



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, August 4, 2022, starting at 7:00 P.M. in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT**. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

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

CITY COUNCIL Q&A – 6:30 P.M.

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

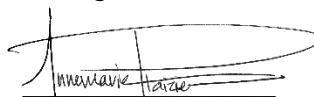
CITY COUNCIL MEETING – 7:00 P.M.

The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member Nate Jackson.
2. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
3. DECLARATION OF ANY CONFLICTS OF INTEREST
4. CONSENT ITEMS
 - a. Approval of Minutes of July 21, 2022.
5. ACTION ITEMS
 - a. Preliminary plat subdivision approval for Hinkley Lot Split located at approximately 815 North Brookshire Drive – Clint Taylor.
 - b. Rezone of 1.66 acres of property at 602 South Angel Street from A-1 (Light Agricultural) to R-1-14 (Single Family Residential District) with a PRUD (Planned Residential Unit Development) overlay – BeBuilders.
 - c. A Resolution Amending Section 3.16 of the Kaysville City Personnel Rules and Regulations regarding Holidays.
6. COUNCIL MEMBER REPORTS
7. CITY MANAGER REPORT
8. ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City 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 July 29, 2022.


Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL
July 21, 2022

Minutes of a regular Kaysville City Council meeting held on July 21, 2022 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson and Council Member Perry Oaks

Others Present: City Manager Shayne Scott (via phone), City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Systems Manager Ryan Judd, Parks and Recreation Director Cole Stephens, M. Bruce McGraw, Loraine Bourne, Dick Bourne, Ramona Porter, Gary Porter, Carole Walker, Jay Welk, Fawn Morgan, Gladys Moore, Sue Card, Martha Rushforth, Jed F. Barker, Scott Lloyd, Marilyn Lloyd, Valerie Cook, Jeff Fillin, Brian Griffiths, Jeff Robins, Connie Robins, Elizabeth Marsh, Dave Young, Camille Galbraith, H. Lynn Galbraith, Rob Dansie, Ann Marie Atkinson

OPENING

Council Member Hunt opened the meeting with a thought and led the audience in the pledge of allegiance.

CALL TO THE PUBLIC

Rob Dansie said that he is part of the Kaysville Historic Preservation Committee and there are many in the audience tonight in support of saving the library and figuring out what can be done with the building in the future.

PRESENTATIONS AND AWARDS

ANNUAL OPEN MEETINGS ACT TRAINING

Attorney Nic Mills explained that annual training on the Open and Public Meetings Act is required per state statute. The legislature wants local government to understand that they do the work of the public and that they are here on behalf of the public. There are two things that the Act requires: that public bodies should take their actions openly, and that they should conduct their deliberations openly. If the legislative body is going to be conducting business and taking action on things concerning the public, then the public has a right to at least be able to observe what is going on. Mr. Mills discussed the Ward V. Richfield City case with the council. Mr. Mills explained that the Act is a procedural thing and as long as the city complies with the procedure, the court will be forgiving.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Blackham made a motion to approve the following consent items:

- a. Approval of Minutes of June 16, 2022.
- b. Approval of Minutes of July 7, 2022.

The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

Council Member Oaks, yea
Council Member Blackham, yea
Council Member Adams, yea
Council Member Hunt, yea
Council Member Jackson, yea

The motion passed unanimously.

ACTION ITEMS

TEXT AMENDMENTS TO VARIOUS ORDINANCES WITHIN TITLE 17 TO ALLOW MODEL HOMES, TEMPORARY CONSTRUCTION BUILDINGS, TEMPORARY TRACT OFFICES, AND TEMPORARY DEVELOPMENT SIGNS AS PERMITTED USES IN RESIDENTIAL ZONES

Community Development Director Melinda Greenwood explained in 2021, the Planning Commission asked Staff to consider making model homes, sales trailers and signage for them as permitted uses because they felt it unnecessary that they be required to obtain conditional use approval. These uses often did not have any conditions placed on them, and they would have to come back for review annually. It seemed cumbersome for the applicants and created more workload for city Staff and the Planning Commission. Model homes, sales trailers and signage is currently allowed in residential zones, but requires Planning Commission approval for a conditional use permit. Changing these uses to a permitted use will allow Staff to process the applications administratively and will streamline the approval process. On June 23, 2022, the Planning Commission conducted a public hearing to discuss a proposed text amendment and no public comments were received. The Planning Commission voted unanimously to send a recommendation of approval to the City Council.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public.

Council Member Oaks made a motion to approve the proposed text amendments to various Ordinances within Title 17 to allow model homes, temporary construction buildings, temporary tract offices, and temporary development signs as permitted uses in residential zones. The motion was seconded by Council Member Hunt.

The vote on the motion was as follows:

Council Member Blackham, yea
Council Member Adams, yea
Council Member Hunt, yea
Council Member Jackson, yea
Council Member Oaks, yea

The motion passed unanimously.

AN ORDINANCE ENACTING KAYSVILLE CITY CODE 17-7-5, "EXPLOSIVES PROHIBITED IN RESIDENTIALLY ZONED DISTRICTS"

Melinda Greenwood explained that this item was initially discussed last fall when the city was contacted by an ATF agent inquiring if the city allows for the manufacturing of explosives in a residence. After some internal discussion, Staff concluded that the city ordinances do not specify if we do or don't allow for this and it would be best to draft an ordinance prohibiting the manufacturing of explosives in residential zones. The proposed ordinance does just that, with a few exceptions. Class "C" Fireworks authorized by the State of Utah for retail sale would not be considered explosives for purposes of the code. Small arms ammunition and components thereof would be considered an exception, as would commercially manufactured black power in quantities under fifty pounds. At their June 23, 2022 meeting, the Planning Commission held a public hearing regarding the proposed ordinance prohibiting manufacturing of explosives in residential zones. One citizen came forward with concerns that having model rocket motors shipped to his home and storing model rocket motors would be illegal if the ordinance were approved. The Planning Commission discussed the concern and determined to add an additional exemption to allow for commercially manufactured model rocket motors. The Planning Commission voted unanimously to recommend the approval of this enactment with the condition of drafting language to exempt model rocket motors from the ordinance. The Fire Chief, City Attorney, Building Official and Community Development Director met and agreed on language to comply with the Planning Commission's direction, which is listed as exemptions under Section 6(d) of the title.

Mayor Tran opened the public comment period for this item.

Bruce McGraw said that he has been a resident of Kaysville for several years and has held a federal explosive license with the ATF since 1982. He feels that approving this proposed ordinance is an example of typical government overreach. Explosive materials are defined by the ATF as all-inclusive. Mr. McGraw said that he first got interested in fireworks when he was thirteen and it eventually evolved into his having his own shop. He helped with the fireworks show for Kaysville City for fifteen years. He has always used his ATF license as a hobby, and does not transport explosives or manufacture them, other than flash powder that he mixed outside of his house or on-site where he would set them off. Federal law says that you can only manufacture fireworks in a building designated for explosives. If this passes, the city needs to send something to residents explaining what is and isn't allowed, as well as a list of what is considered as explosive materials as published by the ATF.

