104	12.7	B
	R	39	44	113	5.9	A
	Subtotal	56	62	111	7.9	A
Total		1,131	1,127	100	1.2	A

Intersection: Flint Street & Mixed-use Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	15	14	92	6.2	A
	T	690	674	98	2.8	A
	Subtotal	705	688	98	2.9	A
SB	T	447	454	102	0.4	A
	R	7	7	97	0.2	A
	Subtotal	454	461	102	0.4	A
EB	L	8	8	97	12.9	B
	R	18	17	93	5.7	A
	Subtotal	26	25	96	8.0	A
Total		1,186	1,174	99	2.0	A

APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report

Project: Kaysville - Flint Property TIS

Analysis: Existing (2022) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft



Project #: UT22-2326

Intersection	NB			SB		EB					WB			
	L	LTR	TR	L	TR	L	LT	R	T	TR	L	LT	R	T
01: Flint Street & Flint Meadow Drive		50		75		50					75	150		
02: Flint Street & 200 North	425		250	275	275	75			150	175	150		150	225

SimTraffic Queueing Report

Project: Kaysville - Flint Property TIS

Analysis: Existing (2022) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES  **ENGINEERING**
innovative transportation solutions

Project #: UT22-2326

Intersection	NB			SB		EB						WB			
	L	LTR	TR	L	TR	L	LR	LT	R	T	TR	L	LT	R	T
01: Flint Street & Flint Meadow Drive		50		75								75	150		
02: Flint Street & 200 North	525		250	350	375	75				150	175	175		150	225
03: Flint Street & Pleasant View Dr	50						75								
04: Flint Street & Mixed-use Access							50								

SimTraffic Queueing Report

Project: Kaysville - Flint Property TIS

Analysis: Future (2027) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft



Project #: UT22-2326

Intersection	NB			SB		EB					WB			
	L	LTR	TR	L	TR	L	LT	R	T	TR	L	LT	R	T
01: Flint Street & Flint Meadow Drive		50		75		50	50				100	150		
02: Flint Street & 200 North	525		250	300	275	75			175	175	175		175	250

SimTraffic Queueing Report

Project: Kaysville - Flint Property TIS

Analysis: Future (2027) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES  **ENGINEERING**
innovative transportation solutions

Project #: UT22-2326

Intersection	NB			SB		EB						WB			
	L	LTR	TR	L	TR	L	LR	LT	R	T	TR	L	LT	R	T
01: Flint Street & Flint Meadow Drive		50		75				50	50			100	150		
02: Flint Street & 200 North	550		250	325	325	100				175	200	200		200	275
03: Flint Street & Pleasant View Dr	50						75								
04: Flint Street & Mixed-use Access							50								

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Monday, November 28, 2022 6:31:44 PM

Contact the Planning Commission

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

Name	Gil Miller
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	UT
Zip Code	84037
Phone Number	[REDACTED]
Your Message	Dear Planning Commission Members

Firstly, thank you for your service. A thankless job with such high pay!

I am writing today in favor of the rezone being requested in your December 8 meeting regarding the Flint property at 391 North Flint Street. I have reviewed the detailed plans, both privately and with the Kaysville Economic Development Committee. While I can't speak for the entire Committee, I do want you to know that the vast majority, if not all, of the Committee supports the requested zone changes.

I was serving on the Kaysville City Council when the city purchased the Flint property to the south which now encompasses the Smiths Marketplace and surrounding businesses. Whether you lived in Kaysville at that time or not, suffice it to say that developing that entire corner was a heated debate. Some residents resisted all forms of change--an onion field would suffice. Others saw the need for development in west Kaysville, considering at the time you could not buy a gallon of gas or load of bread west of I-15. While hindsight is 20-20, even

the majority of the then-naysayers now look at the Smiths Marketplace development and can't imagine the west side of our city without it. The resulting sales tax dollars and RDA money (now close to or over \$1 million) Kaysville City has received over the past many years have also had a very positive impact on our city budget and will continue to create new economic development opportunities in the future.

But these reasons alone are not the only reasons the Planning Commission, and eventually the City Council, should support the rezone and proposed development. One of the most compelling reasons to approve the rezone and the proposed development is that it is in keeping with what the city council and city residents to the north years ago agreed should be the eventual model for development between Smiths Marketplace and the residents to the north. We clearly spoke at that time about a mixed use model, where some form of slightly higher density housing would be a buffer between the homes and Smiths, while having some form of office space/retail use directly on Flint Street. The proposed rezone and development plans are not merely a good guess as to how the property should be developed, but exactly what a former city council and impacted residents thought the future would bring as the property developed.

So please consider not only the positive economic reasons (not to mention the logical ones) noted above, but also the fact that when calm heads discussed the future of this property years ago, the overwhelming consensus of both city council members and impacted residents was exactly the request being made today.

Warmest regards,

Gil A. Miller

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From: noreply@civicplus.com
To: [Melinda Greenwood](#); [Mindi Edstrom](#); [Dan Jessop](#); tozybarrus@gmail.com; slyon.planning@gmail.com; wilfsommerkorn@live.com; kkeetch1@gmail.com; lottfam@centurylink.net; codyrbranch@gmail.com; pablodotodorojo@gmail.com; josh_sundloff@yahoo.com
Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, November 30, 2022 6:55:21 PM

Contact the Planning Commission

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

Name	Linda and Allen Francis
Email Address	
Address	
City	Kaysville
State	UT
Zip Code	84037
Phone Number	

Your Message

I live just north of the proposed zone change for 391 Flint Street. We are grateful for the input the Flints and the developer have taken from neighbors, and there are many things about the proposal that we like. It makes sense to have higher density family housing next to the Smiths. We love the proposal for walking paths and access to the trail. There are, however, a couple of concerns we would like to see addressed.

We feel the number of units that will be put on the property is of concern. It will add to the traffic problems to have apartments and businesses fronting Flint Street with several different entryways. The current plan also does not seem to adequately address parking for those facilities. We would prefer for there not to be rental properties, which are not in keeping with the nature of the existing homes. Townhomes and condos that are owned would be better. There is no public transportation access in this area, and there are still spots along Flint Street with no sidewalks, which makes it a less appealing location for rental units, and likely all residents will have at least one vehicle.

We personally would love to see the entire development be Townhomes along the south side of the property and along Flint

ORDINANCE NO. 23-X-X

AN ORDINANCE REZONING 391 NORTH FLINT STREET, A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-M MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT WITH A MIXED USE ZONING OVERLAY DISTRICT OVER A PORTION OF THE PROPERTY, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to rezone the subject property at 391 North Flint Street from A-1 Light Agricultural District to R-M Multiple Family Residential zoning district with a Mixed Use Overlay district over a portion of the property; and

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

WHEREAS, on December 8, 2022, with a vote of 7-0, the Kaysville City Planning Commission made a recommendation of approval of the zone change at 391 North Flint Street from A-1 Light Agricultural District to R-M Multiple Family Residential zoning district with a Mixed Use Overlay district over a portion of the property; and

WHEREAS, the City Council, after due consideration of said rezone application, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-M zoning district and MU zone be implemented at the property addressed 391 North Flint Street and known as Tax ID # 11-095-0106;

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

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

SECTION II: Rezone. The real property at 391 North Flint Street, and known by Parcel Identification Number 11-095-0106, as shown on the attached map which is made a part hereof, containing approximately 6.43 acre (280,307 ft²) of land, shall be rezoned and the Zoning Map amended by removing it from the Kaysville City A-1 Light Agricultural District as currently delineated and rezoning it to the R-M Multiple Family Residential District with a Mixed Use Overlay District over a 1.84 acre portion of the property.

SECTION III: Development Agreement. The Development Agreement (attached) and project approved in conjunction with this rezone ordinance shall become zoning legislation and as

ORDINANCE NO. 23-X-X

specified, will replace, augment or supersede existing regulations and requirements for the project.

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

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

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this 5th day of January, 2023.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

ORDINANCE NO. 23-X-X



Street, with no apartments, and offering wider driveways/roads for visitor parking. The patio homes included in the plan are a great option, as we feel like there is a really high demand for smaller houses like that for our area. It would be nice to see more of those patio homes in the plan, and fewer townhomes. Again, more parking space seems needed in the development, as older owners will often have family gatherings, and a need for wider streets (these long driveways), so there can be parking on both sides of the street would be especially helpful. Parking seems to be a problem with the area that was developed west of Smiths. Access for emergency vehicles also remains a concern.

The high number of units I think would also adversely impact the traffic flow. I understand that the original plan tried to prevent the traffic from coming through Pleasant View Drive and Flint Meadows to exit onto Flint Street with gates. But I also know that gates can eventually be opened up. That is only a temporary fix that pushes the problem down the road. Regardless, if there are even 100 additional cars trying to get out of the new development just a few feet down from cars trying to get onto Flint Street out of the Flint Meadows neighborhood and the business park, the congestion and wait times and potential for accidents will greatly increase. I would love to see a plan for traffic mitigation included with the final plans on this project.

