



MEETING NOTICE AND AGENDA AMENDED

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, August 20, 2020, starting at 7:00 P.M. in the **Business Resource Center of the Davis Technical College, 450 South Simmons Way, Kaysville, UT.**

In consideration of the COVID-19 pandemic, attendance will be monitored by the Kaysville City Police Department and will be limited to less than 50 individuals, including Council, Staff and Applicants. Because of the room occupancy limitation, it is encouraged that those wishing to watch the meeting do so by viewing the meeting online. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

Masks are recommended, and all of those in attendance will be required to participate in a socially distant manner.

For those wishing to direct comments to the City Council regarding public hearings or items on the agenda can do so in-person, or email comments to publiccomment@kaysvillecity.com. Due to coronavirus concerns and in order to minimize multiple individuals physically touching sign-up sheets and other materials, **members wishing to speak during an Action Item or during Call to the Public MUST sign-up to speak Before 4:00 P.M. on the day of the Council meeting by going to www.kaysvillelive.com**. No participation using Zoom will be available.

CITY COUNCIL MEETING – 7:00 P.M.

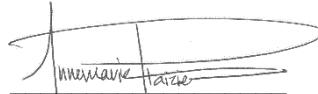
The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member Tami Tran.
2. RECOGNITIONS AND PRESENTATIONS
3. DECLARATION OF ANY CONFLICTS OF INTEREST
4. CONSENT
 - a. Approval of the Minutes of July 16, 2020.
 - b. Approval of the Minutes of July 29, 2020.
 - c. Approval of purchase for emergency medical equipment – Fire Department.
 - d. Approval of purchase for Ermco transformers – Power Department.
 - e. Approval of purchase to replace tilt deck equipment trailer – Public Works.
 - f. Approval of purchase for road salt – Public Works.
 - g. Award of Bid for the Kaysville Pedestrian Bridge in the East Mountain Wilderness Park.
5. ACTION ITEMS
 - a. Consideration of development agreement and rezone of approximately 0.425 acres of property at 263 East 100 North from the R-D (Residential Diverse) to the R-M (Multi-Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for common open space subdivision with a private drive – Jerry and Michael Larsen.
 - b. Preliminary Plat for the Jerry Larsen Subdivision at 263 East 100 North – Jerry and Michael Larsen.
 - c. Fiber Ballot Resolution clarification changes recommended by Lt. Governor's office.
6. WORK ITEMS
 - a. Introduction to multiple land use ordinances.

7. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN ADVANCE)
8. COUNCIL MEMBER REPORTS
9. CITY MANAGER REPORT
10. ADJOURNMENT

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

I hereby certify that I posted a copy of the foregoing Notice and Agenda and emailed copies to media representatives on August 14, 2020.

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

Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL
July 16, 2020

Minutes of a regular Kaysville City Council meeting held on July 16, 2020 at 7:00 p.m. in the Business Resource Center of the Davis Technical College at 450 South Simmons Way, Kaysville, UT. A Fiber Project Q&A was held at 5:45 P.M., with a Public Hearing following at 6:00 P.M.

Council Members present: Mayor Katie Witt, Council Member Michelle Barber, Council Member Andre Lortz, Council Member Tamara Tran (via teleconference), and Council Member Mike Blackham.

Excused: Council Member John Swan Adams

Others Present: City Manager Shayne Scott (via teleconference), City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Technology Assistant Jordan Hansen, Police Officer Lexi Benson, Steve Hiatt, Tommy Jeffcott

5:45 P.M. - FIBER PROJECT Q&A

6:00 P.M. - PUBLIC HEARING TO ALLOW PUBLIC INPUT REGARDING (A) THE ISSUANCE AND SALE BY KAYSVILLE CITY, UTAH OF NOT MORE THAN \$22,000,000 AGGREGATE PRINCIPAL AMOUNT OF TELECOMMUNICATIONS, SALES AND FRANCHISE TAX REVENUE BONDS, SERIES 2020; AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2020 BONDS ISSUED UNDER THE ACT MAY HAVE ON THE PRIVATE SECTOR; AND RELATED

Steve Hiatt commented that he supports the City Council and what they do for the city. Mr. Hiatt said he wanted to speak against the issuance of bonds and the fiber project. Internet is already being provided throughout the city, albeit at different service levels. He appreciates that the people will be able to vote on this, as well as that people will only have to pay for fiber if they want it and they will know exactly what it will cost them. While he likes the model that is being proposed, he feels that it's not fully accurate in the long run. The city is pledging city revenues, even though it's not a tax. If we don't get the take-rates and subscriptions we want, the city will end up having to pay for the shortfall through the general fund and there is no way to predict how much that will cost us. The city needs to make sure they are considering all costs and the impacts it will have in the long run.

There were no further comments or questions. Mayor Witt closed the Public Hearing at 6:11 p.m.

7:00 P.M. – CITY COUNCIL OPENING

Pastor Tommy Jeffcott, with the Kaysville Bible Church opened the meeting with a prayer.

RECOGNITIONS AND PRESENTATIONS

PROCLAMATION DECLARING JULY 4, 2020 AS “THE DAY KAYSVILLE CAME TOGETHER, INDEPENDENTLY”

Council Member Barber commented that we had a very unique 4th of July this year as a result of the global pandemic. The pandemic has affected individuals across the world and changed many of our traditional celebrations. Kaysville came together through our independent celebrations leading up to July 4th in different ways. The celebrations held showed unity throughout the city and are especially meaningful during this critical time. Council Member Barber commended our residents for their innovation and resilience, and their coming together as a community.

Council Member Barber read a proclamation declaring July 4, 2020 as “The Day Kaysville Came Together, Independently”, and showed a slideshow of images from the 4th of July celebrations of 2020.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Barber made a motion to accept the following consent items:

- a. Approval of the Minutes of June 4, 2020.
- b. A Resolution accepting Coronavirus Relief Fund Monies from the State of Utah, authorizing an Interlocal Cooperation Agreement to allocate a portion to the County for Economic Aid, and authorizing the city manager to allocate the remainder to city needs.

The motion was seconded by Council Member Lortz.

The vote on the motion was as follows:

Council Member Barber, yea
Council Member Lortz, yea
Council Member Tran, yea
Council Member Blackham, yea

The motion passed unanimously.

WORK ITEMS

FIBER SUPER PARAMETERS RESOLUTION DISCUSSION

Council Member Barber explained that this proposed resolution will allow the City Council to issue bonds contingent upon the public vote on the fiber to the home project.

Council Member Lortz added that the TAC committee is planning for the Council to consider a super parameter resolution at their next Council meeting. That resolution will be published

beforehand for people to review. The resolution outlines the major components of the bond parameters and how much principal will be borrowed. It also includes the total funding the city expects to receive. The coupon rate on the bonds will be between 4 - 5%, but the true interest cost is approximated at 3.15%. The bond will be secured by the fiber infrastructure fees charged to those who subscribe for service, but will also be guaranteed by sales and franchise taxes. There will not be any property taxes pledged for this bond. We anticipate to have a capitalized interest fund for the first 2 years of interest expense so that the bonds don't have any payments due from the project for over 2 years. This allows the project to build and grow subscribers, and doesn't force a high-obligation from the beginning. Also included in the parameters resolution is a reserve fund which would pay the final year of the bonds or protect against a default. However in speaking with the consultants today, they have stated that they don't anticipate that we will need a reserve fund. If that reserve fund is removed from the parameters, it will save 1.4 million dollars in borrowing. Also included in the parameters is the issuance cost, and they plan to reimburse for all expenses for this project through the election so that it will put any monies spent that was authorized previously back into the general fund. Our consultants have suggested that, given the election, the city wait until the end of the year to try to get into bond market. We expect to be getting the funding by February 2021 if the proposition passes. The model includes an estimate of subscriptions needed in order to make this project self-sustaining. We have listed the 4200 home subscription that would be necessary to make this self-sustaining and pay the bond off in 30 years. If we are able to drop off the reserve fund and be able to get the interest rates as they are today, that would drop off another 550 subscribers off of the needed requirement. We expect to have 5000 to 5500 subscribers, which is based off of the number of responses received from the survey sent last October. It will likely take us about 5 years to get those subscribers, and that's why we've tried to prepare to allow for the obligations and allow for the growth to occur over time. If we have a higher subscriber take rate, we will be able to get the bond paid off sooner. Some have expressed some concern about the risk of not being able to get enough subscribers to make this self-sustaining. However the first thing we need is to get at least 50% of the voters to vote for this on the ballot. It is likely that a majority of people who vote for this will subscribe to fiber within the next 5 years or so. Residents seem to be excited about this project. It will bring a lot of value to the city and will help bring competition for these services. There will be lower principal payments for the first 8 years of the bond and so we won't have to be self-sustaining for 4 ½ years. We are also working on how we can expedite construction. If we can build the infrastructure faster it will only help us get more subscriptions.

Council Member Blackham said that he feels the estimated take rate numbers are accurate and is comfortable with the resolution.

Council Member Tran asked what happens if we don't get the percentage take-rate we want.

Council Member Lortz said that if the voters approve this proposition but we aren't able to get the number of subscribers needed to be self-sustaining, then we would have to get a tax subsidy from sales and franchise taxes. At that point we would also likely adjust the rates to those who had already subscribed. There are other aspects that would affect those numbers as well. The model does not yet include businesses subscribers and how their subscriptions would affect the take rate. Businesses with a higher use will help generate revenue faster, reducing the number of homes we would need to subscribe. Council Member Lortz added that the TAC committee just launched a wait list for those interested in Kaysville fiber to sign up. It will help to give us a better idea on how many are ready to commit to this.

Council Member Tran commented that residents have asked her why the city is interested in doing the Kaysville fiber project.

Council Member Barber said that if you look at this from a bigger perspective, data and network connectivity is a necessary part of our lives. We are grateful for those providers who have been around and have taken care of our needs up until now, but their services haven't changed much over the years. By having government come in and facilitate this, it will allow for more private companies to compete to bring greater service and opportunities to the city, through better infrastructure. Infrastructure projects directly benefit the lives of our residents. We have the benefit of learning a lot from other municipal fiber projects and seeing their successes and failures and learning from them. It has put us in the position of being very cautious with this project, and taking the steps necessary to make this successful. Being able to better connect the city to our water meters and power meters will be a great benefit to the city. This is the future for all of us.

Mayor Witt added that fast internet service is a utility. Being able to provide all residents access to a good fiber network is crucial to advances in so many aspects of life, such as healthcare, education, economy, arts and sciences. This paves a road for our future and is why it is important. We gave the opportunity for private businesses to consider coming to our city to build out this infrastructure, but it hasn't happened and is why the city is stepping in.

Council Member Lortz made a motion to move the Fiber Super Parameters Resolution to an action item, seconded by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, yea
Council Member Lortz, yea
Council Member Tran, yea
Council Member Blackham, yea

The motion passed unanimously.