Council Member Jackson asked about Mr. McGraw's hobby.

Bruce McGraw said that when he applied for renewal of his ATF license in January, Officer Ingram, with the ATF, contacted the city attorney to discuss what is allowed in regards to handling and manufacturing fireworks, explosives and flash powder, also termed as a high explosive. Mr. McGraw said that, as a hobbyist, he typically uses flash powder, but he also will occasionally make smoke. The components to make the fireworks are stored separately and nothing is mixed indoors. When he was shooting fireworks for the city, they used his license so they could park the trailer down at Davis High. He has never bought or sold any fireworks. The license he has with the ATF says that he can do more than what he is doing, but these types of fireworks are all he has ever done and he has no interest in doing anything else. Mr. McGraw said that he understands that the city is concerned about him making more than just fireworks.

Council Member Jackson asked if there is a limit on how much of the materials can be stored on his property.

Bruce McGraw said that it does not matter as long as they are kept separate. Once the components are combined, the ATF considers this as manufacturing, which cannot be done in a building that is not designated for explosives or in a residence. Mr. McGraw said that when he does mix any of the components, it is in very small amounts.

Council Member Jackson asked if his license would be affected should this ordinance be passed.

Bruce McGraw said that he could continue to store the components for the fireworks in his home, and would be able to measure out the components at his house. He would likely just have to wait until he's on-site to mix them and set them off. Mr. McGraw said that he wasn't aware of the ordinance of 2016 that said that he couldn't mix these chemicals at his home.

Council Member Oaks asked Mr. McGraw about finding a different location to mix the chemicals and then transport that mixture to wherever he needed to.

Bruce McGraw responded that he wouldn't be able to transport any mixed chemicals without placing it inside a special container marked as "explosive material".

Attorney Nic Mills commented that the ATF had indicated to him that the license Mr. McGraw has does not limit Mr. McGraw from importing anything. He could potentially have high explosives, dynamite, C-4, and the like stored within his home. The city is concerned about having those types of high explosive items within a residential zone.

Melinda Greenwood added that the ATF has four classifications of licenses and the license that Mr. McGraw has held in the past is the highest of those licenses, meaning that he could potentially manufacture high explosives. This type of manufacturing of high explosives would only be allowed in our industrial zones. There are more layers of protection and safeguards with a commercially constructed building than in a residential home. Unfortunately, the intent of passing this regulation would be for the city to go back to the ATF to let them know that we have ordinances in place that do not allow for this type of use in residential areas. This likely means that Mr. McGraw would no longer be able to have the license that he has had in the past at his home.

Bruce McGraw commented that his current license does allow for point-of-use manufacturing. When his license expires in three years, he would be able to renew his license, unless the ATF approves a statute saying that no licenses would be permitted in any residential areas.

There were no further comments or questions from the public.

Council Member Jackson commented that he is not concerned about Mr. McGraw's intentions with holding his type of ATF license, but has concerns about other future individuals that may not be as prudent.

Council Member Oaks said that he appreciates the due diligence done by Staff and the Planning Commission to take the time to try to understand this situation.

Council Member Blackham made a motion to approve an Ordinance enacting Kaysville City Code 17-7-5, "Explosives Prohibited in Residentially Zoned Districts". The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Hunt, yea
Council Member Jackson, yea
Council Member Oaks, yea
Council Member Blackham, yea

The motion passed unanimously.

MAIN STREET REVITALIZATION PLAN ADOPTION

Melinda Greenwood explained that the Main Street Revitalization Plan was discussed as a work item at the July 7, 2022 City Council meeting. Based on that discussion, a final draft is being presented to the Council for approval. The Kaysville Main Street Revitalization Plan has been discussed for over two years now. UDOT has been involved in those discussions, as they own this portion of Main Street. Members of the community, including businesses and stakeholders have also been involved in these discussions. While Staff feels that there will likely need to be further amendments made to the plan, we feel that it is ready for approval so that Staff can begin to look for ways to fund this project. A cost estimate for the preferred option is \$2,363,000 in 2025 dollars.

Mayor Tran added that the city will continue to engage with the community about the plan, but in order to begin to find funding sources to help implement this plan, a plan has to be adopted. The library building is not included with this plan. The plan focuses more on a redesign of the road to make it a more walkable area and to create more parking for businesses on Main Street.

Council Member Blackham added that the city is not looking to implement this plan with city money but rather to really look at other sources, including UDOT, to get the funding.

Council Member Oaks commented that this is a good starting point for the city and the plan will revitalize this area of town.

Council Member Adams made a motion to adopt the Main Street Revitalization Plan, seconded by Council Member Jackson.

The vote on the motion was as follows:

Council Member Hunt, yea
Council Member Jackson, yea
Council Member Oaks, yea
Council Member Blackham, yea
Council Member Adams, yea

The motion passed unanimously.

Council Member Jackson encouraged the community to continue to provide input to the city. We want to do this project the right way and preserve the culture we have here.

WORK ITEMS

LIBRARY BUILDING EVALUATION PRESENTATION/COUNCIL DISCUSSION

Steve Cornell, with FFKR Architects, explained that their company was hired to do an assessment on the old library building. Mr. Cornell made a presentation to the City Council of their findings. Mr. Cornell said that the exterior envelope of the building is not performing well, but there are opportunities for improvement and remediation of these issues. There are certain issues isolated to limited areas. They feel that they can help to further prevent water intrusion through landscape and irrigation modifications. The exterior masonry walls need to be repointed. There needs to be repairs done to the exterior doors and windows. There will need to be some structural enhancements done, as well as the repair and stabilization of precast concrete elements at the entrances and cornices. The roofing membrane will need to be replaced. There will need to be repair done to the water damaged areas, wall finishes, flooring, ceilings, etc. The foundations will need to be insulated from the inside as well as the exterior wall. A seismic evaluation was done on the building and there were ten potential deficiencies found in the building, however some of these deficiencies may prove adequate upon further review. The two main deficiencies include deficiencies due to inadequate structural detailing, and deficient wood diaphragms.

Council Member Jackson asked if the exterior walls would need to be removed to address the structural renovations.

Steve Cornell responded that they would not need to do much dismantling of the building and likely would not have to touch any of the stone on the exterior walls. Mr. Cornell reviewed the conceptual construction cost estimate for the stabilization and remodel of the old library building with the city council. Mr. Cornell said that this building renovation can be catered to whatever the city has budget for and what the city wants to see done to the building. These conceptual costs are for construction only, are based on an open competitive bid basis, and do not include inflation.

This projected cost also does not include what the general contractor would add to the cost. The conceptual costs are in line with what new construction costs today and includes the seismic upgrade to the building.

Council Member Jackson asked about grants and funding the city might receive.

Steve Cornell said that there are opportunities from the state and UDOT to help get funding for this project.

Council Member Blackham asked about what it would cost to get detailed drawings drawn up in order to put a bid out for contractors. Typically, those drawings will cost about 6% of the estimated cost of the project.

