



KAYSVILLE CITY COUNCIL
MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a special council meeting on Tuesday, July 2, 2019, starting at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT. A Redevelopment Agency Board Meeting will be held prior to the council meeting at 6:30 p.m.

REDEVELOPMENT AGENCY BOARD MEETING – 6:30 PM

1. Façade Grant Awards.

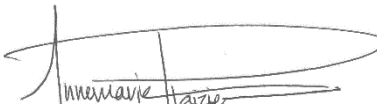
CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member Barber.
2. DECLARATION OF ANY CONFLICTS OF INTEREST
3. CONSENT ITEMS
 - a. Award of Remaining Bid for 200 North Bridge Repair Work.
 - b. Utility Line Clearance Tree Trimming.
4. ACTION ITEMS
 - a. An Ordinance Amending Multiple Chapters of Title 17, Planning and Zoning, to Designate where Major Home Occupation C Businesses are Permitted and to Establish the Process by Which They Are to be Considered.
 - b. An Ordinance Amending Chapter 17-32, “Off-Street Parking and Loading”, of Title 17, Planning and Zoning, to Allow for Wider Drive Approaches in Residential Zoning Districts.
 - c. Fiber Optic Project Professional Services Authorization.
5. WORK ITEMS
 - a. Fiber Optic Discussion.
6. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
7. COUNCIL MEMBER REPORTS
8. CITY MANAGER REPORT
9. 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.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on June 26, 2019.



Annemarie Plaizier
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: July 2, 2019

ITEM NO.: RDA Committee Meeting

TYPE OF ITEM: Action
PRESENTED BY: City Staff

SUBJECT/AGENDA TITLE: Façade Grant

EXECUTIVE SUMMARY:

After receiving this grant from Davis County, we received eight applications. The proposals can be found here:

<https://www.dropbox.com/sh/ni0ksusshbj9bu2/AAC4-7vIGfRyo4QcitsbgzCHa?dl=0>

A citizen group with some staff and Mayor Witt met last week and would like to propose one of two options.

Option 1 is to fund only the Kaysville Theater proposal. The proposal from Kaysville Theater was deemed by the committee to be professional and prepared, and the project itself would be very visible and would alter the look of Main Street in the most profound way. This option also impacts more than just the theater. The shoe repair business, attorney's office, popcorn retailer, and arguably many other businesses would also benefit.

Option 2 would be to fund several proposals including Canyon Gallery, Studio K, Fayes, Wasatch Eye, and Western Art. The total of all of these proposals is around \$34,000. The excess could be given to Kaysville Theater although this amount would not fund their proposal as presented. This would help several businesses with improvements but may not have the effect of Option 1.

Recommended Options: RDA Board to either approve one of the Options, deny, or alter the recommendation.

Fiscal Impact & Fund Source for Recommended Action: \$25,000 commitment to match the grant received.

Attachments: None.

STAFF REPORT



COUNCIL MEETING DATE: July 2, 2019

ITEM NO.: 3a

TYPE OF ITEM: Consent

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Award of Remaining Bid – 200 N Bridge Repair

EXECUTIVE SUMMARY:

Description:

Gerber Construction's repair test section was successful and we would like to award the full contract to complete the repairs, minus the amount paid out for the test section (\$50,708.50). The remaining bid amount for Gerber is \$931,846 (\$64,354 below their original bid, due to the knowledge gained by and results of the test section).

During the test section, CRS performed construction management and observation, including processing of pay requests, verification of quantities and specs and periodic job monitoring. Section "c." of the original contract with CRS called for construction management and observation support but the amount was not specified at the time due to various unknowns. This amount has now been established at \$43,850 to continue the above duties through completion.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: Bridge Settlement Funds