FIBER BALLOT INITIATIVE DISCUSSION

Council Member Barber explained that a lot of work goes into getting something on the ballot and their committee has been working with bond attorneys to make sure we can do it successfully. They are asking the Council to review the proposed ballot language and suggest adjustments, if needed.

Council Member Blackham commented that if the people vote for this and then he will support it, but we need to make sure we are as clear and concise with the language as we can possibly be for our residents. What is being proposed as part of the proposition is a 30 year bond and we don't know what technology will be like in 20 years. There are a lot of unknowns. People need to understand that even though this is not a general obligation bond, it's a revenue bond and there will be an obligation to it through sales and franchise taxes if we don't meet the take rate numbers needed. Council Member Blackham said that he would like to see that the ballot language be adjusted to state that this bond will be backed by sales and franchise tax. As it's written now is a little misleading. If this is voted for by our residents, we ultimately would hope that we will get

enough subscribers to make this self-sustaining. There also shouldn't be a penalty to those residents who want to sign up later on.

Council Member Lortz commented that he had spoken with Council Member Blackham before the meeting about this and reached out to our bond council to ask for a suggestion on the wording. It was suggested that "...backed by Sales and Franchise Taxes, but for which no property taxes will be pledged..." but inserted after "...to finance the costs thereof with a revenue bond obligation..."

Council Member Barber stated that she had spoken with Council Member Adams before the meeting about this addition to the language and he said that he would support the change. The committee will also be sending out a voter information pamphlet later on which will help make things more clear.

Council Member Blackham made a motion to move the Fiber Ballot Initiative to an action item, subject to the changes as discussed. The motion was seconded by Council Member Lortz.

The vote on the motion was as follows:

Council Member Lortz, yea
Council Member Tran, yea
Council Member Blackham, yea
Council Member Barber, yea

The motion passed unanimously.

FIBER RATE SCHEDULE RESOLUTION DISCUSSION

Council Member Lortz explained that this had been reviewed by the Council previously, but a few changes had been made since speaking with Connex, who was one of the winning bidders for this project. After some discussion, they have come to the arrangement that Connex would be able to be an ISP on the network, but will still allow for other providers to be on the network. We are working through those details with their contract. The first change to the proposed schedule was to add the basic service price. They are still in the process of reviewing the details for those who qualify as a HEAT residence or low-income and how they would receive a discount off of the rate. The other prices and service levels have remained the same as proposed previously. The committee wants to make sure it is clear that there are no connection fees. The fiber fees proposed here includes the fiber modem, but not a Wi-Fi router without an additional cost. Our goal is to pay off the bond as quickly as possible before we look at reducing rates. We will have standard rates set for what it will cost for a port on the network. The fiber fee is to fund the construction. The operations and maintenance is funded by port fees that the ISPs will pay to Kaysville. We have begun discussions with other ISPs as well and those are ongoing conversations. As soon as we have commitments we will announce those other ISPs. We are still working with Connex and other business partners in regard to the commercial service level to figure out what is a fair and reasonable fee schedule to charge our businesses. Some businesses have many employees using services all day long and will need a higher bandwidth. Smaller businesses or home businesses will not have that need and we want to make sure we accommodate for all those different levels. There will be an option for those who wish to prepay for the infrastructure with an upfront payment of \$2,700 rather than being charged monthly. Doing so will adjust their monthly ISP rate because

you've removed the fiber fee. Based upon the assumptions in the model, if the bond is paid off in 15 years, paying up front would be equivalent to receiving a 5.5% interest rate on your money, or 9% if it is paid off in 30 years.

Council Member Barber commented that having the option for people to pay the full amount up front is a great option. If someone can pay for it up front, they will have a lower monthly fee to pay.

Council Member Lortz said that they have also listed a no ISP service on the fee schedule. When someone requests to connect to Kaysville fiber they have opted-into the network and will have a \$25.00 a month fiber fee on their utility bill until they end their utilities with the city. They will have the option to cancel their ISP service whenever they want, based upon their agreement with the ISP but will have an obligation to the fiber fee once they have connected to the network. Residents will have their choice on which ISP they want to sign up with. Renters will be able to opt into the network and will pay the fiber fee until they move out. The landlord will not be responsible for that fiber fee. The next resident that moves in will have the option to connect to the network or not. If the upfront payment has been made for that home connection it will be rolled over onto the new homeowner, and they will be considered under the adjusted monthly rate fee as outlined in the schedule.

Council Member Lortz made a motion to move the Fiber Rate Schedule Resolution to an action item, seconded by Council Member Tran.

The vote on the motion was as follows:

Council Member Tran, yea
Council Member Blackham, yea
Council Member Barber, yea
Council Member Lortz, yea

The motion passed unanimously.

CALL TO THE PUBLIC

Steve Hiatt said that he is grateful for the Council's willingness to discuss the fiber project and bond, and thanked them for answering his questions tonight. It was good to have more clarification on this, and appreciates the additional language proposed for the ballot. Mr. Hiatt said that there might need to be more clarification to residents about what would happen if they have opted in previously but choose to not have an ISP anymore. They need to understand that they will still be obligated to pay the fiber fee. Also, the city needs to be careful as to not seem biased in any information that is published in regard to the ballot proposition. Will there be more opportunities for the public to be able to speak in regards to this project and the proposed bond?

COUNCIL MEMBER REPORTS

Council Member Lortz commented that the timeline of the fiber project and the public hearings that will be held are outlined on the kaysvillefiber.com website. Another bond hearing will be held in September, which specified time requirements are outlined by state requirements. We will

also have a public meeting on October 1st regarding the proposition. We want to make sure we have plenty of feedback and input from our citizens, and appreciate the cautions provided to us.

Council Member Blackham said that he met with Jared Tubbs earlier to get more clarification on the needs of our water department. We have some great employees that work hard, but they are in need of more help.

Council Member Tran commented that she has been working with the Community Development department and the business support group, and they've been able to come up with ways to help create business incentives using Cares Act Funding. The Police Department has also helped to come up with a "Kaysville Cash" program.

Council Member Barber said that there are recreation programs available for kids to be able to sign up. The Recreation Department is also following Health Department standards to make sure they are helping to protect everyone who participates in these programs.

Mayor Witt commented that our coronavirus cases in Davis County are still going up and encouraged everyone to commit to the "Moonshot Challenge", where for 55 days people commit to wearing a mask, maintaining social distance, isolating as needed, supporting our health care workers, caring for neighbors, supporting our local businesses, as well as praying for heavenly help to be given relief from this plague.

ADJOURNMENT

Council Member Barber made a motion to adjourn the City Council meeting at 7:45 p.m., seconded by Council Member Blackham and passed unanimously.

KAYSVILLE CITY COUNCIL
July 29, 2020

Minutes of a special Kaysville City Council meeting held on July 29, 2020 at 5:30 p.m. in the Conference Room of the Kaysville City Police Department, 80 North Main Street, Kaysville, UT.

Council Members present: Mayor Katie Witt, Council Member John Swan Adams, Council Member Michelle Barber, Council Member Andre Lortz, Council Member Tamara Tran, and Council Member Mike Blackham.

Others Present: City Manager Shayne Scott, City Recorder Annemarie Plaizier, Parks and Recreation Director Cole Stephens, Information Technology Assistant Jordan Hansen

APPROVAL OF CITY OFFICE REMODEL CHANGE ORDER ON THE PARKING LOT

Mayor Witt welcomed those present.

Cole Stephens explained that it has been discovered that due to wet soil conditions at the city office remodel, it will not be possible to meet compaction requirements of the fill material. Because of this, a change order is being proposed in order to help meet those requirements. This proposal represents weeks of consultation to find the best construction approach and negotiate the best pricing possible. The original potential change order started at \$120,000, but through consultation with the Kaysville City Public Works, AGEK-Applied Geotechnical, Judd Construction and their sub-contractors Staff is presenting a revised change order which represents the best options presented to us and have brought the amount down to just over \$72,000. The parking lot is critical to receiving the occupancy permit for the building. Delays to this process will also delay the occupancy of the building. If we choose not to address the compaction requirements we will void the warrantee on any work done on our parking lot and will take our own risk by doing so.

Council Member Blackham commented that by approving this change order we will be over our contingency with this project by about \$45,000.

Council Member Adams asked about drainage.

Cole Stephens said that through the construction process they discovered that the storm drain which drains the recreation center and senior center's parking lots doesn't exist as they thought. Public Works has been involved in addressing that issue. The contractor has excavated the parking lot to what the constructions plans have called for, but because of this new discovery they will have to adjust the plans in order to meet compaction requirements. Their plan is to excavate another foot or more, and then lay a fabric underlayment. A pit run will be set on top of the fabric, followed by another foot of road base, and then the asphalt will be laid.

Council Member Barber asked why the amount dropped so significantly in the proposed price.

Cole Stephens said that after they discovered the wet soil conditions, AGEK ran some tests and recommended that the contractor dig down an additional 3 feet and then build the ground back up

with pit run. This is what the original \$120,000 amount was based off of. After receiving this quote, Staff worked to try to find other options for us to be able to meet the compaction requirements but find a less expensive way to do it. By not excavating as deeply, we will not run the risk of running into existing utilities which would have to be relocated, and we will also not have to use as much pit run. The city is also contributing some materials to the project that we already had on hand.

Council Member Barber asked, even though we are close to occupancy, if any further change orders will be needed.

Cole Stephens responded that he'd spoken with the contractor and they didn't foresee anything additional.

Council Member Tran asked if the whole block had the wet soil condition and if this is something the contractor should have known about.

Cole Stephens responded that when the police station was built they had a soil analysis test done and wet soil conditions were found. It was the decision of the city hall remodel committee and staff decided to use that soil analysis for this project to try to save money by not doing a second one. Because we didn't have a soil analysis for this exact site, we ran the risk of running into issues. Had we paid for another soil analysis, this change order amount would've been included in the original sums. Another change order was approved earlier in this project which was also due to the wet soil conditions.

Council Member Adams asked what would happen if these materials weren't installed.

Cole Stephens responded that we wouldn't get the compaction needed and the warrantee would be voided on the asphalt, construction on the subsurface, and curb and gutter.

Council Member Blackham asked about the date for their liquidated damages.

Cole Stephens responded that because of the pandemic several delays have happened, some of which were not the fault of the contractor such as us not being able to get equipment because of factories being closed. There has also been some similar delays on our part. We have decided to try to work with the contractor as much as we can so that we can get this project done.

Council Member Adams suggested, if approved, announcing this change order during the next City Council meeting since we don't know how many people know this special meeting was happening tonight.

Mayor Witt asked that Staff give an update on the city hall remodel project at the next City Council meeting.

Council Member Lortz made a motion to approve the city office remodel change order on the parking lot, seconded by Council Member Barber.

Council Member Lortz commented that he is familiar with these types of change orders in his line of work and feels that this is a reasonable request.

Council Member Blackham added that he appreciates all the work that has been done on the project, and all the efforts of Staff that has been involved.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Barber, yea
Council Member Lortz, yea
Council Member Tran, yea
Council Member Blackham, yea

The motion passed unanimously.