Steve Cornell said that it would be 6-7% of the estimated cost of the project. The cost for design drawings has not been factored into the construction cost estimate, and would be in addition to them. Other soft costs have not been included in the construction estimate as well. However, grants could potentially be given to cover some of the soft costs.

Council Member Hunt asked if this building would become more costly to repair as time goes on, and if the building would be sustaining more damage if it were to remain in its current state.

Steve Cornell responded that the cost would continue to increase, especially with inflation costs. They feel that the building is in a fairly stable state and would remain so.

Mayor Tran said that she would like to see the building repurposed somehow. She would like to see this put out for bid to see if there is any interest from private companies who might be interested in locating something within the building, and would be willing to help to pay for renovation costs. The city might be able to offer some incentives or alternatives. The city has been told in the past that there are people interested in repurposing this building, and by putting this out to bid, we would be given the opportunity to see if there really is an interest and what that would be. Mayor Tran said she would also like to see the museum and historic preservation committees work towards finding grants or other funding to pay for the renovations. The city is aware of current inflation and cost for construction, and that this project will cost a lot of money. We all need to try to work together to see if there is a way to fund this outside of city funds.

Council Member Oaks said that nothing was mentioned in the report indicating that the building should be torn down. This building is part of Kaysville, and we need to have a plan for it. The city should have renovated it years ago when this was first discussed. If we find a way to repurpose the building, we might be able to find a way to help generate revenue for the city.

Council Member Adams said that it would be expensive to tear the building down. The only way to have old buildings is to keep them around. The pattern around the country seems to be to tear old buildings down, but we need to think in a new direction. We need to come up with a plan of action, rather than just continuing to talk about it. Our museum and historic preservation committees can't do it on our own. They need a commitment from the city that we will try to keep the building.

Council Member Oaks said that the city should come up with a decision of what we would like the

building to be used for, and then ask the committees to help to make that happen.

Council Member Hunt commented that Main Street wouldn't be the same without the old library. The old library is part of the city's identity. We need a plan so that we can move forward and get it done.

Parks and Recreation Director Cole Stephens commented that there has always been three options for the building: restore it, demo it, or look at what else could be done with the building. Staff is looking for direction on what the city would like to have here, and how it can be done. Mr. Stephens said that Staff could create an RFP so businesses in our community can let us know if they have any interest in being part of this and help provide a vision of what they want for the building.

Council Member Blackham said that the city had over a \$1 million deficit in our budget this year and the council decided to use "rainy-day" funds to cover that cost. We are very conscientious about the city budget right now and if there are other parties interested in participating in this, we need to get a commitment from them. It seems that the first step in this process would be to get detailed drawings made up.

Mayor Tran commented that we also need to consider what we would do next if we don't receive any responses to the RFP.

Council Member Blackham said that the city might have to consider getting a bond.

Steve Cornell commented that if the city decides to have design drawings done, the city should consider bringing the contractor on early to help in the design process. The city could renovate the building just as a shell, and then the tenant would have to front the costs for tenant improvements to the building. It would bring design cost down because we wouldn't be designing the space being used by the tenant.

Council Member Jackson said that this project is about preserving our culture in the community, but it also needs to be about better strategic planning and using the building for whatever fits best for the area. We might have to come up with creative ways to save the building because the costs being presented are very concerning. It makes sense for the city to cover the cost for the shell of the building. Council Member Jackson said that he liked the idea of having a space in the building to highlight Kaysville's history, as well as having an active art space.

Cole Stephens added that the city could also do an RFB for engineering services. Mr. Stephens thanked FFKR Architects for their work because it has gotten us to this point tonight.

Mayor Tran suggested that the city also reach out to businesses, realtors, and developers in the area to let them know about the RFP once it is posted.

COUNCIL MEMBER REPORTS

Council Member Oaks said that he had been working with Loretta Cole, who is over the CERT program, and she expressed the lack of funding and the need for a radio repeater so that members of CERT could communicate with other members more easily in the case of emergency.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 8:55 p.m., seconded by Council Member Oaks and passed unanimously.

DRAFT



CITY COUNCIL STAFF REPORT

MEETING DATE: August 4, 2022

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Preliminary Plat Subdivision approval for Hinkley Lot Split for Clint Taylor located at approximately 815 North Brookshire Drive

EXECUTIVE SUMMARY:

On July 14, 2022, the Planning Commission reviewed the preliminary subdivision plat for the Hinkley Lot Split, located at 815 North Brookshire Drive and voted 6-0 to send a recommendation of approval to the City Council.

Planning and engineering staff reviewed the plat and recommend approval based on the following conditions, including condition number four, which was added by the Planning Commission.

1. Addresses are added to the lots.
2. Plat title is corrected from survey to subdivision.
3. Correction of boundary description.
4. Correction or addition of any other items deemed necessary by staff.

City Council Options:

Approve the preliminary subdivision plat with recommended conditions.

Approve preliminary subdivision plat with additional conditions as appropriate.

Deny the preliminary subdivision plat.

Recommended Option:

Staff recommends the City Council approve the preliminary subdivision plat with recommended conditions described above.

Fiscal Impact:

N/A

Attachments:

1. Planning Commission Staff Report and plat
2. July 14, 2022 Planning Commission Meeting minutes excerpt

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: June 22, 2022

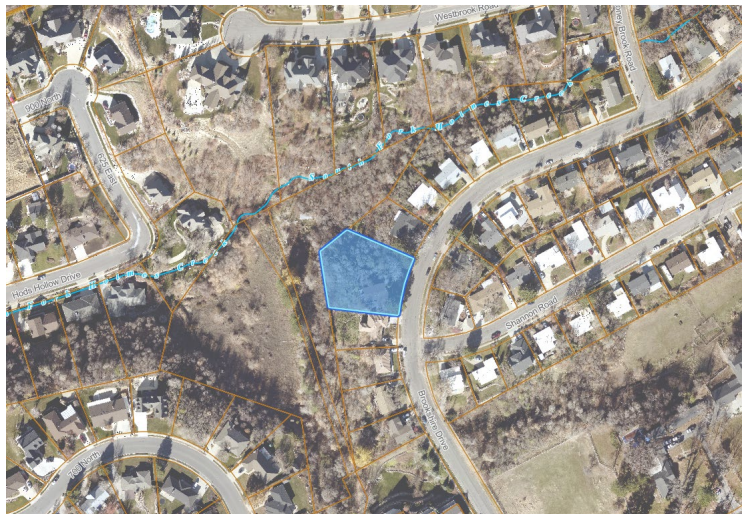
Agenda Item #5: Preliminary Plat Subdivision approval for Hinkley Lot Split for Clint Taylor located at approximately 815 North Brookshire Drive

Meeting Date	July 14, 2022
Application Type	Preliminary Plat for Subdivision
Applicant Owner	Clint and Nichole Taylor
Address Parcel ID Number	815 North Brookshire Drive 11-472-0001
Zoning	R-1-8
Lot Size	.63 acres 27,442.8 ft ²
Current Use	Single family dwelling
Number of Lots	2
Lot Sizes	11,969 ft ² and 15,254 ft ²