Attachments: Gerber's revised bid and CRS' amended scope of services

815 East 675 South
Lehi, Utah, 84043

Phone: (801) 407-2000
Fax: (801) 407-2058



To: Kaysville City Corporation	Contact:
Address: Kaysville, UT	Phone:
	Fax:
Project Name: 200 North Railroad Overpass MSE Wall Rehab	Bid Number: 19010
Project Location:	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Mobilization	1.00	LS	\$127,741.00	\$127,741.00
2	Traffic Control	1.00	LS	\$48,000.00	\$48,000.00
3	Spall Repair (Less Than 1 Sf)	30.00	EACH	\$250.00	\$7,500.00
4	Additional Wall Coating	30.00	SF	\$50.00	\$1,500.00
5a	Priority 1 Wall Demolition	4,250.00	SF	\$16.00	\$68,000.00
5b	Priority 1 Wall Construction	4,250.00	SF	\$56.00	\$238,000.00
6a	Priority 2 Wall Demolition	2,850.00	SF	\$16.00	\$45,600.00
6b	Priority 2 Wall Construction	2,850.00	SF	\$55.00	\$156,750.00
7a	Priority 3 Wall Demolition	1,700.00	SF	\$16.00	\$27,200.00
7b	Priority 3 Wall Construction	1,700.00	SF	\$65.00	\$110,500.00
8a	Priority 4 Wall Demolition	275.00	SF	\$24.00	\$6,600.00
8b	Priority 4 Wall Construction	275.00	SF	\$65.00	\$17,875.00
10a	Priority 6 Wall Demolition	150.00	SF	\$30.00	\$4,500.00
10b	Priority 6 Wall Construction	150.00	SF	\$70.00	\$10,500.00
11a	Priority 7 Wall Demolition	140.00	SF	\$30.00	\$4,200.00
11b	Priority 7 Wall Construction	130.00	SF	\$80.00	\$10,400.00
12a	Priority 8 Wall Demolition	240.00	SF	\$32.00	\$7,680.00
12b	Priority 8 Wall Construction	240.00	SF	\$70.00	\$16,800.00
13a	Priority 9 Wall Demolition	225.00	SF	\$28.00	\$6,300.00
13b	Priority 9 Wall Construction	225.00	SF	\$72.00	\$16,200.00

Total Bid Price: \$931,846.00

Notes:

- Inclusions:
- Exclusions:
 - Any work not specifically listed in inclusions.
 - Davis-Bacon or Prevailing Wages
 - Payment and Performance Bonds
 - Permits, licensing and other fees
 - Materials Testing
 - Survey
 - Cold Weather Protection

- **Terms & Conditions:**
 - Pricing is all-inclusive and may not be split into separate work packages without consent from Gerber Construction. Gerber Construction maintains the right to adjust bid pricing if bid is to be separated or broken out.
 - Pricing based on a standard 40-hour work week. Generally speaking, this is Monday through Friday, normal working hours. If the Prime Contractor chooses to accelerate the project schedule, thus requiring overtime, a premium for the required overtime hours would be charged.
 - Pricing based on a mutually-agreed upon schedule between the Prime Contractor and Gerber Construction.
 - Pricing valid for 30 days from the day of quotation.
 - All contract language to be in accordance with the laws of the state in which work will occur.
 - Buyer to provide acceptable all-weather access for the employees of Gerber Construction as well as other equipment required to perform the work, i.e. concrete trucks and concrete pump trucks.
 - This quote with its corresponding terms and conditions are to be made a part of the subcontract.
 - Gerber Construction will not be held liable for any delays in schedule due to acts of God, labor disputes, material shortages, etc.
 - This quote based on currently available plans and specifications. Any changes made to the current version of plans and specifications are a change of condition and will require adjustments in pricing.
 - One mobilization has been included in this quote. If additional mobilizations are required, Gerber Construction reserves the right to adjust pricing accordingly.

Payment Terms:

- Payment due 30 days from date of invoice.
- 5% retention will be allowed until 50% of the project is complete. After 50% of the project is complete, no retention will be withheld from monthly progress payments.
- Gerber Construction will invoice for any retainages upon completion and acceptance of the scope of work as detailed above.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Gerber Construction Inc.

Authorized Signature: _____

Estimator: Allen Gerber
801-407-2011 ag@1gerber.com

Amended Scope of Services

Phase V – Construction Management and Observation

Phase V includes construction management and observation as needed to assist Kaysville City in monitoring the progress of the contractor and assuring that construction is being performed to specifications.

Construction Observation

- Daily, or as needed, site inspection
- Monitor traffic control
- Quality assurance testing
- Verify quantities
- Verify general compliance with plans and specifications

Construction Management

- Process pay requests
- Coordinate work between Contractor and City
- Answer questions
- Monitor schedule
- Monitor budget
- Complete project closeout

Professional Service Fee

Based on the assumptions outlined in Appendix A, and using the original fee schedule, we estimate the cost for Phase V to be \$43,850.

Authorization to proceed with Phase V

Acceptance of Authorization

Kaysville City

CRS Engineers

Date

Date



CRS ENGINEERS
Answers to Infrastructure®

PROFESSIONAL SERVICES AGREEMENT

4246 S Riverboat Rd, Ste 200, Salt Lake City, Utah 84109
PH 801-359-5565 / FX 801-359-4272

AMENDMENT No. 1

KAYSVILLE CITY ("CLIENT"), hereby authorizes **CRS CONSULTING ENGINEERS, INCORPORATED** ("ENGINEER"), a Utah Corporation, to provide the services described below subject to the terms and conditions set forth below and in the original Agreement between CLIENT and ENGINEER dated October 23, 2018 which is hereby amended as set forth below.