Council Member Barber made a motion to adjourn the special City Council meeting at 5:50 p.m., seconded by Council Member Adams and passed unanimously.

CITY COUNCIL STAFF REPORT



MEETING DATE: __20 August 2020

TYPE OF ITEM: Consent

PRESENTED BY: _Shayne Scott_

SUBJECT/AGENDA TITLE: _Emergency medical equipment_____

EXECUTIVE SUMMARY:

Fire would like to purchase (3) lifepacks (current lifepacks are outdated and parts are no longer available), (2) autoloaders (one technician can load and safely distance away from one another), (2) cots (new cots go with autoloaders) , (1) Lucas Device (automatic CPR machine to limit patient contact) with CARES Act funding, \$164,741.76

Committee Options:

- 1) Approve as proposed.
- 2) Request changes prior to giving approval.
- 3) Deny the proposed carports.

Recommended Option: It is recommended that approve.....

Fiscal Impact: _None, CARES Act funding_____

Attachments: __None____



23 East Center Street
Kaysville, UT 84037

Phone: 801-546-1235

Fax: 801-544-5646

Purchase Order No: FIRE-08-5-2020-4

To: STRYKER MEDICAL

Address: P.O. BOX 93308

City CHICAGO State: IL Zip: 60673-3308

Dept: FIRE Issued By: Paul J. Erickson

Quantity	Description	Unit Price	Extention
3	LIFEPACK 15'S	\$ 22,600.59	\$ 67,801.79
2	AUTOLOADERS AND COTS	\$ 40,691.26	\$ 81,382.52
1	LUCAS DEVICE	\$ 15,557.45	\$ 15,557.45
			-
	CARES ACT CL 1085030		-
			-
			-
			-
	SHIPPING ADDRESS		
	175 S. MAIN, KAYSVILLE UT 84037		-
			-
			-
			-
			-
			-
		Total	\$164,741.76


SHAYNE SCOTT
CITY MANAGER

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: August 20, 2020

TYPE OF ITEM: Consent

PRESENTED BY:

SUBJECT/AGENDA TITLE: Material Purchase

EXECUTIVE SUMMARY:

Purchase of Ermco Transformers. Anixter is the sole source for Ermco Transformers in Utah.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal impact & Fund Source for Recommended Action: Submitted in FY20 Budget

Attachments: Quote from Anixter



3130 South 1030 West Suite 2
SOUTH SALT LAKE, UT 84119

TRANSFORMER QUOTE

www.anixterpowersolutions.com

Phone: 801.288.2831
Fax: 801.288.2837

Quotation: U00635569.00

To: **KAYSVILLE CITY CORPORATION**
721 W OLD MILL LANE
KAYSVILLE, UT 84037

Issued Date: **Aug 04, 2020**
Expiration Date: **Sep 03, 2020**

Attn:
Phone:
Fax:

Sales Contact: **Jacob A DeLong**
(P) 801.288.2831
(F) 801.288.2837
jacob.delong@anixter.com

Item	CustLine	Product and Description	Quantity	Price	Unit	Extended
1		50KVA 1PH PAD MNT TRANS 12470GY/7200 - 240/120 LOW PROFILE, ANSI TYPE-II LOOP FEED W/ 200A STRAP NO TAPS, WELLS & INSERTS BAYONET FUSING & ISOLATION LINK SECONDARY BREAKER DEL: 12-14 WEEKS	20	1,865.000	EA	37,300.00
2		75KVA 1PH PAD MNT TRANS 12470GY/7200 - 240/120 LOW PROFILE, ANSI TYPE-II LOOP FEED W/ 200A STRAP NO TAPS, WELLS & INSERTS BAYONET FUSING & ISOLATION LINK SECONDARY BREAKER DEL: 12-14 WEEKS	10	2,401.000	EA	24,010.00
3		10KVA 1PH POLE MNT TRANS 7200/12470Y - 120/240 2-BUSHING CONVENTIONAL NO TAPS 1 SET HANGER BRACKETS DEL: 8-10 WEEKS	6	626.000	EA	3,756.00
4		15KVA 1PH POLE MNT TRANS 7200/12470Y - 120/240 2-BUSHING CONVENTIONAL NO TAPS 1 SET HANGER BRACKETS DEL: 8-10 WEEKS	6	695.000	EA	4,170.00

SECTION TOTAL: \$69,236.00

QUOTE TOTAL: **\$69,236.00**



3130 South 1030 West Suite 2
SOUTH SALT LAKE, UT 84119

TRANSFORMER QUOTE

www.anixterpowersolutions.com

Phone: 801.288.2831

Fax: 801.288.2837

Quotation: U00635569.00

Special Notes

- 1) All items are In Stock unless otherwise noted.
- 2) All item pricing on this quote is valid for thirty days unless otherwise specified.
- 3) All applicable taxes apply.

BY ACCEPTING THIS QUOTE, YOU AGREE THAT THE ANIXTER TERMS AND CONDITIONS OF SALE PUBLISHED AT THE LINK BELOW ARE EXPRESSLY INCORPORATED INTO AND SHALL GOVERN THIS TRANSACTION.

<http://www.anixter.com/TERMSANDCONDITIONS>

Anixter Power Solutions offers the industry's most extensive and dynamic portfolio of products, services and solutions for the Public Power, Investor-owned Utilities, Construction and Industrial markets.

The impacts of COVID-19 cannot be reasonably determined at this time. This quote/proposal does not account for any potential adverse impacts COVID-19 may have on Anixter's performance or obligations herein. In the event of any delays or adverse impacts, Anixter reserves the right for an equitable adjustment of the delivery schedule and prices herein to offset the effects of COVID-19 delays, without fault or penalty of any kind.

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: August 20, 2020

TYPE OF ITEM: Consent

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Replace tilt deck equipment trailer

EXECUTIVE SUMMARY:

Ten to fifteen years ago, Public Works purchased a used 60-ton trailer to haul the excavator we use for water leaks and paving work. We recently discovered a large crack running through the entire frame on the passenger side, while attempts to repair the crack have failed, and the crack has now grown wider.

We need to minimize the amount of time without the trailer (as we cannot transport the excavator without it), so we have shopped around and found a smaller trailer that is available immediately that will still meet our needs. The vendor was willing to discount the purchase price to \$30,500 to help, as this was an unexpected expense that we hadn't budgeted for.

The trailer serves the water, streets and storm water departments, so the funds would be split evenly among the three departments.

Council Options: Approve/Deny

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: General fund, water funds and storm water funds

Attachments: Equipment Sales Invoice

EQUIPMENT SALES, INC.



500 West 2890 South
Salt Lake City, Utah 84115



phone (801) 974-0888
fax (801) 974-0892



Original Invoice

DATE	INVOICE NO.
8/6/2020	200313

SOLD TO

Kaysville City
721 West Old Mill Lane
Kaysville, UT 84037

SHIP TO

TERMS

Due on Receipt

REP

AJL

Sales Date

8/6/2020

FOB

SLC, Ut

DESCRIPTION	AMOUNT
2020 Olympic 30TDT-3 30 Ton Tilt Deck Trailer S/N: TBD	30,500.00
Sales Tax Exempt - Government, Municipal	0.00
FET Exempt	0.00
Thank you for your business!	
Sales Tax (0.0%) \$0.00	
Total \$30,500.00	

Buyer Understands All Units Sold "As-Is, No Warranty" (Except New Eager Beaver Trailers, New Demco Trailers, & New Globe Trailers)

Payments/Credits	\$0.00
Balance Due	\$30,500.00

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: August 20, 2020

TYPE OF ITEM: Consent

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Road Salt Purchase

EXECUTIVE SUMMARY:

Kaysville has used 3 vendors for purchasing road salt over the last 4 years, trying to find what products seem to perform the best and have good supply availability to replenish quickly after large storms. Last year we purchased salt from Redmond Minerals for the first time, and we saw a significant increase in the materials ability to melt snow and ice in lower temperatures, and we were always able to get salt on short notice.

The price of Redmond is 19.4% more than the next best performing salt that we have used, but because the salt performs better, we ended up using 19.3% less salt than with the other material, decreasing the overall expense by approximately 0.76%. While that amount isn't incredibly significant, the use of less salt meant fewer trips back and forth to the salt stockpile to refill, and a better performing salt combining to reduce the amount of time it took to get roads clear by over 2 hours (2 hours spread over 15 to 18 people is significant).

We propose an estimated purchase amount of 1,600 tons, at a purchase price of \$80,384. This amount was budgeted for in the FY21 budget.

Council Options: Approve/Deny

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: General fund

Attachments: NA

STAFF REPORT



COUNCIL MEETING DATE: August 20, 2020

ITEM NO.:

TYPE OF ITEM: Consent

PRESENTED BY:

SUBJECT/AGENDA TITLE: Kaysville Pedestrian Bridge East Mountain Wilderness Park

EXECUTIVE SUMMARY:

Kaysville City received a Davis County Prop One Funding grant in the spring of 2019 for the Kaysville Wilderness Park, Bonneville Shoreline Bridge transportation project. The grant is a 70/30 matching grant, 70% Prop one funding and 30% City match with active transportation funds. The original grant was based on a \$120,000 total project estimate with \$84,000 from Prop One and \$34,000 from Kaysville active transportation funds. We are currently working with Davis County to increase the total project amount of the grant to \$166,600 and keep the 70/30 match to the new amount. DC staff is working on this and we hope to hear back from them by August 20.

Kimley-Horn was awarded the design consulting contract on the March 5, 2020 City Council meeting. In June 2020 an RFB was solicited for the construction of the pedestrian bridge over Holmes Creek in the East Mountain Wilderness Park. Four bids were received on the July 29, 2020 bid due date, see attached bid results. Acme Construction is the low bidder for \$129,100 for the installation and construction of the trail bridge.

Council Options: Approve or Deny

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: FY 21 Budget and Prop One Grant

Attachments: Bid Advertisement, RFB Bid Tabulation, Kimley-Horn Letter, Plan Set



KAYSVILLE CITY CORPORATION

ADVERTISEMENT FOR BID

PEDESTRIAN BRIDGE – EAST MOUNTAIN WILDERNESS PARK RFB 06-20

Date: June 22, 2020

Contact Information: Cole R. Stephens, Parks & Recreation Director – Kaysville Parks and Recreation
85 North 100 East, Kaysville, UT 84037
office phone 801-546-4046, cell phone 801-430-2869, email
cstephens@kaysvillecity.com

Bid Packets: Bid documents can be picked up at Kaysville Parks and Recreation 85 N 100 E.,
M-Th 9:00am to 5:00pm F 9:00am to 1:00pm. Online at BidSync or
<http://www.kaysvillecity.com/departments-services/administration-finance/contracts/bids>

Bid Due: Bids will be received at the Kaysville City Parks and Recreation, located at 85
North 100 East Center Street, until **July 29, 2020 at 2:00 PM**, local time. Bid
extended from July 21 to July 29.(7/9/2020)

Bid Opening: **July 29, 2020 at 2:00pm**, local time. Locations Kaysville Parks and Recreation 85
N 100 E.