1. BACKGROUND

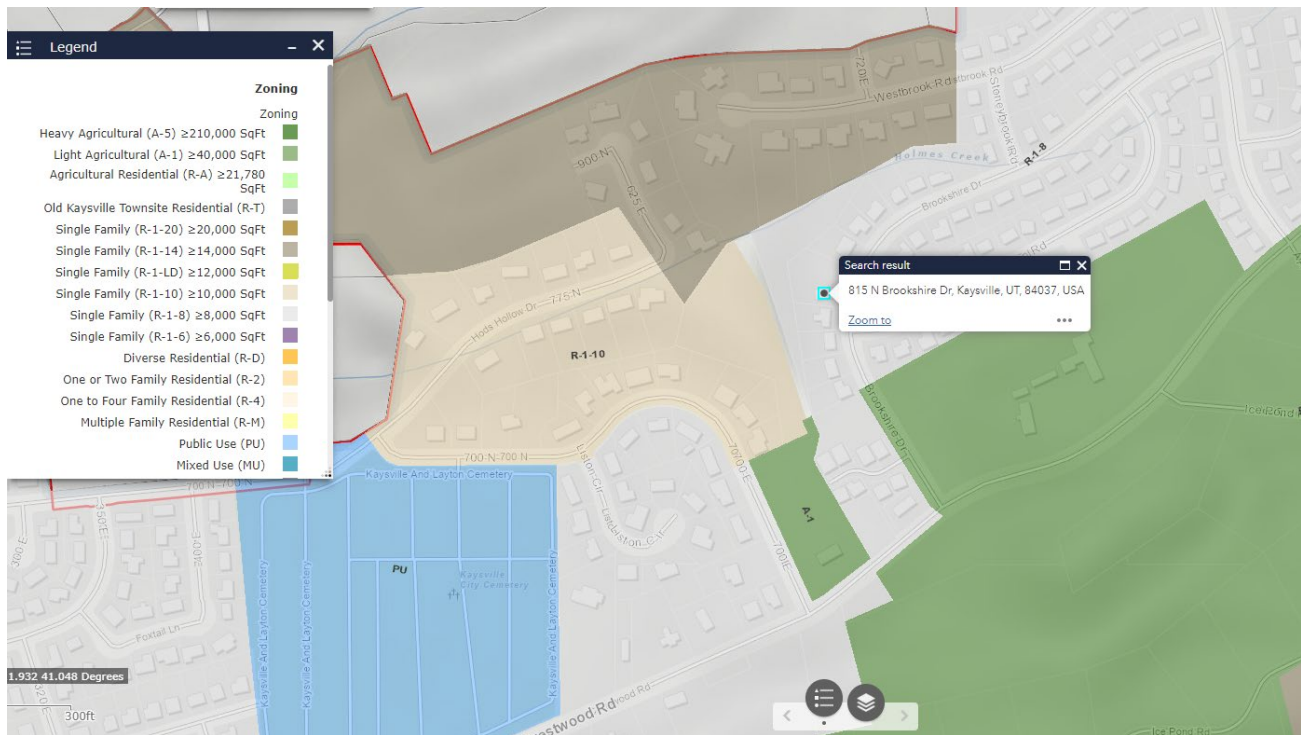
Clint Taylor and wife Nichole have submitted a preliminary plat application giving detail regarding the anticipated subdivision of the site listed above. The existing lot now is .63 acres.

The subdivision consists of 2 total lots facing the public street Brookshire Drive and is zoned R-1-8. Lot 101 would have existing home and out building with a total of 15,254 square feet. Lot 102 would be a new 11,969 square foot developable lot for a single family dwelling. The lots would both exceed the 60 foot minimum front width and exceed the 8,000 square foot minimum.



2. SURROUNDING LAND USE AND ZONING

- **Adjacent** –R-1-8
- **North** – R-1-14
- **South** – A-1
- **East** – R-1-8
- **West** – R-1-10



3. ZONING

A. R-1-8

The stated purpose of the zone is: Single Family 8,000 square foot lots.

4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, July 8, 2022.

5. RECOMMENDATION

The proposed subdivision is consistent with the anticipated development of the R-1-8 zone. It is in compliance with applicable zoning districts, and proposes a desirable building lot.

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed preliminary plat for Hinckley Lot Split Subdivision contingent on the conditions below.

- Addresses are added to the lots

- Title is corrected from survey to subdivision
- Correction of boundary description

Attachments:

1. Preliminary Plat with staff comments

LEGEND

- SECTION CORNER
EXISTING STREET MONUMENT
PROPOSED STREET MONUMENT
SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
PU&DE
PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
EASEMENTS
BUILDABLE AREA (SEE GENERAL NOTE 1)

NOTES

1. PROPERTY IS TO BE ZONED R-1-8.
A. FRONT YARD SETBACK IS 20'
B. SIDE YARD SETBACK IS 13' BETWEEN STRUCTURES (8' & 5')
C. REAR SETBACK IS 15'
2. ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
3. PARCELS A, B AND C (OPEN SPACE) ARE ALSO PUBLIC UTILITY AND DRAINAGE EASEMENT.
4. MINIMUM FINISH FLOOR FOR EACH LOT IS 1' ABOVE THE CURB AND GUTTER UNLESS A LAND DRAIN SYSTEM IS INSTALLED.
5. A PRIVATE IRRIGATION DITCH TO THE WEST IS TO REMAIN ACTIVE.

WITNESS CORNER TO THE
SOUTHWEST QUARTER CORNER
SECTION 26
T4N, R1W
SLB&M
(FOUND)
N 0°07'30" E 251.10' RECORD
SOUTHWEST QUARTER CORNER
SECTION 26
T4N, R1W
SLB&M
(NOT FOUND)



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CEDAR CITY
Phone: 435.855.1453
RICHFIELD
Phone: 435.896.2983

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____
BY THE KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____
BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KAYSVILLE CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____
BY THE KAYSVILLE CITY ENGINEER

KAYSVILLE CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____
BY THE KAYSVILLE CITY COUNCIL

CITY RECORDER CITY MAYOR

SHEET 1 OF 1

PROJECT NUMBER: 10381

MANAGER : T.WILLIAMS

DRAWN BY : C.WRIGHT

CHECKED BY : T.WILLIAMS

DATE : 2/19/21

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____, 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

HINCKLEY LOT SPLIT SURVEY

LOCATED IN THE SOUTHWEST QUARTER
OF SECTION 26
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH
JANUARY 2021

Provide
subdivision
title

Add
addresses

Is this suppose to be
South/East or North/west?