A. CLIENT INFORMATION:

Client Name: Kaysville City

Representative: Shayne Scott

Address 23 East Center Street
Kaysville, UT 84035

Phone: 801-546-1235

B. PROJECT DESCRIPTION:

Project Name and Location:

KAYSVILLE CITY ENGINEERING SERVICES

Estimated Begin/End Dates:

June 11, 2019 / UNDETERMINED

CRS Project No.: 2018-0381

C. CONTRACT AMENDMENT:

Services not expressly set forth below or within attached Scope of Services or otherwise incidental to or implicit in those services, as determined solely by ENGINEER, are not a service of ENGINEER.

Description of Services: *Engineering services to support the City for various municipal projects. ENGINEER will provide client with specific scope of work, schedule, and fee (based upon the Fee Schedule show in Exhibit A) as work is requested.*

D. COMPENSATION:

ENGINEER shall be compensated as described below or within the Scope of Services attached hereto and by this reference made a part hereof.

Time and Materials contract based upon work as requested by client. ENGINEER will provide client with specific scope of work, schedule, and fee (based upon the Fee Schedule show in Exhibit A) as work is requested.

HAVING READ, UNDERSTOOD AND AGREED TO THE FOREGOING, CLIENT AND ENGINEER, BY AND THROUGH THEIR AUTHORIZED REPRESENTATIVES, HAVE SUBSCRIBED THEIR NAMES HERETO EFFECTIVE THE LAST DATE APPEARING BELOW.

KAYSVILLE CITY

CRS CONSULTING ENGINEERS INCORPORATED

Authorized Signature

By (print):

Title (print):

Date:

Authorized Signature

By (print): John Bale

Title (print): Vice President

Date: June 11, 2019



EXHIBIT A
2019 FEE SCHEDULE

CLASSIFICATION	HOURLY RATE
Engineering	
Principal	\$ 190.00
Senior Project Manager II	\$ 160.00
Senior Project Manager	\$ 150.00
Project Manager	\$ 130.00
Senior Project Engineer	\$ 120.00
Project Engineer	\$ 110.00
Staff Engineer II	\$ 100.00
Staff Engineer I	\$ 90.00
Engineering Intern	\$ 60.00
Environmental	
Senior Project Manager	\$ 160.00
Project Manager	\$ 120.00
Environmental Specialists	\$ 90.00
Wetland Specialist	\$ 80.00
Technicians	
Senior Design Technician	\$ 95.00
Designer/Drafter II	\$ 85.00
Designer/Drafter I	\$ 80.00
GIS Specialist	\$ 90.00
Senior Inspector	\$ 120.00
Inspector III	\$ 105.00
Inspector II	\$ 95.00
Inspector I	\$ 80.00
Survey	
Principle Surveyor	\$ 150.00
Survey Project Manager	\$ 130.00
Project Surveyor	\$ 110.00
Survey Coordinator	\$ 90.00
3 Man Crew	\$ 160.00
2 Man Crew	\$ 140.00
1 Man Crew	\$ 90.00
Software	
IT Consulting / Support	\$ 120.00
Clerical	
Executive Secretary:	\$ 80.00
Clerical II	\$ 60.00
Clerical I	\$ 50.00

*Invoices are due and payable upon presentation. Projects are billed as work progresses.
An account becomes past due 15 days after the date of the invoice.
Projects with a duration of more than one calendar year will be subject to adjusted billing rates.*

STAFF REPORT



COUNCIL MEETING DATE: July 2, 2019
ITEM NO.: 3b

TYPE OF ITEM: Consent
PRESENTED BY:

SUBJECT/AGENDA TITLE:
Utility Line Clearance Tree Trimming

EXECUTIVE SUMMARY: Line clearance tree trimming helps us maintain our clearances and reduce outages due to trees. Asplundh has asked all the municipalities to extend the contract to three (3) years. This will not affect the Terms and Condition/General Agreement.

Council Options: **Approve / Disapprove**

Recommended Options: **Approve Asplundh Rates, this is a nonunion agreement.**

Fiscal Impact & Fund Source for Recommended Action: None. **Submitted in FY20 Budget**

Attachments: **Rates from Asplundh and Trees LLC.**



8581 W. Kelton Lane, Ste 209 Peoria, AZ 85382 Off 623-390-0930 Fax 623-930-0960

May 17, 2019
Mr. Gary Hatch
Kaysville City Power
721 Old Mill Lane
Kaysville, UT 84037

RE: Contract Amendment - Extension

Dear Mr. Gary Hatch,

Asplundh Tree Expert, LLC. appreciates the opportunity we have had to work with Kaysville City Power. As our current contract is set to expire on June 30, 2019, we would like to amend our existing contract, with a proposal to include two-twelve (12) month extensions to begin on July 1, 2019 and a third-twelve (12) month option. All labor and equipment will increase 2% on July 1, 2019, and 2% on July 1, 2020. We have offered a third-year option; on July 1, 2021 with an increase of 2.5% on labor only.