Pre-Bid Meeting: Kaysville City invites you to attend a pre bid meeting on **July 8, 2020 at 2:00pm**.
The location of this meeting will be East Mountain Wilderness Park (parking lot)
1625 E. 650 N. Kaysville, UT 84037.

Bid Awarded: Anticipated August 6, 2020

Construction Timeline: Late summer/fall 2020

For any additional questions or comments please contact me at the information listed above.

East Mountain Wilderness Park Pedestrian Bridge					
2:00pm July 29, 2020 Parks and Recreation Building					
	Base Bid	Respondent Name			
		Wasatch West Contracting	Acme Construction, Inc	JRock Construction, LLC	Royalty Services Group
		PO Box 160442 Clearfield, UT	170 South 1200 West North Salt Lake, UT 84054	49 East Gordon Ave Salt Lake City, UT 84107	743 W 2150 S Syracuse, UT 84075
1	Mobilization	\$20,000.00	\$16,000.00	\$1,188.50	\$23,375.00
	Materials Testing	\$4,000.00	\$1,100.00	\$1,188.50	\$1,432.00
	Prefabricated Bridge	\$42,400.00	\$69,000.00	\$61,850.79	\$161,683.00
	Bridge Construction Labor	\$26,000.00	\$11,000.00	\$4,326.12	\$27,500.00
	Abutment Concrete(if applicable)	\$16,600.00	\$12,500.00	\$14,272.20	
	Reinforcing Steel (if applicable)	\$2,600.00	\$4,500.00	\$3,105.00	
	Trail Grading (Approx. XX SF)	\$13,000.00	\$11,500.00	\$71,902.51	\$4,375.00
	Erosion Control	\$4,800.00	\$3,500.00	\$3,565.49	\$1,000.00
	Contractor Misc*	\$20,500.00	\$0.00		\$8,125.00
	Total	\$149,900.00	\$129,100.00	\$161,399.11	\$227,490.00



July 30, 2020

Mr. Cole Stephens
Kaysville City Parks and Recreation Director
85 North 100 East
Kaysville UT, 84037

RE: *Bid Award Recommendation for Pedestrian Bridge – East Mountain Wilderness Park*
Kaysville City Parks and Recreation, UT
Pedestrian Bridge - East Mountain Wilderness Park RFB 06-20

Dear Cole,

On Thursday, July 30, 2020 bids were opened and reviewed for the above-referenced project. Four contractors chose to submit bids for the project. The low bid was submitted by Acme Construction, Inc. in the amount of \$129,100.00.

Upon review of the bid package presented by Acme Construction, we believe their bid to be responsive and complete, meeting all the prequalification requirements of the Request for Bid. It is the recommendation of Kimley-Horn and Associates, Inc. to award the contract to Acme Construction, Inc. We have confirmed that Acme's price includes purchase and installation of a prefabricated pedestrian bridge, materials, labor and testing to construct the abutments, and materials and labor necessary to grade the trail around the bridge and provide required construction access to the site.

Attached to this recommendation letter is a bid tabulation sheet that provides the breakdown for each of the bids received. Thank you for the opportunity to be of service to Kaysville City. We look forward to the successful completion of this project with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Taylor".

Zachary Taylor
Project Manager
Kimley-Horn and Associates, Inc.

Attachments: Bid Tabulation

East Mountain Wilderness Park Pedestrian Bridge					
Bid Tabulation Sheet					
	Addenda	Approach and Equipment	Personnel Qualifications	Performance History	Total Base Bid
Wasatch West Contracting	Yes	Yes	Yes	Yes	\$149,900.00
Acme Construction, Inc	Yes	Yes	Yes	Yes	\$129,100.00
JRock Construction, LLC	Yes	Yes	Yes	Yes	\$161,399.11
Royalty Services Group	Yes	No	No	No	\$227,490.00

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: 8/20/20

TYPE OF ITEM: Action

PRESENTED BY: Community Development

SUBJECT/AGENDA TITLE: Consideration of development agreement and rezone of approximately .425 acres of property at 263 East 100 North from the R-D (Residential Diverse) to the R-M (Multi-Family Residential) zoning district to include the PRUD overlay zone for common open space subdivision with a private drive.

And

Preliminary Plat for the Jerry Larsen Subdivision at 263 East 100 North.

Applicants: Jerry and Michael Larsen.

EXECUTIVE SUMMARY:

The subject property is under consideration for a rezone to accommodate a proposed common open space subdivision on a private street which would include 6 units in a townhome style configuration.

The Planning Commission is tasked with considering the rezone items first to determine if the type of use and development is consistent with the general plan and appropriate at the specific location. The subject property is surrounded on all sides by the R-D district. This zoning district covers a neighborhood with a variety of housing types that developed historically, however the ordinance requires that new development under the R-D zone be single family dwellings only. While the zoning is consistent all the way around this property, the use of land is reflective of the districts history including a variety of housing types.

The development of new single family homes under the existing ordinance would be limited to lots of 8,000 sq. ft. in size, however with the PRUD overlay a common open space subdivision in the R-D district may have a density equal to that allowed in the R-M district. Because a request for the PRUD overlay was required, city staff felt the consideration of the R-M would be appropriate to clarify the different sections of the city ordinance as to what type of housing may be permitted.

The project as proposed includes 2 story townhomes with a footprint of about 900 sq. ft. each. Based on the size of the units and the number of units the project would require 5,800 sq. ft. of open space. The current proposal includes 6,000 sq. ft. of open space. The units would be accessed by a private street that

forms a hammerhead turnaround for the shared driveway that the units front with a zero lot line against the private street, 19 foot yards to the north and south of the units, and an 8 foot yard to the east.

The amount of open space would meet the standard requirement of the common open space provisions, however the following would require approval through an acceptable development agreement:

- Zero lot line, distance between buildings – standard is buildings set back 20’ feet from private street, detached homes standard side yard is 8 feet.

Proposed Zoning: R-M

PRUD Overlay Zone

Existing Zoning: R-D

In addition to the preliminary plat and building elevations, the applicant has provided images of another project they built in Kaysville City to demonstrate the type of landscaping (open grass area) and fencing (masonry wall) that they would propose around this development.

As a rezone, this decision should be looked at based on its compatibility with the City’s [General Plan](#) and how well the proposed development allowed by the zoning district fits at the specific location.

If the project type, rezone, and development agreement terms are acceptable, the commission would then consider the preliminary plat for recommendation to the city council. The plat is not feasible without the rezone items.

Council Options: Ask for more detail or clarification, move to action item agenda.

Recommended Options: The Planning Commission voted unanimously to recommend approval of the proposed rezone and development agreement. As a legislative item the City Council has broad discretion as to whether or not to approve the rezone or development agreement. The Council may approve, deny, or a requests variations of the proposal. Should the Council wish to see changes or additional items in the development agreement, it is the recommendation of city staff that this proposal return to the commission for review of the items it requests before moving forward for review by the city council.

The Planning Commission recommended approval of the preliminary plat with the condition that the final plat have an additional 1 guest parking stall for unit. This motion passed with a unanimous vote.