SURVEYOR'S CERTIFICATE

I, TRENT R. WILLIAMS, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 8034679, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as HINCKLEY LOT SPLIT SURVEY, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land situate in the Southwest Quarter of Section 26, Township 4 North, Range 1 West, Salt Lake Base and Meridian also being in Kaysville City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point on the Northeast Corner of Lot 4, King Clarion Hills No. 1 Subdivision, said point being South 89°33'20" 3073.73 feet and North 00°08'40" West 817.70 feet from the South East Corner of said Section 26 (Bearing being: S 89°45'30" East between the Southeast Quarter Corner and the Southwest Quarter Corner of said Section 26 as noted on Davis County NAD83 Township Reference Plat) and running thence;
North 83°47'52" West 153.64 feet along the North line of Lot 4 to a point on the boundary line of said subdivision;
thence along said boundary line North 09°04'52" West 124.88 feet;
thence North 50°55'08" East 75.82 feet to the Southwest Corner of Lot 2, Hinckley Subdivision;
thence South 66°35'53" East 159.57 feet along the Southerly line of said Lot 2 to a point on the right-of-way line of Brookshire Drive;
thence Southwesterly 129.08 feet along the arc of a 430.00-foot radius curve to the left (center bears South 66°35'47" East and the long chord bears South 14°47'59" West 128.60 feet with a central angle 17°12'00") along said right-of-way to the Point of Beginning.

Contains 27,223 square feet, 0.625 acres.

OWNER'S DEDICATION

Known all men by these presents that I / we, the under- signed owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

HINCKLEY LOT SPLIT SURVEY

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.
In witness whereof I / we have hereunto set our hand (s) this _____ day of _____, A.D., 20____.

By: _____ By: _____

By: _____ By: _____

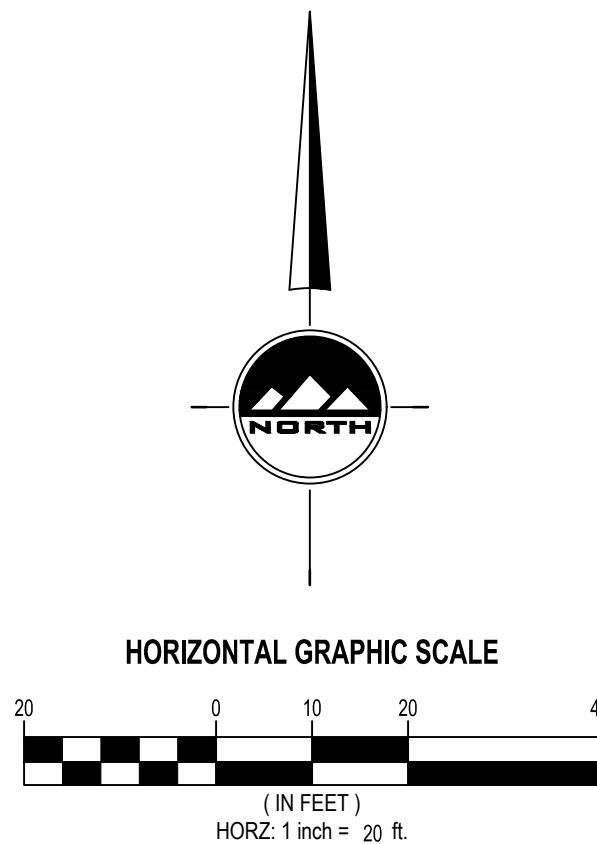
INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH
County of Davis J.S.S.

On the _____ day of _____, A.D., 20____,
personally appeared before me, the undersigned Notary public, in and for said County of _____ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, _____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY.

NOTARY PUBLIC



HINCKLEY LOT SPLIT SURVEY

LOCATED IN THE SOUTHWEST QUARTER
OF SECTION 26
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____, 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER



**Kaysville City Planning Commission Meeting Minutes
July 14, 2022**

The Planning Commission meeting was held on July 14, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Commissioners Allred, Barrus, Doxey, Lyon, Keetch, and Sommerkorn

Staff Present: Mindi Edstrom and Melinda Greenwood

Public Attendees: Dawn Steel, Patty Lawrence, Christina Castro, Dave Johnson, Dave Nielsen, Justin Taylor, Nikki Taylor and Clint Taylor

1-Opening

Vice Chair Lyon opened the meeting and welcomed those in attendance.

2- Swearing in of Krista Keetch as a Planning Commissioner

Ms. Greenwood led the swearing in of Krista Keetch, who took the Oath of Office for Planning Commission.

3- Approval of the minutes from the June 23, 2022 Planning Commission/City Council work session

Vice-chair Lyon asked for a motion to approve the minutes from June 23rd joint meeting as well as the regular meeting. Commissioner Barrus made a motion to approve both sets of minutes and Commissioner Sommerkorn seconded the motion. All commissioners voted in favor of approving the minutes and the motion passed 6-0.

4- Preliminary Plat Subdivision approval for Hinckley Lot Split for Clint Taylor located at approximately 815 North Brookshire Drive

Introduced by: Melinda Greenwood

Ms. Greenwood introduced the lot located at 815 North Brookshire Drive. The lot currently has one single family home and the subdivision would create a second lot. She said one lot would be 11,969 ft² and the other would be 15,254 ft² and stated that both lots meet the required minimum of 8,000 ft². Staff and engineering reviewed this application and they recommend approval.

Vice-chair Lyon opened the meeting up to questions.

Commissioner Allred noticed that there were a few small items that need to be added to the plat. He asked that the motion include a catch-all condition that says other corrections as may be needed per staff review.

Commissioner Lyon asked the applicant if they had anything they would like to add to the discussion and Clint Taylor said he did not have any additional comments for the Commission.

Commissioner Allred asked about the accessory structure and if it meets code.

Clint Taylor approached the Commissioners to let them know that it does meet the setback requirements.

Commissioner Doxey made a motion to approve the Hinckley lot split for Clint Taylor located at 185 North Brookshire drive as explained by staff as well with any additional conditions deemed necessary by staff. Commissioner Allred seconded the motion and the Commissioners voted 6-0 in favor of the motion.

6- Public Hearing for the rezone application from BeBuilders for 602 South Angel Street from A-1 Light Agricultural District to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay

Introduced by: Melinda Greenwood

Ms. Greenwood started off by sharing that this application should look familiar to the Planning Commission as there was a rezone for R-1-8 that came before them in May. She said the rezone received an approval recommendation from the Planning Commissioner but it was denied by City Council. BeBuilders has since reapplied for the R-1-14 zone. Based on the size of the lot, the applicant would be allowed up to five single family homes with the minimum lot size of 14,000 ft². BeBuilders submitted a concept drawing with their application which showed four lots and they have included a PRUD overlay with a private street.

Ms. Greenwood shared information from the staff report about how the rezone fits within goals and objectives outlined in the 2019 General Plan. She also shared the public feedback and their concerns with connectivity and public safety access, density, and losing the rural character. She also said that there was much less opposition with this application and only four email comments were received.

David Nielsen, the applicant, was invited to approach the commissioners as the representative for the Johnson Trust. From the slides he submitted, he discussed that two of the lots in the subdivision are the exact same size as other lots in the neighborhood.

Commissioner Barrus asked the applicant if the homes were going to be the same price point as proposed before, and the applicant said that they will not be the same. There will be four single family home with a price point of a million dollars up to 1.5 million dollars.

Commissioner Allred asked if the road would be a private road. Dave Nielsen responded by telling him that it would be a private road that would not connect to Angel Crest Way.

Commissioner Lyons opened up the meeting for the Public Hearing.

Justin Taylor shared that he loves the proposed plan and is in support of the rezone.