There are several spots throughout the city where traffic has become so bad that it is hard to travel comfortably through the city. In our area, 200 N, and Flint Street back up on a regular basis. While having two lanes in both directions on 200 N. has been helpful, it is still often difficult to turn out of the subdivisions west of Smiths. Flint Street does not have the luxury of four lanes. With only a single lane in both directions, people trying to get onto Flint Street often have to turn right (on either side of the street) and turn around or go around blocks. Some time ago we spoke with a police officer about traffic concerns and the viability of a light or four way stop on the corner of Flint Street and Flint Meadows Drive. We were told that neither was an option because traffic can back up from the corner of 200 N. and Flint Street and can also regularly back up through the Phillips and Flint Street intersection into the Flint Meadows Intersection. We suggested a roundabout for Flint Street and Flint Meadows. At the time, the officer said that they did not have the space for a roundabout there, but since then, they've tested roundabout over by Ponds Park that has been highly successful and will soon be made permanent. That could then perhaps become an option for Flint Street. If 84 units are allowed at 391 Flint Street, the number of car trips in and out of our neighborhood and area could triple. We need safe ways to get out of our neighborhood, and safe ways for them to get out of their neighborhood without a lot of traveling through each other's neighborhoods. We will need the traffic issues mitigated. And some of those costs should be

carried by the developer.

I serve as advisor the Kaysville Youth City Council. Every year they take issues relevant to the city and debate them. Traffic congestion and high density are almost yearly on their mind. Recently they discussed how it seemed that only Townhomes were being built anywhere. They've been grateful for changes to city codes that make basement apartments and smaller lots but with open spaces available. But they still want to believe that they can move back to the city and live in a house with a yard. They really love the smaller patio homes for couples who want to downsize but remain in the city, because then they can sell their homes to younger families who still want to live that Kaysville dream. We don't want to see zoning changes that create such high density that we start to lose our personality as Utah's Hometown.

While we support the zoning changes, and even the potential for small offices, we believe this proposal has unnecessarily high density.

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From: noreply@civicplus.com
To: [Melinda Greenwood](#); [Mindi Edstrom](#); [Dan Jessop](#); tozybarrus@gmail.com; slyon.planning@gmail.com; wilfsommerkorn@live.com; kkeetch1@gmail.com; lottfam@centurylink.net; codyrbranch@gmail.com; pablotodorojo@gmail.com; josh_sundloff@yahoo.com
Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, December 7, 2022 12:10:29 PM

Contact the Planning Commission

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

Name	Rodney Wright
Email Address	
Address	
City	Kaysville
State	UT
Zip Code	84037
Phone Number	
Your Message	We agree with the staff recommendation for approval of the rezone of 391 North Flint Street. Although we currently live in a single family home, we have lived in a townhome previously and enjoyed it very much. We are getting older and are considering moving back to a townhome because of the reduced yard work and maintenance requirements that it would provide. We love Kaysville but the type of dwelling space that this development would offer is currently very lacking in our city. We think that the proposed development would only add to the quality of life in Kaysville and not detract in any way. We urge the commission and council to approve the rezone request. Rod and Linda Wright
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Upload an Attachment	<i>Field not completed.</i>
Upload an Attachment	<i>Field not completed.</i>

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From: noreply@civicplus.com
To: [Melinda Greenwood](#); [Mindi Edstrom](#); [Dan Jessop](#); tozybarrus@gmail.com; slyon.planning@gmail.com; wilfsommerkorn@live.com; kkeetch1@gmail.com; lottfam@centurylink.net; codyrbranch@gmail.com; pablotodorojo@gmail.com; josh_sundloff@yahoo.com
Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, December 7, 2022 11:24:18 AM

Contact the Planning Commission

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

Name	Gary Mumford
Email Address	[REDACTED]
Address	[REDACTED]
City	KAYSVILLE
State	UT
Zip Code	84037
Phone Number	[REDACTED]

Your Message

Planning Commissioners:
Regarding Proposed Development at 391 N Flint Street:
I have four suggestions for you to consider:
(1) Transition between commercial and existing neighbors - I appreciate John and Shauna Flint holding meetings regarding the proposed development of their farmland. In the first meeting the developers told the neighbors that there would be transition between Smith's Marketplace and the existing five homes to the north. The proposal submitted to you has apartments and commercial space right next to one of the existing homes. That doesn't seem like a transition. Chapter 1, Goal 7 of the 2022 General Plan states: "Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility."
Suggestion - You may wish to make your motion subject to removing apartments and commercial space next the existing five homes to the north. Under this scenario, the development could still have 82 units, just not apartments or commercial space next to the existing homes to the north.

(2) Housing for residents of all ages including elderly and disabled - In the first meeting the developers said there would be "patio homes" next to the existing neighbors that would be ideal

for an elderly mother. Now the developers are saying that there will probably not be any homes without stairs. The sketch of the patio homes attached to the development agreement shows two-story homes. These two-story homes probably will not really be moderate income housing. The developers would not estimate a purchase price but said that young people just out of college would probably not be able to purchase one of these homes or one of the townhomes. The developers told us that the townhomes would probably be purchased by investors as rentals. The new general plan talks about providing a full range of housing opportunities for the entire life cycle of residents. This property is an ideal location for elderly residents or for a resident with a wheelchair in getting to the stores and shops. Smaller single-story homes for people of any age or ability would better meet the definition of moderate income housing as well as accommodating the life-cycle needs of residents.

Suggestion – You may wish to ask the developers to commit to a certain number of single-level homes. If this number seems reasonable, your motion could include this commitment in the develop agreement.

(3) Parking in the existing neighborhood - Because of the lack of private driveways or a visitor parking lot in the west portion of the development, some residents and guest are likely to park in the existing neighborhood. This would negatively impact the existing neighborhood. The developers told us that if street parking wasn't available, guests or overnight visitors could park in the parking lot for the mixed-use portion of the development. However, the developers are already asking you for concessions because they don't have the required number of parking stalls. It is hard to imagine that a guest visiting someone in the west portion of the development would park at the apartments opposed to parking in the existing neighborhood. It is not unusual for a teenage child to purchase a car, nor is it uncommon for adult children with cars to return to live with parents temporarily. One of the purposes of a PRUD is to establish a better living environment. City code 17-34-5 states that parking amenities shall be evaluated. A small visitor parking lot would result in a better living environment and improved parking amenities. A small visitor parking lot in the west portion of the development would also help mitigate the negative parking impact to the existing neighborhood.

Suggestion – You may wish to request that the developers add a small visitor parking lot somewhere on the west portion of the development and add that to your motion.

(4) Compatibility with surrounding buildings - Nowhere else on Flint Street are there any three-story buildings. City code 17-34-1 states that new construction in already developed areas should, to the greatest extent possible, maintain the established height of the surrounding buildings.

Suggestion – If you decide that two-story apartment buildings would be more compatible with the surrounding buildings, you could request the developers come back with modifications to their proposal.

Gary Mumford
1504 Willow Drive
Kaysville
801-897-1209 (text or call)
garymumford12@gmail.com

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Melinda Greenwood

From: noreply@civicplus.com
Sent: Wednesday, December 7, 2022 5:03 PM
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; Dexter Fisher
Subject: Online Form Submittal: Contact Community Development

Contact Community Development

Questions or comments? Please send them to us by using the comment box or stop in to City Hall to say "hello".

Your Name	Ken Sheffield
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Email	
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Your Message	
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Hello, my name is Ken Sheffield. I am writing to you to give my support for the development in West Kaysville, just north of Smith's. Currently it is owned by John Flint. I have lived across the street from the proposed property and have had a business (LightBox) across the street, as well. I hear there are some people that oppose the project, and I'm guessing they are the ones that opposed the Smith's going in on the corner. I lived there at that time, and I was for the development of Smith's going in. The Smith's development has turned into a great benefit for Kaysville and Kaysville residents. I'm sure everyone that opposed it, is currently using the development and is thankful for it. Now there is another opportunity for Kaysville to get more affordable housing. Right now, my children are at the age of moving out and I am finding it very difficult to find affordable housing, especially in Kaysville. I know that some people don't want to have multi-unit housing, but it is a must for the youth that are trying to make their way in life. That property is perfect for what has been proposed. I'm sure the neighbors would like to have large homes built next to them, but being next to Smith's and commercial development, multi-unit housing makes much more sense. It will also help the businesses around it. So, I just wanted to make sure you are not just getting the negative from people, but the positive, as well. If we only listened to the negative, the Smith's development wouldn't have been built, which would have been bad for everyone. We need more affordable housing in Kaysville, to keep families closer together. It's as simple as that. Thanks for your time.

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Melinda Greenwood

From: noreply@civicplus.com
Sent: Wednesday, December 7, 2022 10:48 PM
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
[REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission

Contact the Planning Commission

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

Name	Lee Cammack
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	Utah
Zip Code	84037
Phone Number	[REDACTED]
Your Message	Change is often difficult, and we all tend to resist change. I have seen a great deal of change in Kaysville since my family first moved here some 63 years ago. Many of us may wish that our community could remain exactly as it was when we first chose to make this our home. However, if that were the case there would not be room for my children and grandchildren, the majority of whom have chosen to make Kaysville their home as well. I am grateful for the changes that have made that possible. I commend you for your efforts to address the needs of Kaysville City by providing a variety of housing types that will meet the needs of growing families and others who may be at different stages of their life. As we look at how to meet the need, I appreciate that you are making this possible by distributing these possibilities throughout the community. This

is clearly preferable to attempts made by some communities to concentrate all of this type of housing into one specific area, often on the fringes of the community. Neighborhoods with a diverse make up clearly enhance our quality of life.

Based on my understanding of the proposed development located at 391 North Flint Street, I support the proposed rezone from A-1 to RM with a Mixed Use Overlay. My support is based on the following points:

1. The proposed development meets a need that I believe exists in our community.
2. The proposed development provides an appropriate transition from the low density residential development to the north (my neighborhood) and the commercial development to the south.
3. The proposed development will provide a much needed second access to our neighborhood increasing safety and emergency access/egress.
4. The development includes important elements that increase connectivity to adjacent amenities including the rail trail and Barnes Park.

Thank you for your service to Kaysville City. I know something of the amount of time and effort required to fulfill your roles. You are some of the unsung heroes that make Kaysville City such a great place. I hope my schedule allows me to be present at your meeting tomorrow evening, but in case I can't, I wanted to express my thoughts and I appreciate that the City has made this tool available.

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December 6, 2022

Planning and Zoning Commission
Kaysville City

RE: Application from John V. Flint & Shauna S. Flint, who are requesting a zone change for 391 North Flint Street from A-1 Light Agricultural District to R-M Multiple Family Residential District.

Dear Planning Commission:

My name is Tony Powell and I currently live at [REDACTED]. I am writing in response to the application for zone change requested by John V. Flint and Shauna S. Flint related to property at 391 North Flint St. My home is located immediately north of the proposed development. I wish to express several concerns for the commission's consideration and note my opposition to the request and development agreement as currently proposed. I would ask the commission require the development agreement to increase the transition between the proposed zone and the existing development and addressing safety and traffic concerns by requiring a lower density for both residential and commercial properties.

The proposed development includes a very high density which is currently unprecedented in Kaysville city. The development with these elevated densities will directly border a long-time existing development with ½ acre residential home sites. If the commission ultimately votes to recommend to the city council, I would request the commission require an increased transition area within the development to smooth the transition between these very extremely different zone densities. This could be accomplished by reducing the density of the apartment complexes located on Flint street, reducing the commercial space permitted as well as eliminating commercial space in any buildings north of the proposed new street within the development. The proposed road is a more natural boundary and transition between high density residential and commercial to lower density residential only. I would encourage all development north of the proposed street not exceed 2 stories and not include commercial space. Additional transition could be accomplished by reducing the height and size of the proposed apartment and commercial buildings.

Traffic and safety concerns also exist which are aggravated by the extreme density proposed. Flow of traffic onto Flint street and additional traffic flow through the existing neighborhood increases this issue. An extremely high density in a new development which directly connects to the existing neighborhood not only increases traffic risks, but fundamentally changes the existing neighborhood. Traffic studies conducted likely focused only on Flint Street and 200 North. Consideration should also be given to the increased traffic flow which will logically occur in the existing neighborhood and other local streets. These risks can be mitigated by a significant reduction in the density proposed.

I fully recognize the need for increased housing options, higher density development and minimizing the use of open space through responsible and intentional development. I believe the proposed goes too far in its residential density and volume of commercial space adjacent to existing zones. I would ask the commission to require increased transition between zones within the development, requiring a much lower residential density, and elimination of commercial space north of the proposed road to address these concerns.

Tony Powell

A handwritten signature in blue ink that reads "Tony K Powell". The signature is stylized, with a long horizontal line extending from the left of the first 'T'.

[REDACTED]
Kaysville, UT 83037
[REDACTED]