Fiscal impact & Fund Source for Recommended Action: N/A

Attachment 1: Area Map

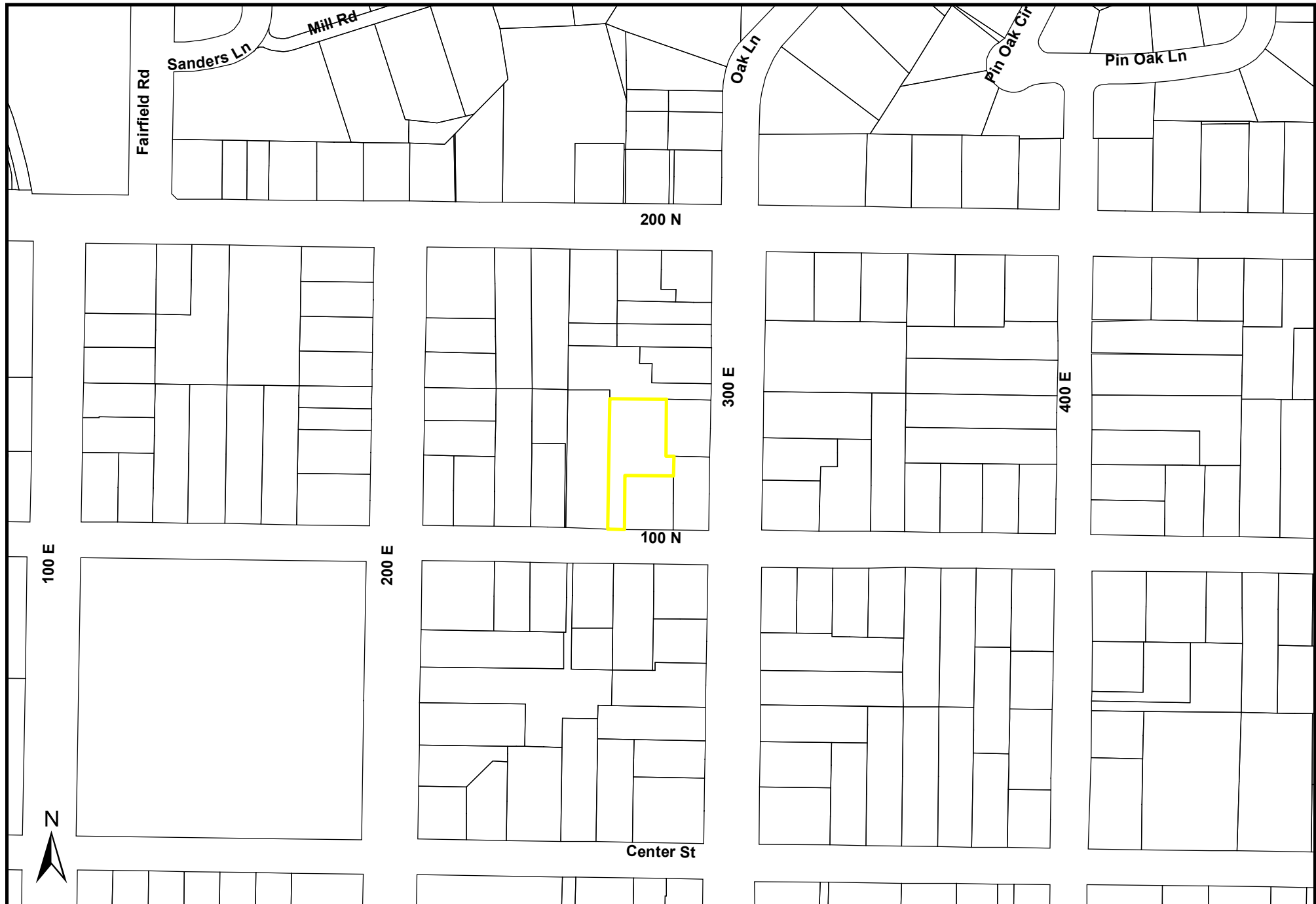
Attachment 2: Zoning Map

Attachment 3: Preliminary Plat

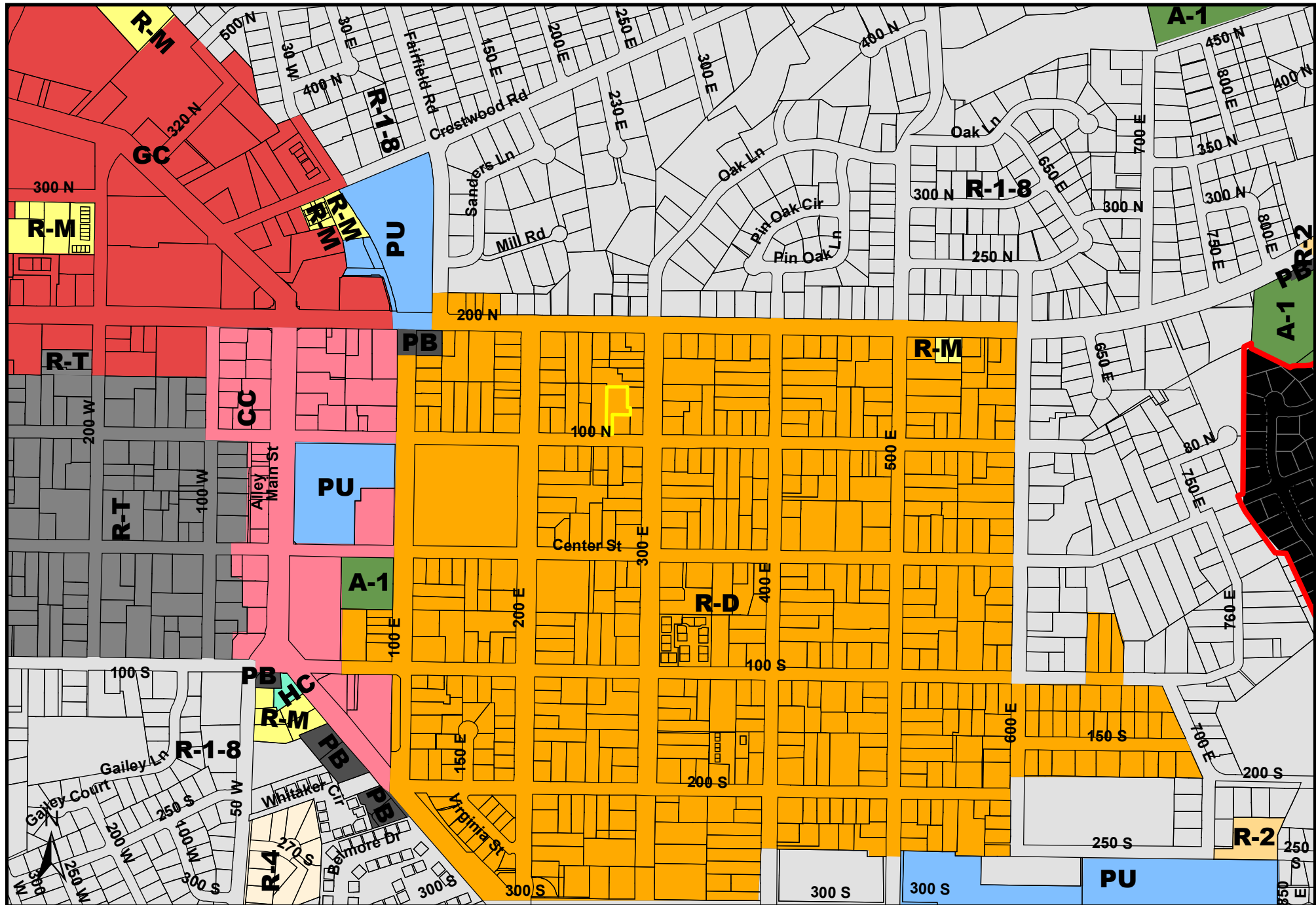
Attachment 4: Development Agreement

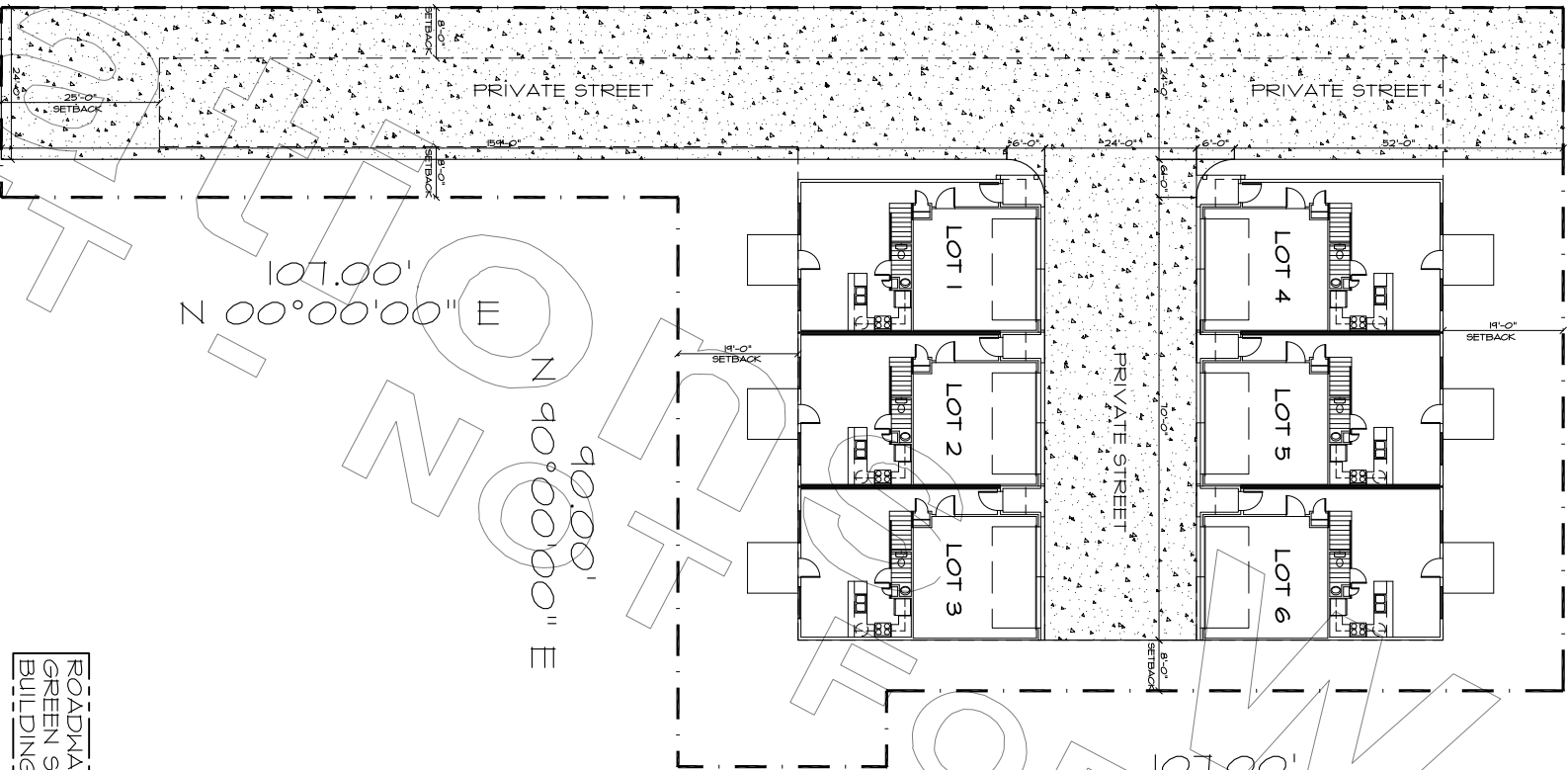
Attachment 4: Rezone Ordinance

263 E 100 N - Rezone From R-D to R-M PRUD



263 E 100 N - Rezone From R-D to R-M PRUD





ROADWAY AREA: 6716 SQ. FT.
GREEN SPACE: 6008 SQ. FT.
BUILDING AREA: 6002 SQ. FT.



SCALE : 1" = 30'

MIKE LARSEN
ADDRESS/LOT PLAT
CITY, STATE

When Recorded, Return to:
Kaysville City
Community Development Office
23 East Center Street
Kaysville, UT 84037

Affecting Tax Parcel No.: _____

**DEVELOPMENT AGREEMENT
FOR A COMMON OPEN SPACE SUBDIVISION**

THIS AGREEMENT is made and entered into this ____ day of _____, 2020 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the “City”), and Jerry Larsen (hereinafter the “Developer;”) (“Developer” includes successors and/or assigns of DEVELOPER), as follows:

RECITALS

WHEREAS, Developer is desirous of developing a townhome subdivision (the “Subdivision”) on certain real property located 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 and the Area Description of Section 1 A.; and

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

WHEREAS, the City is willing to grant the R-M (residential Multi-Family zoning district and PRUD (Planned Residential Unit Development) overlay upon approval of a final plat and to authorize the development of the subdivision 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 Facility shall be developed (the “Property”) 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 parcel # 11-740-0002.

B. Project Description. The project proposed by Developer is a common open space subdivision on a private street, which will consist of 6 residential lots to be developed in substantial compliance with the plan included as Exhibit C.

2. DEVELOPMENT STANDARDS AND GUIDELINES

A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Facility (the “Development Standards”), the following in addition to all other applicable City Ordinances, standards and guidelines:

(1) Architecture. Developer shall construct the Facility in similar compliance and conformance with the Architecture as set forth in Exhibit B, example architecture.

(2) Fencing. Fencing around the project to the north, east, and west shall be masonry as represented in Exhibit D.

(3) Landscaping. Landscaping shall be installed as indicated in the Landscape Plan shown in Exhibit D, being open grass.

(4) Yards. The following requirements shall apply in lieu of standard requirements of the R-M zoning district:

- a. Front Yards abutting the private drive: zero lot line allowed, may need to provide separation for utilities as determined by final plat review.

. Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the Subdivision , in

conformance with the Development Standards and this Agreement, promotes the creation of a desirable residential development in an appropriate location. The City further finds that the development of the Subdivision, 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 of the City.

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 Facility 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 Subdivision, 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, other 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 or within 100 North Street as applicable with the construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that is has authority to proceed with the Subdivision.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Subdivision.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform Developer's obligations hereunder.

The City may withhold approval of assignment, without consequence, if the city reasonably believes that the anticipated assignee will be unable to meet the requirements of this agreement or any City ordinances.

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 that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

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.

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.