No other individuals came forward to speak, so Vice-chair Lyon closed the Public Hearing.

Commissioner Doxey said the last application for R-1-8 that came to Planning Commission was supported 4-2, which would have given us a much more affordable price point for housing, but it was unfortunately turned down. He expressed concern that there have been lots of rezones approved on the east side of Kaysville and none on the west side of the city.

Commissioner Allred echoed the same sentiments of Commissioner Doxey and said he wholeheartedly agrees. He said he feels it behooves the Planning Commission and the city to look at these kind of requests



CITY COUNCIL STAFF REPORT

MEETING DATE: August 4, 2022

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Application from BeBuilders to rezone 602 South Angel Street from A-1 Light Agricultural District to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay

EXECUTIVE SUMMARY:

On July 14, 2022, the Planning Commission held a public hearing regarding the rezone of 602 South Angel Street from A-1 Light Agricultural District to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay. One citizen commented with their support for the rezone application.

The Planning Commission voted 6-0 to send a recommendation of approval to the City Council and indicated the findings in the staff report as well as these additional findings as cause to support the rezone application:

- Providing a slightly different and a greater variety of housing choice with lot sizes uncharacteristic to the west side of Kaysville;
- The rezone would not do harm to the general public in terms of infrastructure;
- It complies with the 2019 General Plan, and
- Partly addresses the housing crisis.

Based on the findings in the staff report and the Planning Commission recommendation, staff recommends the City Council rezone 602 South Angel Street to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay.

City Council Options:

Approve the rezone.

Approve rezone with modifications through a development agreement.

Deny the rezone.

Recommended Option:

Staff recommends the City Council rezone 602 South Angel Street to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay.

Fiscal Impact:

N/A

Attachments:

1. Draft ordinance
 2. Planning Commission Staff Report
 3. July 14, 2022 Planning Commission Meeting minutes excerpt
-

ORDINANCE NO. 22-_____

AN ORDINANCE REZONING 602 SOUTH ANGEL STREET, A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT WITH A PRUD OVERLAY, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to rezone the subject property at 602 South Angel Street from A-1 Light Agricultural district to the R-1-14 Single Family Residential district which has a minimum lot size of 14,000 square feet and with a PRUD overlay, for the purpose of allowing a future subdivision of up to five single family lots; and

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

WHEREAS, on July 14, 2022, with a vote of 6-0, the Kaysville City Planning Commission made a recommendation of approval to the City Council on said zoning action; and

WHEREAS, the City Council, after due consideration of said district, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-1-14 zone with a PRUD overlay 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: Rezone. The real property at 602 South Angel Street, and known by Parcel Identification Number 014-009-0102, as shown on the attached map which is made a part hereof, containing approximately 1.66 acres (72,309 ft²) of land, shall be rezoned and the Zoning Map amended by removing it from the Kaysville City A-1 Light Agricultural district as currently delineated and rezoning it to the R-1-14 Single Family Residential district with a PRUD overlay.

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 execution of the ordinance.

ORDINANCE NO. 22-_____

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2022.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Melinda Greenwood, Community Development Director
Date: July 5, 2022

Agenda Item #6: Public Hearing for the rezone application from BeBuilders for 602 South Angel Street from A-1 Light Agricultural District to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay

Meeting Date	July 14, 2022
Application Type	Rezone
Applicant Owner	BeBuilders The Evelyn L. Johnson Trust
Address Parcel ID Number	602 South Angel Street 08-009-0102
Lot Size	1.66 acre 72,309 ft ²
Current Use	One single family dwelling
Current Zoning	A-1 Light Agricultural (minimum 40,000 ft ²)
Density Entitlement	1 single family detached dwelling
Requested Zoning	R-1-14 Single Family Residential with PRUD Overlay
Density Entitlement	5 single family residential dwellings (minimum 14,000 ft ²)

1. BACKGROUND

The applicant is requesting the property at 602 South Angel Street be rezoned from A-1 Light Agricultural, which has a minimum lot size of 40,000 ft², to R-1-14 Single Family Residential, which has a minimum lot size of 14,000 ft². The applicant is also requesting the rezone have a PRUD overlay. The proposed change in zoning would allow for the construction of up to five single family dwelling units.



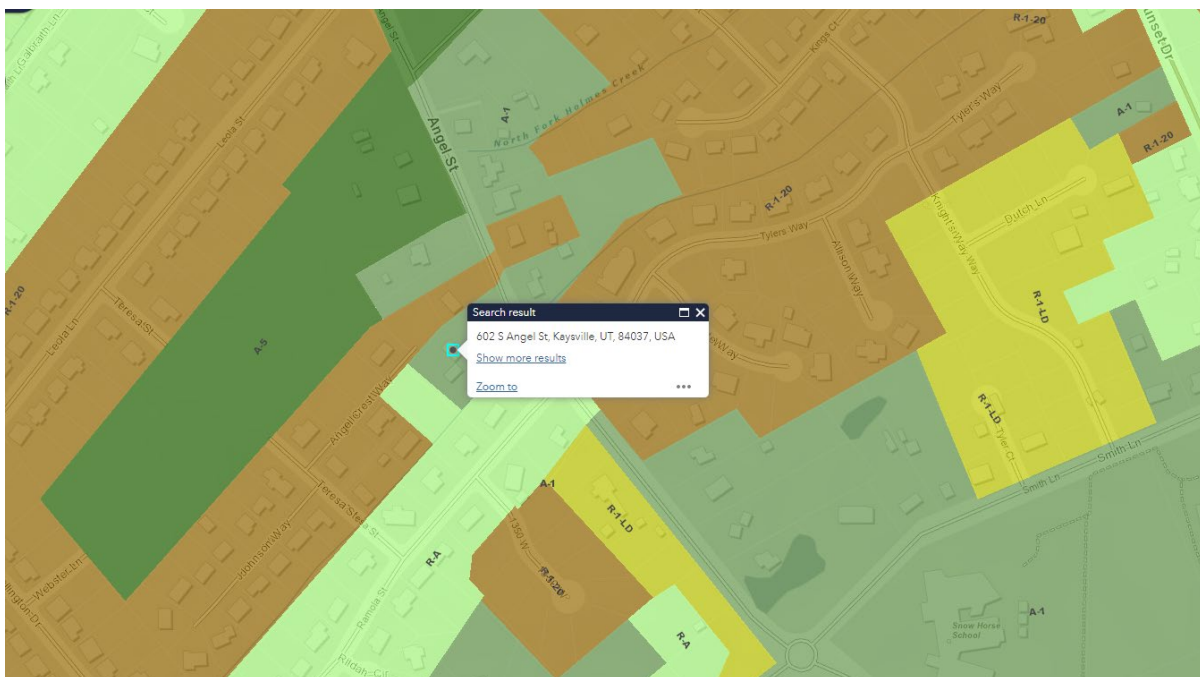
The subject property is a 72,309 ft² parcel on the west side of Angel Street with one existing single family home which faces east. This same property was before the Planning Commission on May 12, 2022, with a rezone request for 8,000 ft² lots. The application received a recommendation of approval from the Planning Commission with a vote of 4-2. At the City Council meeting on June 2,

2022, the rezone application failed, with the City Council voting 3-2 to deny the zone change. Based on public comments and feedback from the Planning Commission and City Council, the property owner is now requesting the zoning be changed to R-1-14.