Proposed extensions and rate schedule:

July 1, 2019 – June 30, 2020

Labor Rates	Straight Time Rate	Overtime Rate	40 Hr. Wkly.	160 Hr. Monthly
Foreman/Permitter	\$40.44	\$57.19	\$1,617.60	\$5,470.40
Climber / Trimmer	\$40.08	\$56.03	\$1,603.20	\$6,412.80
Grounds person	\$25.08	\$35.13	\$1,003.20	\$4,012.80

Equipment Rates	Straight Time Rate
Lift Truck	\$14.47
Split Dump	\$9.37
Pick Up	\$8.17
Drum Chipper	\$3.22

July 1, 2020 – June 30, 2021

Labor Rates	Straight Time Rate	Overtime Rate	40 Hr. Wkly.	160 Hr. Monthly
Foreman/Permitter	\$41.25	\$58.33	\$1,650.00	\$6,600.00
Climber / Trimmer	\$40.88	\$57.15	\$1,635.20	\$6,540.80
Grounds person	\$25.58	\$35.83	\$1,023.20	\$4,092.80

Equipment Rates	Straight Time Rate
Lift Truck	\$14.75
Split Dump	\$9.56
Pick Up	\$8.33
Drum Chipper	\$3.28

July 1, 2021 – June 30, 2022 (Optional)

Labor Rates	Straight Time Rate	Overtime Rate	40 Hr. Wkly.	160 Hr. Monthly
Foreman/Permitter	\$42.28	\$59.79	\$1,691.20	\$6,764.80
Climber / Trimmer	\$41.90	\$58.58	\$1,676.00	\$6,704.00
Grounds person	\$26.22	\$36.73	\$1,048.80	\$4,195.20

Equipment Rates	Straight Time Rate
Lift Truck	\$14.75
Split Dump	\$9.56
Pick Up	\$8.33
Drum Chipper	\$3.28

We appreciate the opportunity to submit this proposal to Kaysville City Power for Line Clearance Services and hope that it meets your approval.

As we have in the past, Asplundh Tree Expert, LLC. will remain dedicated to the future of our relationship with the City of Kaysville and the customers you serve.

City of Kaysville:

Asplundh Tree Expert, LLC:

X_____

X_____

Title:

Title:

X_____

X_____

Gary Hatch

From: Justin Cherry <jcherry@trees-llc.com>
Sent: Monday, June 17, 2019 12:20 PM
To: Gary Hatch
Subject: RE: Hourly Rate for line clearance tree trimming

Gary,

After further review, these rates are good through the remainder of 2019.

Any questions let me know

Regards

JUSTIN CHERRY



TREES, LLC.

REGION 492 MANAGER

Cell: 801-857-8904

jcherry@trees-llc.com

*"The best safety device yet devised is a
well-trained careful person"*

From: Gary Hatch <ghatch@kaysvillecity.com>
Sent: Friday, June 7, 2019 3:19 PM
To: Justin Cherry <jcherry@trees-llc.com>
Subject: RE: Hourly Rate for line clearance tree trimming

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Justin,

Would it be possible to get an updated cost for line clearance tree trimming.

Thanks,

Gary Hatch

Kaysville City Power and Light

From: Justin Cherry <jcherry@trees-llc.com>
Sent: Thursday, September 13, 2018 8:58 AM
To: Gary Hatch <ghatch@kaysvillecity.com>
Subject: RE: Hourly Rate for line clearance tree trimming

Gary,
Here are the straight time rates for union employees.

Foreman	\$54.93
Trimmer	\$46.29
Groundman	\$38.22

Equipment Rates	
55' Lift	\$16.97
Self-Feed Chipper	\$5.93
Pickup	\$12.59

Let me know your thoughts and if you would possibly like a crew. Right now we are short handed already and would need sometime to put a crew together.

I look forward to hearing from you

Thanks

JUSTIN CHERRY



TREES, LLC.

REGION 492 MANAGER

Cell: 801-857-8904

jcherry@trees-llc.com

*"The best safety device yet devised is a
well-trained careful person"*

From: Gary Hatch <ghatch@kaysvillecity.com>

Sent: Thursday, September 13, 2018 5:29 AM

To: Justin Cherry <jcherry@trees-llc.com>

Subject: RE: Hourly Rate for line clearance tree trimming

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Justin,
It would be helpful if you could split the rates by classification and equipment type.
Thanks,
Gary Hatch
Superintendent
Kaysville City Power and Light

From: Justin Cherry [<mailto:jcherry@trees-llc.com>]
Sent: Wednesday, September 12, 2018 12:48 PM
To: Gary Hatch <ghatch@kaysvillecity.com>
Subject: FW: Hourly Rate for line clearance tree trimming

Gary,

Hope all is well. Thanks for reaching out to us.