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

DEVELOPER

ATTEST:

By: _____

TITLE

TITLE

KAYSVILLE CITY

ATTEST:

By:

Katie Witt
Mayor

Annemarie Plaizier
City Recorder

On the ____ day of _____, 2019, personally appeared before me KATIE WITT, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for himself and herself that he, the said KATIE WITT, 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 KATIE WITT 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 _____, 2020, personally appeared before me, _____, the signer of the foregoing Development Agreement for DEVELOPER, who duly acknowledged to me that he executed the same for and on behalf of DEVELOPER.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

Exhibit A

263 East 100 north – Parcel ID #11-740-0002

Legal Description: All of Lot 2, Jerry Larsen Subdivision



Exhibit B



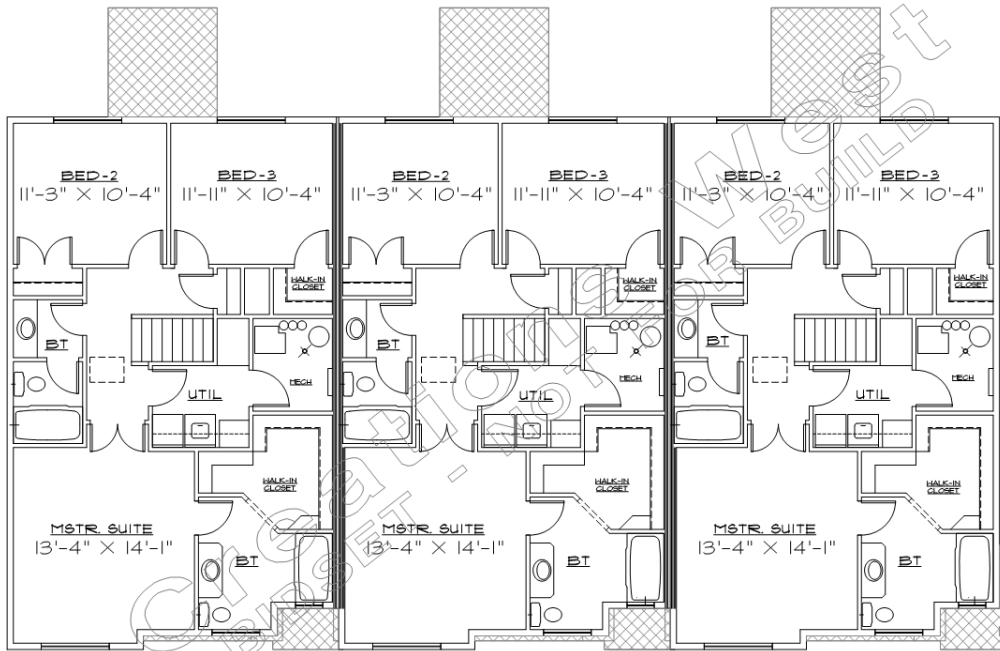
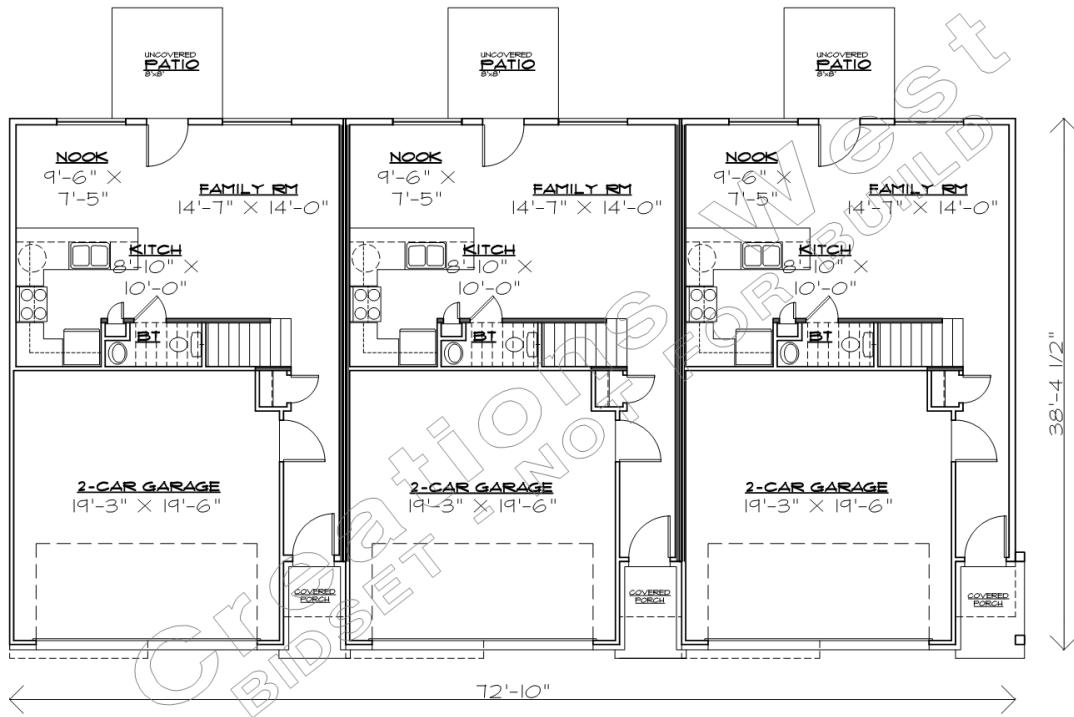


Exhibit C

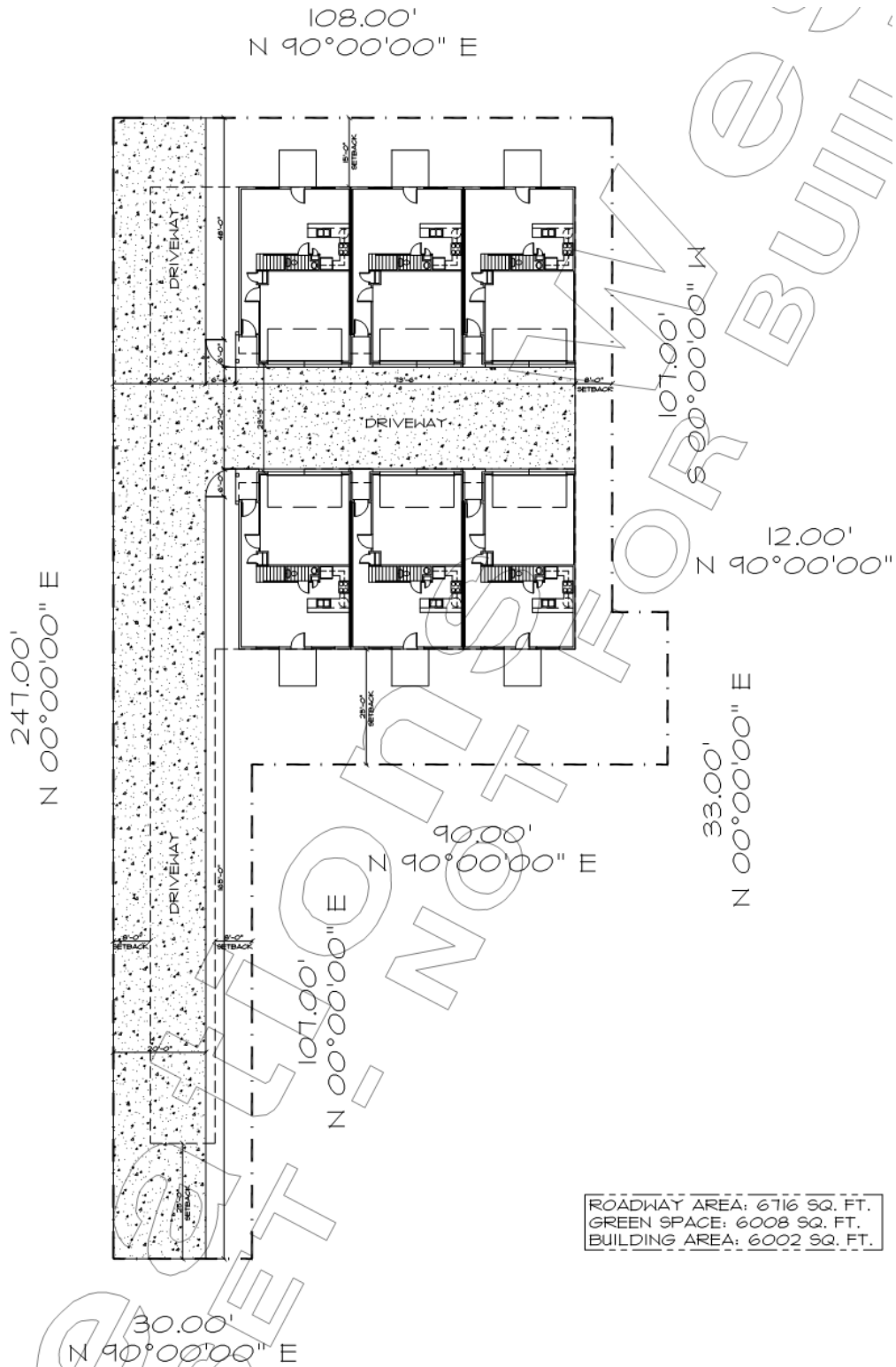


Exhibit D



ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-M (MULTI-FAMILY RESIDENTIAL) TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property to the R-M district to include the PRUD overlay zone for the purpose of accommodating a common open space subdivision on a private street; and

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

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

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

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

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

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.425 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing it from the Kaysville City R-D district and rezoning it to the R-M (Multi-Family Residential) district and adding the Kaysville City PRUD (Planned Residential Unit Development) overlay zone.

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

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: 8/20/20

TYPE OF ITEM: Work

PRESENTED BY: Community Development

SUBJECT/AGENDA TITLE: Introduction to multiple land use ordinances.

EXECUTIVE SUMMARY:

The Planning Commission has been discussing the attached ordinances over multiple meetings and recently unanimously recommended approval of each as written.

Staff will be prepared to discuss the impetus of each and will have visuals and additional data ready at the work session on each item to inform the council better about each ordinance before taking it to an action item agenda.

Council Options: Ask for more detail or clarification, move to action item agenda.

Recommended Options: The Planning Commission recommended approval of all ordinances as written so would recommend it be moved to action by the council.

Fiscal impact & Fund Source for Recommended Action: -

Attachments: 3 ordinances.

ORDINANCE NO. 20-8-1

AN ORDINANCE AMENDING SECTION 17-31-18 TO REFINE CLEAR VIEW REQUIREMENTS FOR CORNER LOTS PROHIBITING THE PLANTING OF TREES.

WHEREAS, Kaysville City has determined that it is beneficial to the safety of drivers to restrict view obstructions around intersections,

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: Amendment.

Section 18, VIEW OBSTRUCTIONS of chapter 17-31, SPECIAL PROVISIONS APPLYING TO PARTICULAR USES, of Title 17, PLANNING AND ZONING, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

CHAPTER 31

SPECIAL PROVISIONS APPLYING TO PARTICULAR USES

VIEW OBSTRUCTIONS

1. No obstruction to view shall be allowed on any residential lot between the sidewalk and the curb, or eight feet (8') back from the edge of the street, where no sidewalk exists, or in any street right-of-way, except lawn trees that are pruned high enough to permit unobstructed vision to vehicle drivers.
2. On a corner lot in any district, no obstruction to view, except utility fixtures not higher than three feet (3'), shall be allowed to impede vision between a height of two feet (2') and ten feet (10') above the centerline grades of the streets within a triangular area formed by the streets at property line and a line connecting them at points thirty feet (30') from the intersection of the property lines. The planting of new trees shall be prohibited in this triangular area.

SECTION III: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this ___th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

**KAYSVILLE CITY
ORDINANCE 20-02-02**

ACCESSORY BUILDING AMENDMENTS

**AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY STRUCTURES, OF
TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.**

WHEREAS, Kaysville City has determined some additional flexibility is warranted regarding the placement of accessory buildings; and

WHEREAS, The City has found the building envelope restrictions on accessory buildings to be too restrictive as to architectural design.

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

SECTION 1: **AMENDMENT** “17-31-2 Accessory Buildings” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-2 Accessory Buildings

1. All accessory buildings shall comply with the provisions of this Title. No accessory building shall be located in any front yard ~~or required side yard~~. Accessory buildings 200 sq. ft. or larger, or any accessory building which exceeds 10 feet in height shall not be located in a required side yard or yard abutting a street such as a corner lot or double frontage lot. Accessory buildings such as a garden or tool shed which do not exceed 10 feet in height may be located in a rear or side yard abutting a public street so long as the side yard does not abut the front yard of an existing dwelling.
2. An accessory building may be located in a side yard between the side property line and a portion of the main dwelling which is open on 3 sides such as a covered patio so long as the accessory building is not further forward on the lot than any enclosed portion of the dwelling. An accessory building may be located in the side yard between the dwelling and a side lot line where the footprint of a dwelling narrows by at least 15 feet a minimum of 30 feet from the front of the dwelling.
3. A property owner must obtain written permission from an easement holder in order to locate an accessory structure on any recorded easement. Structures located in an easement such as a Public Utility Easement (P.U.E.) are placed at the property owner's risk and the structure may be required to be removed at the property owner's personal expense should an entity with rights to the easement require access to that easement at any time.
4. Any accessory building attached to the main building shall be made structurally a part of

the main building and shall comply in all respects with the requirements of this Title applicable to the main building.

5. One story detached accessory buildings smaller than 200 square feet shall not be located so that they cause storm water runoff onto the adjacent property. Accessory buildings 200 square feet or larger shall have the required permits and be located not closer than one foot (1') to the adjacent property line and so that storm water does not run off onto the adjacent property.
6. Accessory buildings in any zone shall occupy no more than twenty percent (20%) of the lot area less the footprint area of the main building. An accessory building shall not exceed ten percent (10%) of the lot area or three thousand (3,000) square feet, whichever is more restrictive. Accessory buildings may exceed three thousand (3,000) square feet in area by conditional use in the zones where allowed by conditional use.
7. ~~Accessory building shall not exceed in height the line created by a point twelve feet (12') above ground at the property line and extending upwards from that point at a 45 degree angle towards the interior of the property, up to the maximum building height allowed in the zone.~~ Accessory buildings within five feet (5') of any property line shall not exceed seventeen feet (17') in height. Accessory buildings set back from property lines more than five feet (5') may be one foot (1') higher than seventeen feet (17') for each two feet (2') beyond five feet (5') they are set back from any property line, up to the maximum building height allowed in the zone.
8. Buildings housing farm animals shall comply with [KCC 17-24-3](#).

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Lortz	_____	_____	_____	_____
Council Member Tran	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City

**KAYSVILLE CITY
ORDINANCE 19-11-02**

ACCESSORY DWELLING UNITS

AN ORDINANCE CREATING SECTION 17-31-3, ACCESSORY DWELLING UNITS, AND AMENDING MULTIPLE CHAPTERS OF TITLE 17, PLANNING AND ZONING, TO DESIGNATE WHERE ACCESSORY DWELLING UNITS MAY BE CONSIDERED.

WHEREAS, Kaysville City has determined within its General Plan that it would consider allowing Accessory Dwelling Units as a means of providing additional housing options within Kaysville City; and

WHEREAS, An Accessory Dwelling Unit may serve as an option to provide more affordable housing choices and accomplish the purposes of the Kaysville City Moderate Income Housing element of the General Plan.

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

SECTION 1: **AMENDMENT** “17-31-3 (Reserved)” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-31-3 ~~(Reserved)~~ Accessory Dwelling Units

1. Purpose - The purpose of this section is to establish the parameters by which an accessory dwelling unit (ADU) is allowed within Kaysville City.
2. Accessory Dwelling Units shall be allowed only where expressly permitted by Title 17 of the Kaysville City Ordinances and must be approved by the Kaysville City Planning Commission subject to Chapter 17-30. An ADU may be permitted on a flag lot.
3. An ADU may be permitted as either a unit located within the primary dwelling or as a detached structure on the same lot as a permitted dwelling.
 - a. Provisions applicable to all Accessory Dwelling Units
 - i. Where permitted, no more than 1 ADU may be allowed per lot.
 - ii. ~~The unit must be equal to or smaller in size than the main dwelling on the property.~~
 - iii. The owner of the property must occupy either the primary dwelling or the ADU.
 - iv. ~~2 parking spaces in addition to the parking required for the main dwelling shall be provided~~ A minimum of 1 extra parking space beyond the parking required for the primary dwelling shall be provided on a

property where an ADU is proposed. Additional parking may be required by the Planning Commission as part of the Conditional Use Permit review.

- v. An ADU shall maintain the same address as the primary dwelling with the addition of 'Unit B'
- vi. Occupancy of an ADU shall be limited to 1 family as defined by Chapter 17-2 except that occupancy shall not exceed 2 total individuals where there is no family relation.
- vii. Upon approval from the Kaysville City Planning Commission to have an ADU on a property, a building permit must be pursued to confirm compliance with applicable building code for occupancy as a separate unit.

(1) An ADU shall not operate on separate utilities meters from the primary dwelling.

b. An ADU which is part of the main dwelling such as a loft or basement apartment must meet the following parameters.

- i. ~~No more than 50% of the livable space of a dwelling may be used for an ADU.~~ An ADU must have a separate entrance and be built to meet applicable building codes for a separate unit including but not limited to appropriate fire separation and separation of HVAC systems.

c. An ADU which is built as an accessory structure or part of an accessory structure must meet the following parameters.

- i. All buildings or structures wherein an ADU is located shall meet the requirements of Chapter 17-31-2 Accessory Structures.
- ii. ~~The living area of an ADU which includes all space not dedicated to storage such as a garage shall be limited to a maximum of 900 square feet.~~

SECTION 2: **AMENDMENT** “17-2-2 Definitions” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-2-2 Definitions

Accessory Dwelling Unit (ADU) - An accessory dwelling unit (ADU) is a legal and regulatory term for a secondary house or apartment that shares the owner occupied building lot of an equal or larger, primary dwelling.

Accessory Use or Building - A use or building subordinate to the principal use of a building or principal use on the same lot, and serving a purpose customarily incidental to the use of the principal building or use. Garden sheds, greenhouses, storage shelters, and covered patios not equipped for use as living quarters are accessory buildings.

Agent or Owner - Any person who is legally authorized to act for the property owner.

Agriculture - The tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of farm animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, greenhouses, or similar uses.

Alley - A public right-of-way less than thirty feet (30') wide.

Amusement Arcade - A building or part of a building in which four (4) or more mechanical or electronic amusement devices are offered for use. Animal Hospital - A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Apartment, Efficiency - A dwelling unit in a multi-family building consisting of not more than one (1) habitable room, together with cooking and sanitary facilities.

Apartment Hotel - Any building which contains dwelling units and also satisfies the definition of a hotel.

Apartment House - See Dwelling, Multiple.

Assisted Living Facility

- a. Assisted Living Facility, Type I - A residential facility that provides assistance with activities of daily living and social care to two or more residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.
- b. Assisted Living Facility, Type II - A residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Automobile or Trailer Sales Area - An open area used for display, sale or rental of new or used motor vehicles, trailers, or mobile homes in operable condition, and where no repair work is done.

Automobile Repair, Major - General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service, including body, frame, or fender repair, or over-all painting.

Automobile Repair, Minor - Upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 1/2) tons capacity, but not including other operations, named under Automobile Repair Major, or similar thereto as determined by the Building Inspector.

Automobile Service Station - A place where gasoline or other major fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services are performed to include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, and automobile washing, and not to include repairs performed of a minor or major type, except replacement of plugs, lights, fan belts, and other small parts.

Basement - A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (1/2) of its floor-to-ceiling height is below the average contact level of the adjoining ground (as distinguished from a "cellar").

Beer - Any product defined as beer in Utah Code Section 32B-1-102.

Beginning of Construction - Demolition, elimination, and removal of an existing structure preparatory to new construction, or the incorporation of labor and materials in the foundation of a building or buildings.

Boarding or Lodging House - A dwelling or part thereof where meals and/or lodging are provided, for compensation, for three (3) or more non-transient persons, other than members of the resident family.

Breezeway - A building that is no less than three feet (3') and no greater than ten feet (10') in any horizontal dimension, is open on two sides and joins doorways of two separate buildings which are considered as one main building in any residential zone. The joined buildings shall comply with the setbacks and height requirements for the main building of the zone in which it is located. The combined area of the two buildings and breezeway shall not exceed forty percent (40%) of the lot area in which it is located.

Building - Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building Height - The vertical distance from grade plane to the average height of the highest roof structure.

Building, Main - A building in which is conducted the principal use of the building site on which it is situated. In any R-District, any dwelling shall be deemed to be a main building on the building site on which it is located.

Carport - A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

Cellar - A room or space wholly under the surface of the ground, or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

Child - The child of a person other than the provider of child care.

Child Care - Continuous care and supervision of five (5) or more children under 14 years of age, in lieu of care ordinarily provided by parents in their own home, for less than 24 hours a day, for direct or indirect compensation.

Conditional Use - A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Condominium - The ownership of a single unit in a multi-unit project or structure together with an undivided interest in common in the common areas and facilities of the property.

Court - An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Coverage - The percent of the total site area covered by structures other than those excepted in this title.

Crop and Tree Farming - The raising for commercial purposes of any field crops or wholesale nursery or greenhouses including necessary buildings incidental to such crop, but not including a building for retail sales.

Dairy - A commercial establishment for the manufacture and packaging of dairy products.

Disability - A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Distance Between Residential Structures - The shortest distance between the vertical walls of two residential structures as herein defined.

District - A portion of the territory of Kaysville City within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this title. Includes "Zone" and "Zoning District."

Driveway - A private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which located.

Dwelling - Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent or trailer.

- a. Dwelling, Condominium - A dwelling whose ownership conforms with the definition of Condominium herein.
- b. Dwelling, Single-Family - A building designed for or used exclusively as a residence by one (1) family.

- c. Dwelling, Two-Family or Duplex - A building designed for or used exclusively as a residence by two (2) families, living independently of one another.
- d. Dwelling, Multiple - A building or portion thereof designed for or used exclusively as a residence by two (2) or more families, living independently of one another.
- e. Dwelling, Townhouse - An attached or semi-attached building containing a single dwelling unit and located on a parcel of land in one (1) ownership and having any yard or court in common.
- f. Dwelling, Twin Home - A building designed and used as a residency by two (2) families and for which each dwelling unit and its lot may be owned separately from the other dwelling unit and lot.

Dwelling Unit - One (1) room, or suite, or two (2) or more rooms, designed for or used by one (1) family for living and sleeping.

Family - An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than five (5) persons who are not all so related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Flag Lot - A lot which meets the minimum area requirement, but not the lot width or yard requirements of the zone in which it is located and is mostly behind another lot and has access to a street by way of a projection or "staff."

Front Lot Line - The boundary of a lot that coincides with the right-of-way line of the street on which the lot has frontage.

Garage, Private - A detached accessory building, or a portion of a main building, used, or intended to be used, for the storage of vehicles of persons occupying the main building on the lot.

Garage, Public - A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

General Plan - A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within the municipality.

Grade - All walls approximately parallel to and not more than five (5) feet from a street line are to be considered as adjoining a street.

- a. For building adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- b. For building adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.
- c. For buildings having no walls adjoining the street, the average elevation of the ground (finished surface) adjacent to the exterior walls of the building.

Home Occupation - A commercial or industrial activity conducted on a dwelling site and incidental and secondary to the dwelling use.

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel - See Motor Hotel.

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.

Junk Yard - The use of any lot, portion of lot, or tract of land for the long-term storage, keeping, or abandonment of automobiles, other vehicles, or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses that are clearly accessory and incidental to any agricultural use permitted in the district.

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

Liquor - Any liquid defined as liquor in Utah Code Section 32B-1-102. Lodging House - See Boarding or Lodging House.

Lot - A piece or parcel of land having frontage on a public street, or approved private street, which may be occupied by a principal building or a group of such buildings and accessory buildings, together with such open spaces as required by this title, intended to be held in separate ownership or leasehold.

Lot, Corner - A lot abutting on two or more intersecting or intercepting streets.

Manufactured Home - A transportable factory built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act of 1974, in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Manufactured Home Park - A parcel of land under single ownership on which two or more manufactured homes are located.

Manufactured Home Subdivision - A subdivision designed and intended for sale of lots for siting manufactured homes.

Mobile Home - A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Motor Hotel, Including Motel and Hotel - A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units.

Natural Waterways - Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the Building Inspector or City Engineer.

Non-Complying Structure - A structure that legally existed before its current land use designation; and because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations excluding those regulations which govern the use of land.

Non-Conforming Use - A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Nursing Care Facility - A health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two patient services and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

- a. Office, Professional - A place intended for the conduct of a recognized learned profession in most cases requiring a license, such as physician, dentist, chiropractor, lawyer, engineer, architect, accountant.
- b. Office, Business - A place intended for the conduct of the administrative function of a business enterprise and in which no goods or merchandise are stored or sold.

Parking Area, Private - An open space for the same uses as a private garage.

Parking Area, Public - An open area used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Space - A permanently-surfaced area of not less than one hundred eighty (180) square feet in area, either within a structure or in the open, excluding paved areas necessary for access under the provisions of this title, for the parking of a motor vehicle. (See [KCC 17-32](#), Off-Street Parking.)

Planned Residential Unit Development (PRUD) - A subdivision of land guided by an integrated design in which residential lots may have areas less than the minimum lot area of the zone in which the subdivision is located, and other regulations, except use regulations, may be waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.

Public or Quasi-Public Use - An educational, recreational, religious, cultural, service, utility, or similar use primarily serving the public.

Public Utility - A public or quasi-public agency, or its structures and facilities, established to provide water, power, gas, sewer, storm drain, pressure irrigation, telecommunications and other public services, and who construct and maintain structures and facilities for their distribution, collection, transmission, storage or treatment.

Recreation, Commercial - Recreation facilities operated as a business and open to the general public for a fee.

Recreation, Private, Non-Commercial - Clubs or recreational facilities, operated by a non-profit organization and open only to bonafide members of such non-profit organization and their guests.

Recreation, Public - Publicly owned or operated recreation facilities.

Recreational Vehicle - A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Residential Child Care - Child care provided in the home of a provider.

Residential Density - The average number of dwelling units on one (1) acre of land in a given area. Net residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all parcels of land within the area that is used exclusively for residential and accessory purposes. Gross residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all land within the area.

Residential Facility for Persons with a Disability - A dwelling in which more than one person with a disability resides and which is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, of the Utah Code or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Retail Sales - Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

Retail Services - Establishments providing services or entertainment, as opposed to products, including eating and drinking places; hotels and motels; finance, real estate, and insurance offices; personal services; theaters; amusement and recreation services; health, educational, and social services; museums; and galleries.

Sign - Any writing, pictorial representation, symbol, banner, lighting fixture, or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructed, erected, posted, painted, printed, tacked, nailed, glued, stuck, carved, strung, or otherwise fastened, affixed, or made visible in any manner whatsoever. (For further definitions, consult [KCC 17-33](#), Signs.)

Site Plan - A description of the proposed development within the boundaries of the development site consisting of plans, drawings, and information.

Stable - A detached building for the keeping of horses.

Story - That portion of a building included between the surface of any floor and the floor or ceiling next above it.

- a. Story, Half-A partial story under a gable, hip, or gambrel, roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for one (1) or more dwelling units shall be deemed a full story.
- b. Story, First - The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the finished grade level at the exterior walls of the building, except that any basement or cellar used for residential purposes shall be deemed the first story.

Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

Street, Private - A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more sites.

Structural Alterations - Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure - Anything constructed, the use of which requires fixed location on the ground, or which is attached to something having a fixed location upon the ground, and which imposes an impervious material upon or above the ground.

Swimming Pool - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain water, and which is of sufficient size, capacity, and depth for swimming.

Tank - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain liquid, and which is of sufficient size, capacity, or depth for bathing, therapy, or other such use by one or more persons. Such definition shall include, but not be limited to, hot tubs, therapy tanks or pools, and similar structures.

Telecommunications Service - The providing or offering for rent, sale or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

Telecommunication Tower - A structure that holds transmitting or receiving devices used for telecommunications service, with any associated buildings, site improvements, and property.

Unified Control - A parcel of land under one ownership, or a group of parcels, the owners of which have agreed in writing to subject the development of their properties to a single control.

Yard, Front - An open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.

Yard, Front, Depth - The shortest distance, measured horizontally, between any part of the main building, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line, provided, however, that if the proposed location of the right-of-way line of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the City.

Yard, Rear - An open space between a building and the rear lot line, unoccupied and unobstructed from the ground upward and extending across the full width of the lot, except as specified elsewhere in the title.

Yard, Rear, Depth - The shortest distance, measured horizontally, between any part of a main building, other than parts hereinafter excepted, and the rear lot line.

Yard, Side - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this title. A side yard on the street side of a corner lot shall be known as an "exterior side yard."

Yard, Side, Width - The shortest distance, measured horizontally, between any part of a building, other than parts herein excepted, and the nearest side lot line. Such width shall be measured from the nearest side lot line and, in the case where the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required side yard width shall be measured from the right-of-way of such street as adopted, or said building shall comply with any applicable official setback lines.

Zoning Map - The Zoning Map or Maps of Kaysville City, Utah, together with all amendments subsequently adopted.

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

AMENDMENT

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. [Accessory dwelling unit subject to KCC 17-31-3](#)

Agriculture, agricultural experiment station.

Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).

Dairy farm, milk processing and retail sale, provided at least fifty percent (50%) of milk sold is produced and processed on the premises.

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](#).

Farms devoted to the hatching, raising (including fattening as an incidental to raising) of chickens, turkeys, or other fowl, rabbits or fish.

Fruit or vegetable stand, storage and packaging for produce grown on the premises only.

Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.

Publicly owned treatment works.

Two household pets.

Parking lot accessory to uses allowed in this Zone District.

Private swimming pool subject to the provisions of [KCC 17-31-9](#).

Single-family dwelling.

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.

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.

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:

1. Not exceed a density of twenty-five (25) head per acre of used land.
2. Be not closer than three hundred feet (300') to any dwelling, public or semi-public building on an adjoining parcel of land.

Farms devoted to the raising, breeding, keeping and training of horses.

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.

Minor home occupations subject to the provisions of [KCC 17-26](#).

Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#)

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SECTION 4: AMENDMENT “17-9-3 Permitted Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

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. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Agriculture, agricultural experiment station.

Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).

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](#).

Fruit or vegetable stand for produce grown on the premises only.

Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.

Two household pets.

Parking lot accessory to uses allowed in this Zone District.

Private swimming pool subject to the provisions of [KCC 17-31-9](#).

Single-family dwelling.

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.

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. Minor home occupations subject to the provisions of [KCC 17-26](#). Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).

SECTION 5: **AMENDMENT** “17-10-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-10-4 Conditional Uses

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Public utility substations subject to the provisions of [KCC 17-31-15](#)

Golf courses subject to the provisions of [KCC 17-31-8](#)

Plant nurseries occupying one-half (1/2) acre or more.

Temporary buildings for uses incidental to construction work subject to the provisions of [KCC 17-30-7](#)

, which buildings must be removed upon completion or abandonment of the construction.

Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

SECTION 6: **AMENDMENT** “17-11-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-11-4 Conditional Uses

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
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.

Public utility substations subject to the provisions of [KCC 17-31-15](#)

.
Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

SECTION 7: AMENDMENT “17-12-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-12-4 Conditional Uses

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
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.

Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

Public utility substations subject to the provisions of [KCC 17-31-15](#)

.

Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

.
Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.

Twin homes subject to the provisions of [KCC 17-28](#)

. Must also be permitted as two-family dwellings.

SECTION 8: AMENDMENT “17-13-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-13-4 Conditional Uses

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

1. Multiple dwellings, not to exceed six (6) dwelling units per building, legally existing upon the effective date of this Chapter. The lot area shall be not less than eight thousand (8,000) square feet for a two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, and sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling.
2. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
3. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
4. Accessory dwelling unit subject to the provisions of KCC 17-31-3.

Residential child care subject to the provisions of [KCC 17-26](#)

.
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.

Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).

Twin homes subject to the provisions of [KCC 17-28](#)

. Must also be permitted as two-family dwellings.

Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#)

.
Swimming clubs subject to the provisions of [KCC 17-31-10](#)

.
Public utility substations subject to the provisions of [KCC 17-31-15](#)

.
SECTION 9: AMENDMENT “17-31-16 Dwellings” of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-31-16 Dwellings

1. The real property and the dwellings thereon shall be owned by the same person and taxed as real property.
2. Dwellings must be at least twenty feet (20') wide. An Accessory Dwelling Unit is not required to meet this minimum dimension.
3. Dwellings shall be anchored to, and supported by, a permanent foundation in accordance with plans prepared by a registered engineer providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the International Residential Code.
4. Dwellings shall be permanently connected to and approved for all required utilities.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Lortz	_____	_____	_____	_____
Council Member Tran	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City