2. SURROUNDING LAND USE AND ZONING

The parcel is located on the west side of Angel Street at 602 South. For the Commission's consideration of the whether or not the application of the R-1-14 zone on the subject property is an appropriate location, the character of the surrounding area and neighborhood includes:

- **Adjacent** – Directly adjacent to the subject property is R-1-20 and R-A.
- **North** – The subject property is bordered by R-1-20 zoning.
- **South** – Directly south of the parcel is R-A Agricultural Residential zoning with several parcels zoned R-1-LD approximately 340 feet to the south.
- **East** – Across Angel Street to the east is A-1 and R-1-20 zoning.
- **West** – The subject property is bordered by a single lot zoned R-A, which then has another subdivision with R-1-20 zoning to west.



3. GENERAL PLAN

The 2019 Kaysville City General Plan contains the following goals and policies (emphasis added). These excerpts are relevant to the R-1-14 rezone application and should be considered as findings when the Commission makes their recommendation to the City Council.

1. Identity and Character

*A. Kaysville should be **primarily a residential community** with a vision to promote business, industry and public use.*

The R-1-14 zone is a residential zone, therefore the rezone request falls in line with this goal and policy.

III. Growth and Development

*A.2. Reserve land and promote development that is high quality, **diversified and adaptable to changing conditions.***

The R-1-14 zone allows for single family lots of a smaller size than what currently exists in the area, which would diversify housing opportunities. The rezone request to R-1-14 supports this goal and policy.

I. Housing

A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

2. West of I-15, allow for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).

The subject property is located west of I-15 and on Angel Street which is considered an arterial street. Given its location along Angel Street, it is appropriate to give careful consideration of applying the R-1-14 zone.

*B. The majority of the housing should be **single unit** attached or detached. **The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes.** Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.*

The housing in the area is currently developed as low density single family lots. Approximately 150 feet to the west, there are lots as small as ~10,000 ft², though the majority of the parcels are sized around half an acre, or around 20,000 ft². The change to the R-1-14 zone would create additional single unit housing opportunities and allow for varying sizes of homes while still preserving the residential feel and provide for large lots.

Plan For Additional Moderate Income Housing

Approximately fifteen percent (15%) of the additional housing should be moderate income housing. Kaysville will continue to use the following means and techniques to provide a realistic opportunity for development of a variety of housing, including moderate income housing:

*1. **Zoning properties** townsite (R-T), **single family (R-1)**, diverse (R-D), two-family (R-2), one to four family (R-4), and multiple family (R-M) residential and central commercial (CC) which allows housing.*

4. Permitting less costly size, design, materials and construction of housing.

9. Rezone for densities necessary to assure the production of moderate income housing.

The R-1-14 zone reduces lot size to 14,000 ft² and would allow for 4 more single family units than presently exist. Application of the PRUD, which allows for variation from some standards will permit less costly construction of housing. The requested zone change would diversify available housing products in the area and provide additional housing options at a lower cost due to the smaller lot sizes.

The 2019 General Plan provides goals and policies which support the rezone request.

4. ZONING

A. R-1 Single Family Residential District

The stated purpose of the R-1 zone is:

To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children. To this end, the regulations permit the establishment of single-family dwellings and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

Based on information in this report, public comment, and discussion at the Planning Commission meeting, the Commission should determine whether or not the application of the R-1-14 zone in this location would meet the stated purpose of the R-1 zone.

B. Density

The subject property is 72,309 ft², which would allow for a total of five single family dwelling units on the site. There is an existing single family residence on the site, so the rezone request would increase density in the area by up to four more dwellings, for a total of five units allowed based on the size of the property.

C. Regulations

Differences between lot size requirements and other regulations between the A-1 (current) and R-1-14 (proposed) zones are identified in the chart below.

	A-1	R-1-14
Minimum Lot Size	40,000 ft ²	14,000 ft ²
Density (based on lot size)	1	5

Minimum Lot Width	100'	90'
Front Setback	30'	30'
Side Setback	≥ 10'	≥ 8'
Rear Setback	30'	15'
Maximum Building Height	30'	30'

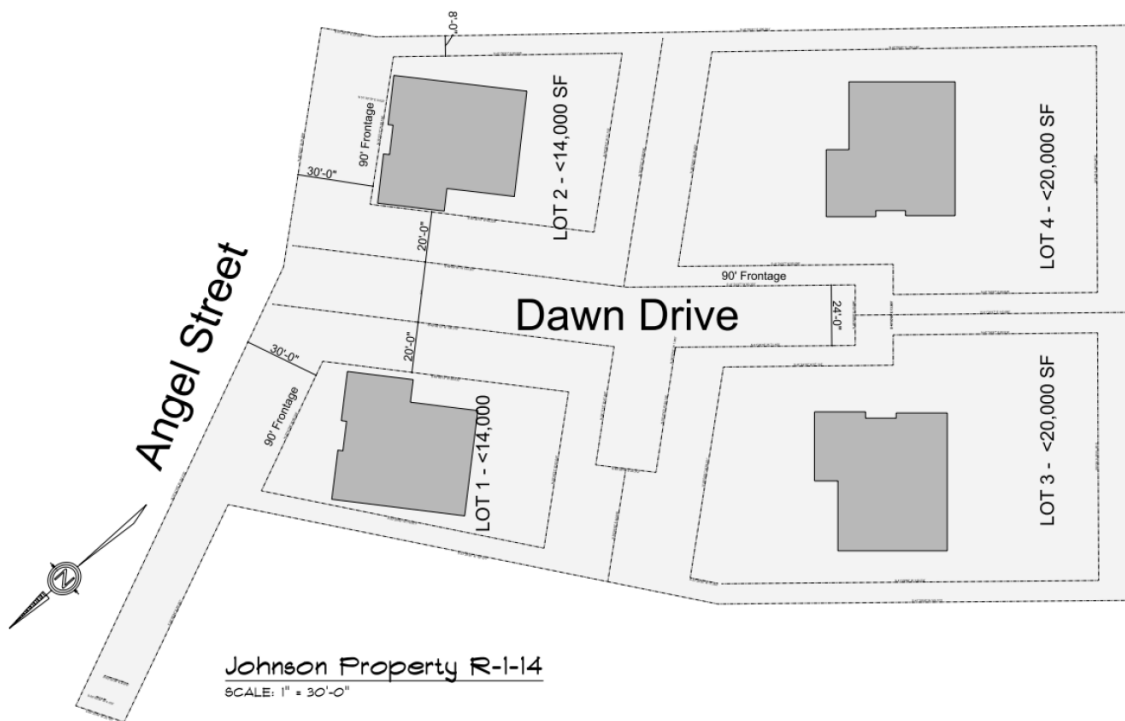
5. PUBLIC NOTICING AND PUBLIC COMMENT

A total of 31 public notices were mailed to property owners within 500' of the subject property.