I would be happy to get you some rates. Would you prefer one inclusive rate or would you prefer I split the rates by classification and equipment type?

Let me know

Regards,

JUSTIN CHERRY



TREES, LLC.

REGION 492 MANAGER

Cell: 801-857-8904

jcherry@trees-llc.com

*"The best safety device yet devised is a
well-trained careful person"*

From: Anthony Principi
Sent: Friday, September 7, 2018 8:55 AM
To: Justin Cherry <jcherry@trees-llc.com>
Subject: FW: Hourly Rate for line clearance tree trimming

Kaysville, Utah?

Tony Principi | President | Trees, LLC

650 N. Sam Houston Pkwy E. | Houston, TX 77060

☎: 443.838.7174 | ✉: apincipi@trees-llc.com

From: Elvira Ramirez
Sent: Friday, September 7, 2018 9:25 AM
To: Trees Inc Bid Review <TreesInc-BidReview@trees-llc.com>
Subject: FW: Hourly Rate for line clearance tree trimming

From: Gary Hatch [<mailto:ghatch@kaysvillecity.com>]
Sent: Friday, September 07, 2018 9:24 AM
To: Elvira Ramirez <eramirez@trees-llc.com>
Subject: Hourly Rate for line clearance tree trimming

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Could we get an hourly rate or cost for line clearance tree trimming and some removal. This should include a 3 man crew with Bucket truck, chipper, pickup truck and all the necessary equipment.

Thank You
Gary Hatch
Superintendent
Kaysville City Power and Light

STAFF REPORT



MEETING DATE: July 2, 2019

ITEM NUMBER: 4a

TYPE OF ITEM: Action

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: An ordinance amending Multiple Chapters of Title 17, Planning and Zoning, to Designate where Major Home Occupation "C" Businesses are Permitted, and to Establish the Process by Which They are Considered

EXECUTIVE SUMMARY:

Recently the Kaysville City Council approved an ordinance to create the Major Home Occupation 'C' category for home businesses. These businesses are required to be licensed, but have been identified as businesses that can be licensed without the need for a public meeting and conditional use permit.

The proposed ordinance designates the zones where the Major Home Occupation 'C' businesses may be allowed and lists them as a permitted use in each.

Staff has proposed that they be allowed as a permitted use in all agricultural and residential zoning districts.

RECOMMENDED OPTIONS:

As of the date of this report, the Planning Commission has not voted on this item. They are scheduled to hold a public hearing and vote on the item at their meeting on June 27th.

ATTACHMENTS:

Attachment 1: Home Occupation 'C' Ordinance

Attachment 2: Proposed Ordinance



17-26-4a Major Home Occupations C

Businesses which qualify as a major home occupation C are those businesses which are run by the resident(s) of a home without outside employees, that may have by appointment no more than one (1) customer at a time unless otherwise stated.

The following regulations shall apply to all major home occupations C:

1. The use shall be conducted primarily within the dwelling site and carried on by the inhabitants thereof and no others.
2. The use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of sounds, noises, or vibrations.
3. Only one customer shall be permitted at any point in time and must be a scheduled appointment, no walk-in business shall be permitted.
4. No more than 400 square feet, or 20 percent of the gross floor area of the dwelling, may be used for the home occupation. (The least restrictive shall apply.) Accessory buildings as allowed in the zone district may be used for the home occupation as permitted. The home occupation shall occupy no more than five percent (5%) of the lot area.
5. There shall be no signs present on the property except for one wall sign, not to exceed one square foot, indicating the address and the occupant's name, for example, Joe Doe - Accountant. See Name Plates in [KCC Chapter 17-33](#), Sign Regulations.
6. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental retail sales may be made in connection with other permitted home occupations; for example, a single-chair beauty parlor would be allowed to sell combs, hair spray, and other miscellaneous items to customers. However, a dressmaker would be required to do only custom work for specific clients and would not be allowed to develop stocks of dresses for sale to the general public on-site.
7. There shall be no exterior storage on the premises of material used in the home occupation nor of any explosive material. No activity shall be allowed which would interfere with radio or television transmission in the area; nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
8. The home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accommodate needs created by the home occupation of not less than one parking space for each 200 square feet of floor area devoted to the home occupation.
9. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
10. Parties for the purpose of selling merchandise or taking orders shall not be held more often than four times each month.
11. Notwithstanding any provision contained herein to the contrary, garage, basement, yard, or other similar sales shall be permitted not more than twice a year, and each sale shall not last more than two (2) consecutive days.
12. Only vehicles less than 22 feet in length that would be commonly identified for use of a residence are permitted in conjunction with a Home Occupation C.
13. Major home occupations C may include, but are not necessarily limited to the following:

1. Any use allowed as a minor home occupation;
 2. Single-chair estheticians, beauty parlors, and barber shops;
 3. Small group lessons for school tutoring and music lessons not to exceed 4 students at a time.
 4. Dressmaking;
 5. Daycare for 2 or less children; and
 6. Massage therapy.
14. While not all business types are listed under Subsection 13 of this section, those businesses which are specifically identified in another home occupation category must follow the regulations and processes of the category where they are listed.
15. Upon approval of a business license, notice will be mailed to properties within 100 feet of the major home occupation C to inform them of the approved business activity.

HISTORY

Adopted by Ord. [19-05-02](#) on 5/2/2019

**KAYSVILLE CITY
ORDINANCE 19-07-01**

AN ORDINANCE DESIGNATING ZONES WHERE THE HOME OCCUPATION 'C' USE IS PERMITTED.

AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF TITLE 17, PLANNING AND ZONING, TO DESIGNATE WHERE MAJOR HOME OCCUPATION C BUSINESSES ARE PERMITTED AND ESTABLISH THE PROCESS BY WHICH THEY ARE TO BE CONSIDERED.

WHEREAS, Kaysville City has determined that certain home business types are appropriate to consider as permitted uses; and

WHEREAS, a previous ordinance has been passed to create a new home occupation category; and

WHEREAS, whereas a public hearing has been held to consider the proposed ordinance;

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

SECTION 1: **AMENDMENT** “17-8-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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. Publicly owned treatment works.

10. Two household pets.
11. Parking lot accessory to uses allowed in this Zone District.
12. Private swimming pool subject to the provisions of [KCC 17-31-9](#).
13. Single-family dwelling.
14. 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.
15. 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.
16. 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 semipublic building on an adjoining parcel of land.
17. Farms devoted to the raising, breeding, keeping and training of horses.
18. 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.
19. Minor home occupations subject to the provisions of [KCC 17-26](#).
20. [Major Home Occupation 'C' subject to the provisions of KCC 17-26](#).

SECTION 2: **AMENDMENT** “17-9-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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. Two household pets.
8. Parking lot accessory to uses allowed in this Zone District.

9. Private swimming pool subject to the provisions of [KCC 17-31-9](#).
10. Single-family dwelling.
11. 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.
12. 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.
13. Minor home occupations subject to the provisions of [KCC 17-26](#).
14. [Major Home Occupation 'C' subject to the provisions of KCC 17-26](#).

SECTION 3: **AMENDMENT** “17-10-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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](#).

SECTION 4: **AMENDMENT** “17-11-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

SECTION 5: **AMENDMENT** “17-12-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

SECTION 6: **AMENDMENT** “17-13-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

SECTION 7: **AMENDMENT** “17-14-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-14-3 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. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

SECTION 8: **AMENDMENT** “17-15-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-15-3 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. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

SECTION 9: **AMENDMENT** “17-16-3 Permitted Uses” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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](#).

SECTION 10: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 11: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 12: **EFFECTIVE DATE** This Ordinance shall take affect 20 days after being passed and adopted by the Kaysville City Council Council.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Garn	_____	_____	_____	_____
Council Member DeCaire	_____	_____	_____	_____
Council Member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

STAFF REPORT



MEETING DATE: July 2, 2019

ITEM NUMBER: 4b

TYPE OF ITEM: Action

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: An ordinance amending Chapter 17-32, "Off-Street Parking and Loading," of Title 17, Planning and Zoning, to allow for wider drive approaches in residential zoning districts.

EXECUTIVE SUMMARY:

Multiple residents have expressed interest in the ability to have wider curb cuts (drive approaches) largely due to 4 car garage homes being built. Staff has reviewed this request regarding its impact on the storm drain system, utility placement, and traffic impacts believes that it is appropriate to consider a change to the city's ordinances to allow for wider curb cuts.

Currently a residential drive approach is limited to 30 feet in width; the proposed ordinance would increase this to 40 feet. The current number of approaches and separation requirements in ordinance as proposed would remain the same.

RECOMMENDED OPTIONS:

As of the date of this report, the Planning Commission has not voted on this item. They are scheduled to hold a public hearing and vote on the item at their meeting on June 27th.

ATTACHMENTS:

Attachment 1: Proposed Ordinance



**KAYSVILLE CITY
ORDINANCE 19-07-02**

**AN ORDINANCE INCREASING THE ALLOWED WIDTH OF CURB CUTS IN
RESIDENTIAL DISTRICTS**

**AN ORDINANCE AMENDING CHAPTER 17-32, OFF-STREET PARKING AND
LOADING, OF TITLE 17, PLANNING AND ZONING, TO ALLOW FOR WIDER DRIVE
APPROACHES IN RESIDENTIAL ZONING DISTRICTS.**

WHEREAS, Kaysville City has determined it is in the best interest of the residents of the city to permit wider drive approaches based on the increased number of homes being built with garage space for more than three vehicles; and

WHEREAS, the Kaysville City Planning Commission held a public hearing and voted to recommend approval of the proposed ordinance;

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

SECTION 1: **AMENDMENT** “17-32-2 Off-Street Parking” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-32-2 Off-Street Parking

1. **General.** There shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity, minimum off-street parking space with adequate provision for ingress and egress by standard-size automobiles in accordance with the requirements herein. Parking for each use shall be provided within the same zone district as the use. Only parking for permitted or conditional uses in the residential zone districts is allowed in residential zone districts.
2. **Size.** For the purpose of this section, one parking space shall be assumed to be two hundred (200) square feet, exclusive of adequate interior driveways.
3. **Access.** Adequate ingress and egress to all users shall be provided as follows:
 - a. Access for all uses except residential shall be by a maximum of one (1) driveway for each one hundred feet (100') of frontage on a public street, such driveways to be not over thirty-eight feet (38') in width. The City Engineer may allow wider driveways or more driveways based upon a traffic study, anticipated large truck traffic or high traffic volumes or other applicable factors.

- b. Access for residential uses shall be by a maximum of two (2) driveways for each seventy feet (70') of frontage on a public street, such driveways to be not over ~~thirty~~ ~~forty~~ feet (40~~30~~) in width, or less than ten feet (10') in width.
 - c. Access driveways shall not be closer to each other than twelve feet (12').
 - d. No residential driveway shall be closer than twenty feet (20') measured along the property lines to the point of intersection of two property lines at any corner.
 - e. In a commercial zone, no driveway shall be closer to an intersection of two streets than forty feet (40'). Combined driveway widths shall not cover more than fifty percent (50%) of the lot frontage.
 - f. Height, location, structural specifications, maximum and minimum curb radii permitted, and minimum roadway approach angles to the center line of the street are subject to City standards.
4. **Floor Area Defined.** Floor area in the case of offices, merchandising or service types of uses shall mean the gross floor area.
5. **Alternatives to On-Site Parking.** For any new use, structures, or building other than a dwelling, required off-street parking which due to the size or location cannot be provided on the premises may be provided on other property not more than five hundred feet (500') distant from the nearest point of the parcel, or for a use in a CC Commercial District, not more than six hundred feet (600') distant.
6. **Parking Areas, Development and Maintenance.** Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile, farm equipment, or other open-air sales lot, shall be developed and maintained in accordance with the following requirements:

- a. Public parking areas in all zones except Professional Business (PB), General Commercial (GC), Central Commercial (CC), and Light Industrial (LI) shall be separated from the property lines abutting streets by landscaped buffers of not less than four feet (4'). Public parking areas within ten feet (10') of residential uses shall be separated from property lines abutting residential uses by a screening fence.

Public parking areas in the Professional Business (PB), General Commercial (GC), Central Commercial (CC) and Light Industrial (LI) Zones shall be separated from the property lines abutting streets by landscaped buffers of not less than ten feet (10').

Public parking areas in the General Commercial (GC) and Light Industrial (LI) Zones shall be separated from property lines abutting residential districts by landscaped buffers of not less than ten feet (10'). Such landscape buffers shall include at least one (1) two inch (2") caliper tree for every thirty linear feet (30') of landscaping. Public parking areas abutting residential districts shall also be adequately screened for noise and air pollution. Such screening may include a solid wall as determined by the City.

At least ten (10) square feet of landscaping for each parking space shall be provided within off-street parking areas. Such landscaping shall be in addition to the required landscaped setback areas and consist of at least fifty percent (50%) live plant materials. The remaining fifty percent (50%) may include mineral or nonliving organic permeable material such as rock or bark mulch.

The landscaping requirements of this subsection shall apply to the development of a new parking area, the expansion of an existing parking area, or an existing parking area where the building which uses the parking area is being expanded by fifty percent (50%) or more.

- b. Parking areas shall be graded for proper drainage.
- c. Every parcel of land hereafter used as a public parking area shall be paved with an asphalt cement concrete or portland cement concrete surface; shall have appropriate bumper guards where needed; and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles.
- d. Lighting used to illuminate a parking area shall enhance the safe circulation of pedestrians and vehicles and reflect light away from any adjoining properties or uses. Lighting of pedestrian ways is recommended.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Garn	_____	_____	_____	_____
Council Member DeCaire	_____	_____	_____	_____
Council Member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

STAFF REPORT



COUNCIL MEETING DATE: July 2, 2019

ITEM NO.: 4c

TYPE OF ITEM: Action

PRESENTED BY: City Staff

SUBJECT/AGENDA TITLE: Fiber Optic Project Professional Services Authorization

EXECUTIVE SUMMARY:

The Technical Advisory Committee for fiber to the home project has been meeting for several months. The Committee has gathered information from citizens through surveys and open houses. The Committee has reviewed and studied technical and financial information for the project. The Committee made a presentation to the Council with a recommended action plan at the last meeting.

The purpose of this item is for City Council to discuss and potentially authorize up to \$200,000 in expenses for Legal, Public Relations, Financing, and other Fiber related project consulting services. This amount will be funded from the Kaysville City General Fund and later reimbursed as part of the project funding when authorized.

Recommended Options: City Council to either approve, deny, or alter the Fiber Optic Committee recommendation.

Fiscal Impact & Fund Source for Recommended Action: Not to exceed \$200,000 in consulting services.

Attachments: Fiber Committee Recommendation

Fiber to the Premise Project Recommendations:

- We strongly recommend that the Kaysville City Council proceed with a project to install fiber optic cable throughout the City. We don't feel that the City can afford to wait any longer. Not having fiber connectivity within Kaysville City will become a negative impact on home values and business interest within Kaysville in the future.
- The feasibility study indicates that a significant majority of responses supported the City facilitating the improvement of connectivity within the City.
- We feel it is very important that Kaysville City own the fiber infrastructure and operate it as an open competitive network. An open network means that any provider can offer services to residents if they agree to a network access agreement.
- Based on financial modeling and information from various sources, we recommend the City employ the utility model where all residents contribute to the installation of the fiber infrastructure but are not obligated to connect their home to the infrastructure or purchase any services from providers who operate on the infrastructure. We feel this model provides the lowest risk, best long-term value, lowest overall cost to residents and most competition for services.
 - To reduce the concern of residents paying the utility fee before they can obtain any services, we also recommend that the city be segmented into approximately 50 separate sections. As each section has the fiber network installed and residence connections are available, then each residence in that section will be assessed the fiber network fee. Based on available information, 1 or more sections could be installed each month with installation of the fiber taking about 3 years to reach all sections of the city.
 - Further we recommend that operating costs of the network only be assessed to residences that have connected to the network. This can be done as part of the ISP fee or shown as a separate component of the fees.
 - The lowest cost financing for the fiber project would be to issue General Obligation bonds.
 - This bonding would require a vote of the residents to approve the bonds.
 - The bonds would be paid through the monthly fiber utility fee, but will be backed by the taxing authority of Kaysville City
 - We would recommend 30 years bonds given the current rate difference between shorter- and longer-term bonds and also include an early payoff option.
 - We would also encourage the Council to have the Utility fee sunset after the bonds are paid off and an appropriate reserve is established such that it doesn't become a forever fee or tax.
 - If the City Council doesn't want to force 100% of residents to be subject to the Utility Fee, they could create an "Opt Out" process that would allow a limited number of residents to submit an application to be exempted from the Utility. We modeled this limited Opt Out at about 20% or 1,700 residences. If the Opt-out process is implemented, a procedure for future re-entry to the Utility would also need to be defined so that those residences pay their fair share of the infrastructure costs.

- If the Utility model is not found to be acceptable, then we would recommend that the City Council pursue the subscriber model – where only those residents who desire to connect to the fiber network would be obligated to pay for the infrastructure installation.
 - The subscriber model will cost participating residents more and carries more risk to the City as it is highly dependent on the number of residents who sign up to connect to the network (or the take rate).
 - A minimum take rate for success in this model would be between 35 and 40% of residents signing up for connections.
 - This model will require some funding backstop from the City on the bonding obtained to complete the project similar to what revenue bonds may require.
 - The bonding may be accomplished through a 3rd party agency, like UIA, which would not then be shown on Kaysville financial statements.
 - Take rate risk may be mitigated by asking interested residents to make a fully refundable deposit (say \$200) to help the City know how many people would participate. It would also allow for prioritization of sections with the greatest interest. If enough interest is not generated, the City could refund the deposits and not implement the project. The deposit method could also be employed in the utility model to help prioritize sections for installation.
- No matter which model the City Council determines to utilize for the fiber project, we encourage the City Council to allocate resources for professional services to help the fiber project get started sooner rather than later. The professional services would include Project Management, Legal, Public Relations and Financing. The amount needed is estimated to be \$200,000 and could be repaid as part of the project financing.
- We do not recommend that the City Council defer action on this project and maintain the current status quo within Kaysville.