As of the date of this report, no comments have been received.

6. SUMMARY

The applicant submitted the below concept site of their proposed four lot development.



The 2019 General Plan contains adequate goals and policy objectives to support approval of the rezone request. The Planning Commission should debate the rezone request and make a recommendation to the City Council addressing the rezone request based on its findings in this report, compatibility with the 2019 General Plan, public comments received and how well this requested zone works at this particular location.

7. RECOMMENDATION

Staff recommends the Planning Commission recommend approval of the R-1-14 rezone request for the property located at 602 South Angel Street.

Clint Taylor approached the Commissioners to let them know that it does meet the setback requirements.

Commissioner Doxey made a motion to approve the Hinckley lot split for Clint Taylor located at 185 North Brookshire drive as explained by staff as well with any additional conditions deemed necessary by staff. Commissioner Allred seconded the motion and the Commissioners voted 6-0 in favor of the motion.

6- Public Hearing for the rezone application from BeBuilders for 602 South Angel Street from A-1 Light Agricultural District to R-1-14 Single Family Residential District with a PRUD Planned Unit Residential Overlay

Introduced by: Melinda Greenwood

Ms. Greenwood started off by sharing that this application should look familiar to the Planning Commission as there was a rezone for R-1-8 that came before them in May. She said the rezone received an approval recommendation from the Planning Commissioner but it was denied by City Council. BeBuilders has since reapplied for the R-1-14 zone. Based on the size of the lot, the applicant would be allowed up to five single family homes with the minimum lot size of 14,000 ft². BeBuilders submitted a concept drawing with their application which showed four lots and they have included a PRUD overlay with a private street.

Ms. Greenwood shared information from the staff report about how the rezone fits within goals and objectives outlined in the 2019 General Plan. She also shared the public feedback and their concerns with connectivity and public safety access, density, and losing the rural character. She also said that there was much less opposition with this application and only four email comments were received.

David Nielsen, the applicant, was invited to approach the commissioners as the representative for the Johnson Trust. From the slides he submitted, he discussed that two of the lots in the subdivision are the exact same size as other lots in the neighborhood.

Commissioner Barrus asked the applicant if the homes were going to be the same price point as proposed before, and the applicant said that they will not be the same. There will be four single family home with a price point of a million dollars up to 1.5 million dollars.

Commissioner Allred asked if the road would be a private road. Dave Nielsen responded by telling him that it would be a private road that would not connect to Angel Crest Way.

Commissioner Lyons opened up the meeting for the Public Hearing.

Justin Taylor shared that he loves the proposed plan and is in support of the rezone.

No other individuals came forward to speak, so Vice-chair Lyon closed the Public Hearing.

Commissioner Doxey said the last application for R-1-8 that came to Planning Commission was supported 4-2, which would have given us a much more affordable price point for housing, but it was unfortunately turned down. He expressed concern that there have been lots of rezones approved on the east side of Kaysville and none on the west side of the city.

Commissioner Allred echoed the same sentiments of Commissioner Doxey and said he wholeheartedly agrees. He said he feels it behooves the Planning Commission and the city to look at these kind of requests

and make reasonable recommendations to support any kind of housing that helps with the housing shortage situation we have.

Commissioner Barrus stated that the sentiment Commissioner Allred share is precisely how he feels.

Commissioner Allred made a motion to recommend approval to the City Council to rezone to R-1-14 based on the findings in the staff report, as well as being able to provide a slightly different and a greater variety of housing choice with lot sizes uncharacteristic to the west side of Kaysville, the rezone would not do harm to the general public in terms of infrastructure, it complies with the general Plan, and partly goes towards addressing the housing crisis. Commissioner Doxey seconded the motion. All Commissioners voted in favor of the motion to rezone, 6-0.

6- Call to the public

There were no public comments.

7- Other matters that properly come before the Planning Commission: Reports, Correspondence, and Calendar

Ms. Greenwood said she is hopeful the 2022 General Plan will be adopted by the August 4th meeting.

Ms. Greenwood said she decided to hold off on revising bylaws until after the new Planning Commissioners were in place, so that project will be coming up in the next couple of months. Vice-chair Lyon suggested the bylaws should be updated to allow electronic meetings as well as electronic voting so that we are covered in emergencies. Ms. Greenwood also suggested adding a deadline for items to be submitted as part of the record so the Planning Commission can have adequate time to review information prior to making a decision.

Ms. Greenwood shared language with the Commissioners that was added to the explosives ordinance based on direction from the Planning Commission on June 23, 2022. Staff worked with the Fire Chief, City Attorney and Building Official to add "Commercially manufactured black powder intended to be used for rocket motors solely in compliance with the State of Utah's currently adopted edition of the International Fire Code and in compliance with NFPA 1122 Code for Model Rocket" to the ordinance as an exception. She said the item will be before the Council on July 14th.

The Commission discussed dates for upcoming conferences and training, including the APA Conference in Herriman on September 8th and 9th. There is also a Utah Land Use Institute at the end of October and the Utah League of Cities and Towns conference in October on the 5th and 6th.

Commissioner Lyon made a motion to adjourn the meeting at 7:51 p.m.

3.13 ON-CALL PAY

Employees who are required to be on-call shall be compensated at the rate as established in the City Compensation Plan as approved by the City Council annually.

3.14 PAY PERIODS AND PAYDAYS

The pay period for all employees shall be the two week period, ending on alternate Fridays. Paydays, shall be the Friday following the end of each pay period.

It is the City policy that all employees are paid by direct deposit to their respective checking or savings account. Accordingly, the City has established an automatic payroll deposit program, which provides automatic transfers of an employee's pay directly to the employee's bank account(s) (checking or savings) on each payday.

Except for employees terminating, the City will only pay on paydays. Employees leaving City service will normally be paid on the regular payday following the date of termination and upon written clearance by the department head concerned that the employee has returned all City property.

The City will not make pay advances to employees.

The method of distributing payroll information shall be established by the City Manager.

3.15 OFF DUTY COURT TIME

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

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

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

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

3.16 HOLIDAYS

The Kaysville City Council designates all recognized State of Utah holidays as paid holidays as well as the Friday after Thanksgiving.

When a holiday falls on a Saturday, it shall be observed on the preceding workday. When it falls on Sunday, it shall be observed the following workday.

RESOLUTION XX-XX-XX

**A RESOLUTION ADOPTING AND APPROVING A POLICY ESTABLISHING
CITY HOLIDAYS**

WHEREAS, the Kaysville City Council desires that City Personnel are afforded the opportunity to celebrate state-observed holidays; and

WHEREAS, the City Council desires to establish a simple policy to determine which holidays the City will observe ; and

WHEREAS, the City recognizes that establishing this policy will help insure that important historical and cultural events are properly remembered in the City; and

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

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

The Kaysville City Personel Policies and Procedures Section 3.16 shall be amended as followed:

3.16 HOLIDAYS

The Kaysville City Council designates all recognized State of Utah holidays as paid holidays as well as the Friday after Thanksgiving.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **4th day of August, 2022.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder