



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, September 15, 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.

SPECIAL WORK MEETING – 5:30 P.M.

The City Council will be meeting to discuss Economic Development Opportunities and receive an update on Kaysville City's Redevelopment Agency (RDA).

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.

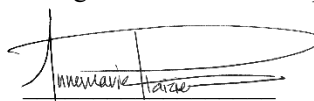
CITY COUNCIL MEETING – 7:00 P.M.

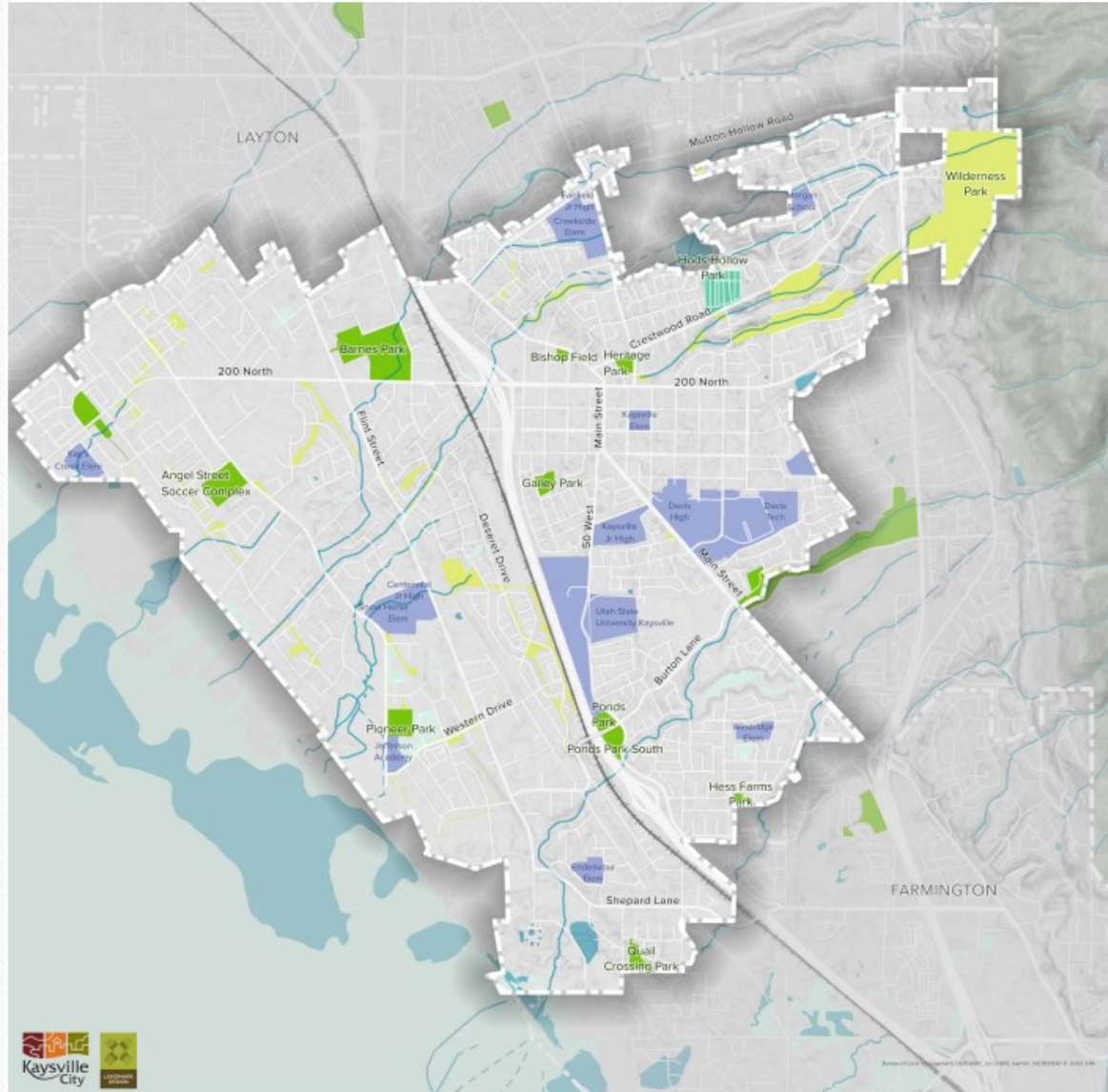
The agenda shall be as follows:

1. OPENING
 - a. Provided by Mayor Tami Tran.
2. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
3. PRESENTATIONS AND AWARDS
 - a. Swearing-in of the Youth City Council.
 - b. Swearing-in of new police officers, Carter Moser and Noelia Sarmiento.
 - c. Department Presentation, Parks and Recreation – Cole Stephens, Director.
4. DECLARATION OF ANY CONFLICTS OF INTEREST
5. ACTION ITEMS
 - a. Request to rezone 0.65 acres of property at 500 North Main Street from General Commercial (GC) to the R-M (Multiple Family Residential) zoning district – Elite Craft Homes.
 - b. A Resolution authorizing an Interlocal Cooperation Agreement with Farmington City to construct the Connector Road Project.
 - c. An Ordinance amending Kaysville City Code Section 8-5, "Flood Damage Prevention."
 - d. Authorization to Purchase Dispatch, Outage Communication/Management System Software.
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 September 9, 2022.


Annemarie Plaizier
City Recorder



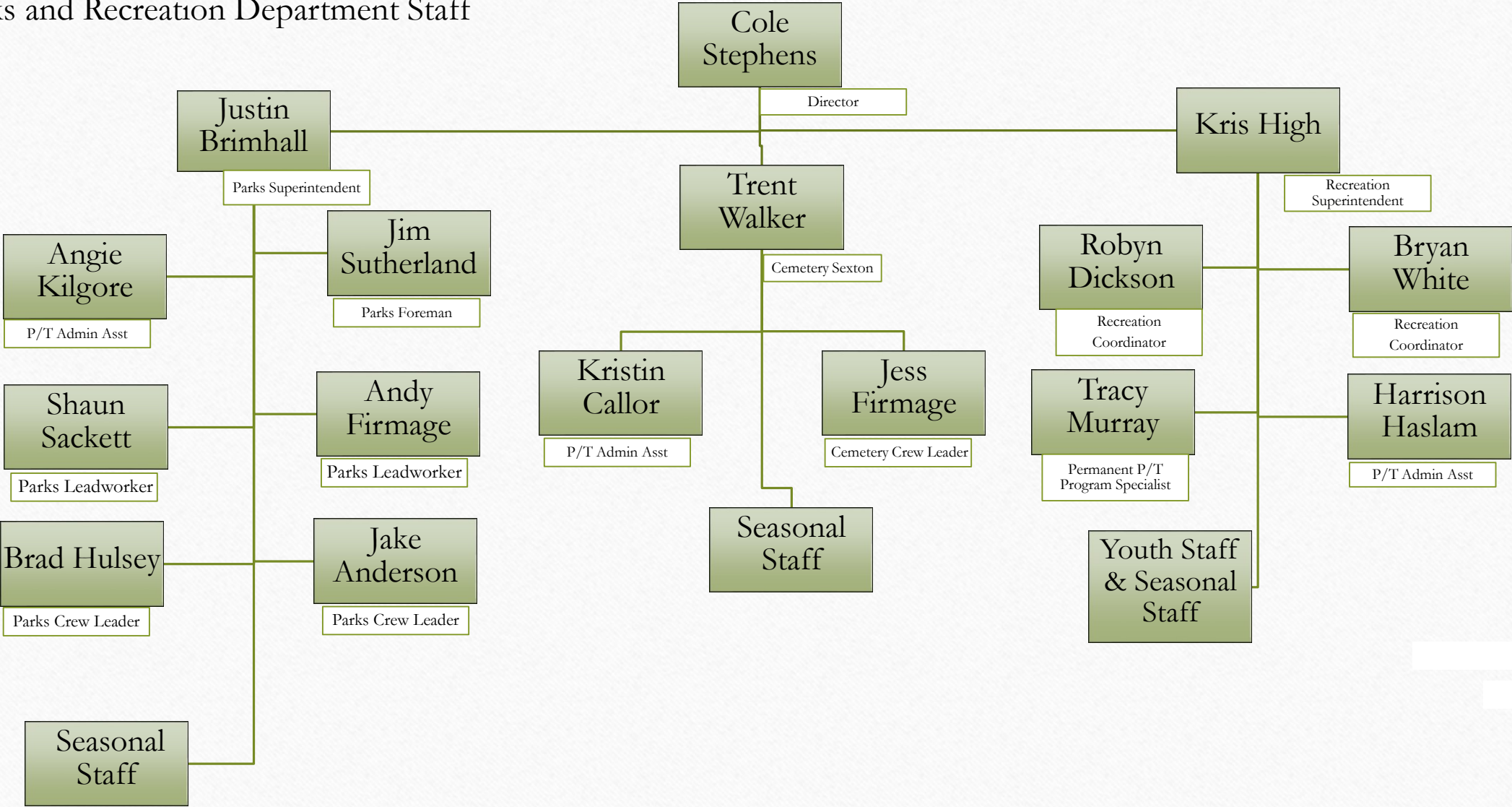
Kaysville Parks and Recreation

Department Report
September 15, 2022

Department Responsibilities

- Parks and Trails
- Recreation
- Cemetery
- City Facilities
- Community Events
- Other Public Properties (ROW, etc)
- Citizen Boards
 - Parks and Recreation Advisory Board
 - RAMP Advisory Board

Parks and Recreation Department Staff

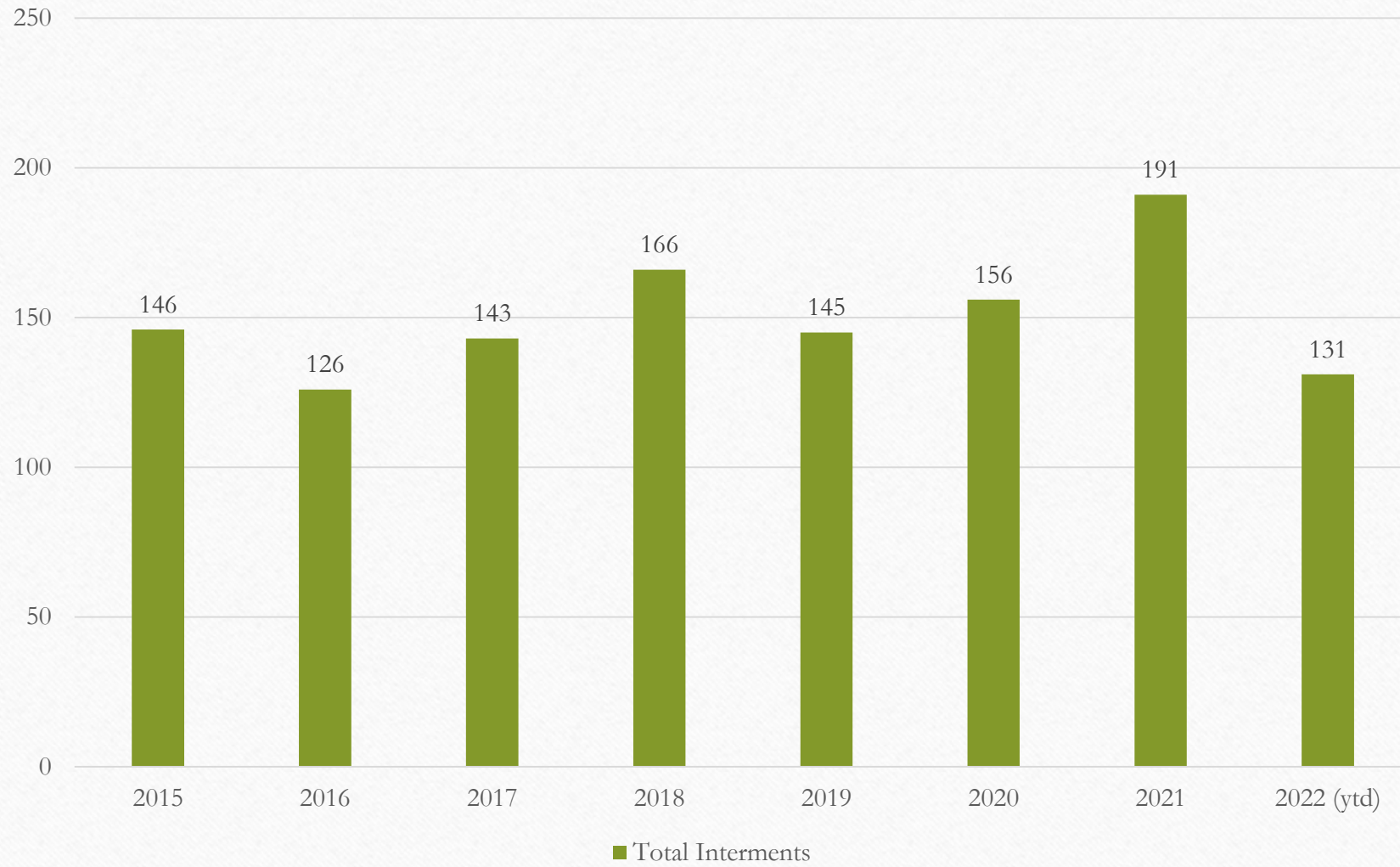


Kaysville City Cemetery

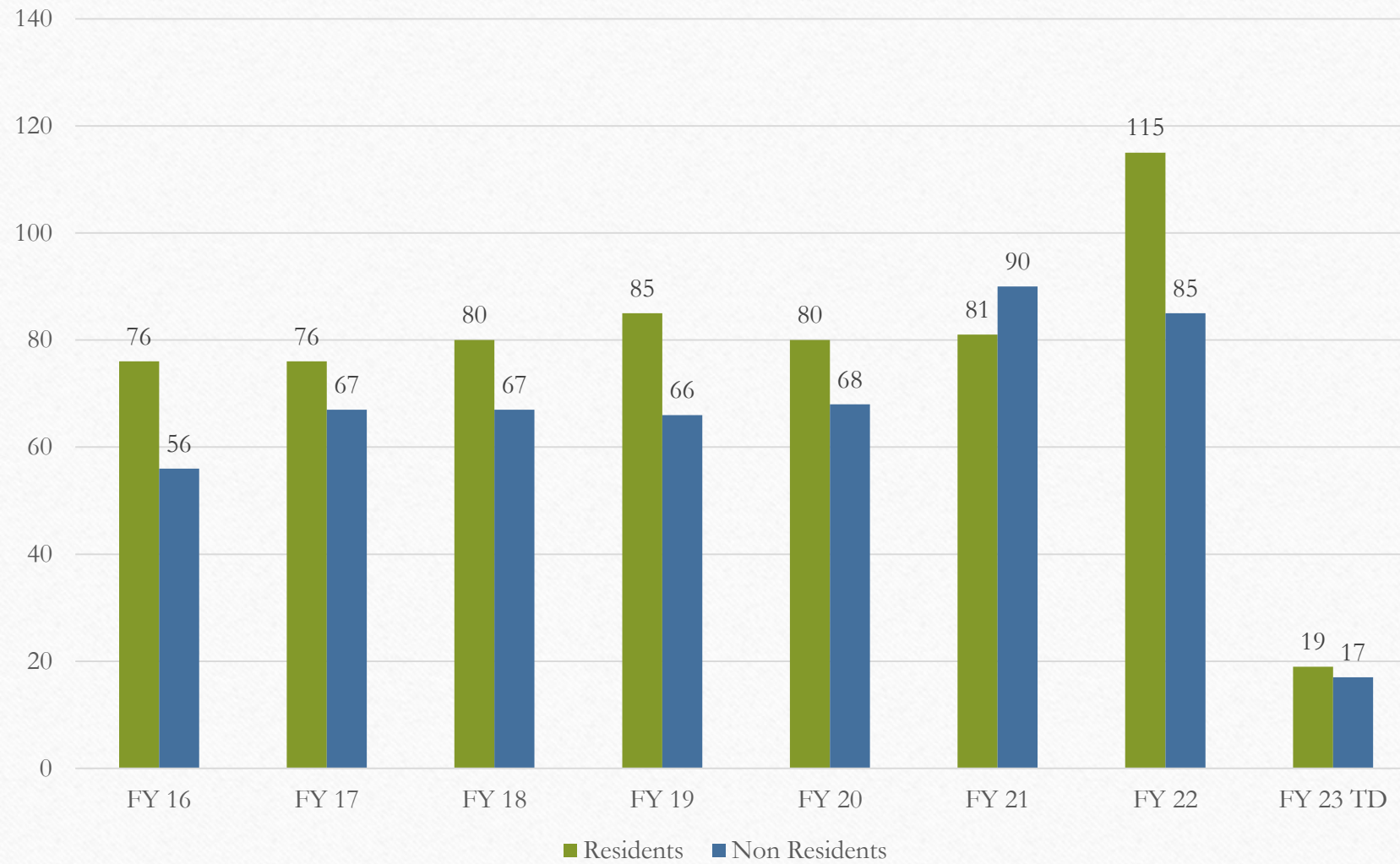
1865



8 Year (C) Interment History



8 Year (FY) Interment History - Resident vs Non-Resident



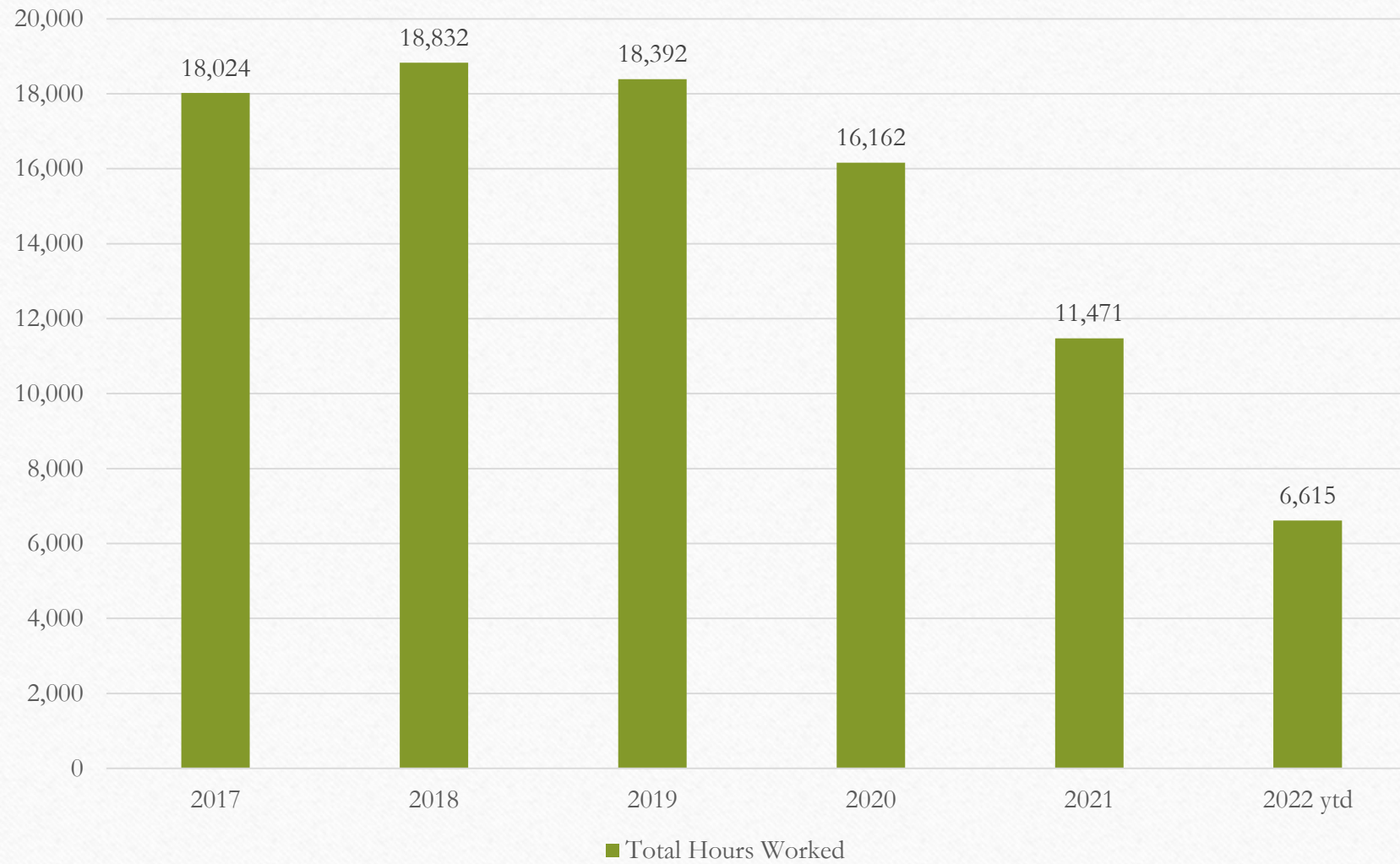
- 22.4 acres
- FY 22 avg 3.84 Interments per week
- Burial space right sales at need only until Plat H is ready in spring of 2023.
- Future Short and Long term plans
 - FY 23 – Retaining wall near cemetery office (currently out to bid).
 - FY 24 – Design of Memory/Cremation Garden Area (next to Cemetery office)
 - FY 24 – Design master plan for replacement of Plats A, B, C, D and E sections irrigation system (some of the system dates back to the 1950's)
 - Cemetery expansion/additions – What happens in 10 years?
- Cremations seeing a slight uptick in numbers
- Lost 3 large spruce trees (75+yrs old) to Ips Beetle in 2022.
- Bryce Chappel – Seasonal mower operator for 30 years

Parks



- **158.29** acres developed Parks and Public Properties maintained
- **214.53** acres undeveloped Parks and Public Properties maintained
 - Trappers Field park site began development of south side in 2021. North side of park is currently out with a RFP for engineering and design services in the FY 23 budget. Construction estimated to begin in FY 24.
- Labor shortage of Seasonal employees (see following chart) is greatly impacting level of service.
 - Looking into solutions for long and short term.
- Replacement was completed of the Hods Hollow playground and Heritage Park playground surfacing in FY 22. Ponds Park playground is in design for FY 23 budget year.
- Wilderness Park parking lot improvements – FY 23 Funding sources State grant, Davis County grant and possible RAMP funds.
- Water conservation for 2022 irrigation season:
 - Reduced all irrigation as requested and in consultation with irrigation providers.
 - Identifying areas of turfgrass that can be eliminated and re-landscaped with more drought tolerant landscaping (ex Fire Station and Operation Center). This will require budget funding, hopeful to begin plans in FY 24.

6 Year Seasonal Employees Hours Worked



Parks and Recreation Master Plan

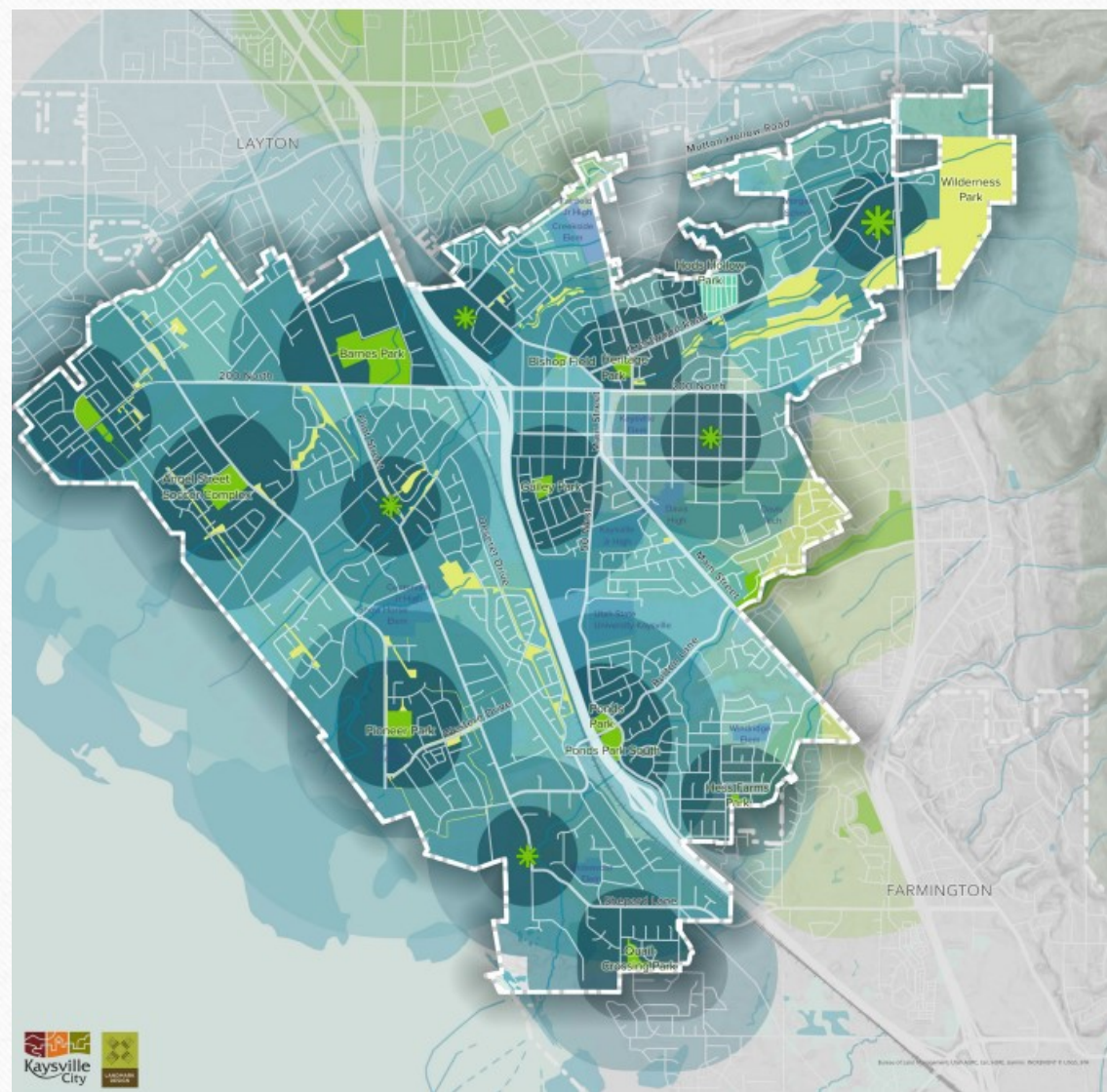
KAYSVILLE PARK VISION The community survey results indicate that residents are generally highly satisfied with the current park system, and want to see a system that expands its focus on recreation, trails and open space as opposed to traditional parks. When asked about allocating a hypothetical amount of money towards additional parks, recreational programs or facilities or trails in the City, constructing a recreation center, adding walking and biking trails and providing natural open spaces were the top three priorities of residents. Upgrading existing parks and playgrounds, additional athletic courts, and new neighborhood and community parks followed in popularity. The survey also indicated that 67-percent of survey respondents use parks primarily because of their proximity to home, which indicates this is an important factor in future park planning

Future Level of Service



Park Acres Needed to Fill Existing Gaps





Park Acres Needed 2021-2030



Park Acres Needed 2030-2050



The Role of Private and School District Recreation Facilities

A handful of privately-owned and operated health and fitness facilities in Kaysville serve residents on a fee or membership basis. The facilities work in tandem with City-owned facilities, providing residents with private recreation and fitness opportunities. However, they are only available to those who are willing and able to pay. Some communities actively strive to join forces with private gyms and organizations to enhance the range of recreational facilities and services available to the public.

Kaysville has a cooperative relationship with Davis School District, sharing indoor gyms, outdoor fields and other facilities between students and the general public. While the City uses these facilities extensively for recreation programming purposes, they are available only with the continued agreement of the school district. Since cooperative agreements are not typically guaranteed in perpetuity, City use and access are not guaranteed. Partnering with local schools is nevertheless an important tool for maximizing the benefit provided, particularly for communities like Kaysville that have a high demand for limited resources. Furthermore, such partnerships minimize the duplication of park and recreation facilities in the City.

A New Recreation Center

The community survey indicated strong support for the creation of a full service Recreation Center in Kaysville, including a public pool. Four out of five respondents expressed interest and most were willing to pay additional property tax to fund a center. As such the City should prioritize study and examine the construction of a future recreation center.

Recreation Programming

Kaysville provides an extensive range of recreation programs for youth, including baseball/softball, basketball, flag football, soccer, ski/snowboarding, self defense, jump rope, and musical theater. Adult programming includes golf, softball, tennis, soccer and yoga. In addition, summer programming includes art classes, bowling, golf, tennis, track & field, youth pickleball and jump rope. The City also hosts tournaments in baseball/softball and pickleball.

The community survey indicated that only 28-percent of respondents had used City recreation programs in the past twelve months. Soccer, basketball and baseball were the most used recreation programs. When respondents were asked why they did not participate in recreation programs, they cited that they don't know what is being offered, they aren't interested in the activities, or a lack of adult recreation programs. The survey results indicated strong support for Active Aging Programs, swimming and pickleball programming, as well as live events such as concerts and festivals.

Based on community feedback, the City should make an extra effort to publicize existing programs and work towards expanding other programs offered, particularly to adults.

KEY TAKEAWAYS

- Kaysville has a wide variety of recreational programming.
- Kaysville residents are very interested in the construction of a new recreation center.
- The City should work to publicize existing recreational programming and work to expand offerings particularly to adults.

Recreation



- **Park/Recreation Reservations Sept 2021 thru Oct 2022** (all pavilions, courts, campsites now have a QR code sign at the location which contains the name of those reserving the space. This has eliminated the need for paper signs delivered to each site each day)
 - Park Pavilions = 454
 - Courts (tennis/pickleball/sand volleyball) = 504
 - Recreation Building Rentals = 74
 - Wilderness Park Campsites = 121
- **Programming**
 - Programs offered range from age 3 to adult of any age and ability. Our goal is to capture all ages and interests.
 - Programs added in 2022 – UOVA Volleyball Tournament (outdoor), Kaysville Quest (scavenger hunt) and Family Super Sport (teaches families to play together on the field and court).
 - February 2022 celebrated Girls in Sports Day. Celebrating the 50th anniversary of Title IX. Will continue to hold annually.
 - Summary of Program List for 2022 – Adult Pickleball Leagues/Classes, Bowling, Science Academy, Soccer, Golf, Jr Bees Baseball, Softball, Jr Jazz Basketball, Kids in the Park, Camp Champ, Ski/Snowboard, Pickleball Tournament, Summer Art Classes, Tennis, Track & Field, Tackle Football, Flag Football, Youth Fishing, Youth Pickleball, Accelerated Softball League, Adult Softball, Musical Theater.
 - Coordination with DSD gymnasium space continues to present challenges for indoor programs such as Jr Jazz.
 - Accommodated 11,098 individuals from Winter 2021 to Fall 2022
 - Top Programs
 - Youth Baseball/Youth and Adult Softball = 2,444
 - Soccer = 2,143
 - Jr Jazz Basketball = 1,476
 - Tackle and Flag Football = 669
 - Pickleball = 643



Citizen Boards

- Parks and Recreation Advisory Board
 - Master completed in 2022
 - Monthly meetings and park visits
 - Involved with assisting in all Community Events
- RAMP Advisory Board
 - RAMP Tax passed by a 70/30 margin in the November 2021 general election.
 - RAMP Advisory Board created in 2022.
 - First RAMP grant application recommendations will come to the City Council in October 2022. Subsequent years will be a part of the normal budget processes with the RAMP board recommending to CC.

Community Events

- Daddy Daughter Dance
- Easter Egg Hunt
- Arbor Day Program
- Memorial Day Observance Program
- Movie in the Park
- July 4th Celebration
- July 24th Scholarship Breakfast sponsored by Bowmans
- Veteran's Day Lunch
- Holiday Lighting
- Kaysville Gives and Fill the Fire Truck



Facilities

- Old Library building – 1944
- Recreation Building – 1968
- Municipal Center – 1986 with major remodel/addition 2020
 - FY 23 Increase lighting in parking lot
- Operation Center – 1992
 - FY 23 HVAC partial equipment replacement
 - FY 23 Roll up door replacements
- Fire Station – 2000
 - FY 23 Lighting improvements to change out and bay areas
- Police Station – 2014
- Total of 80,100 sq ft of maintained facilities
 - Custodial Services, HVAC systems, general maintenance and improvements, etc

Parks, open space, recreation and trails are a vital components of Kaysville's form and identity. Taken together as a system, they provide places to gather and recreate together with friends and family while maintaining ties to the City's roots and heritage. The City's parks, open spaces and trails also provide visual and physical relief from the built environment, serving as places of respite, recreation and connection to the natural environment. When fully-realized, the system will enhance the health and well-being of the community, creating a more complete and unified city in the process.

An up-to-date and comprehensive parks, open space, recreation and trails element is essential to ensure the acquisition, development and maintenance of facilities and programs keeps pace with the demands and needs of the changing population. It also captures the vision and needs of the community, providing policy guidance and specific implementation ideas for allocating precious resources to ensure the City is meeting current needs and those for the next ten years and beyond.

**EVERYBODY NEEDS BEAUTY
AS WELL AS BREAD, PLACES
TO PLAY IN AND PRAY IN,
WHERE NATURE MAY HEAL
AND GIVE STRENGTH TO
BODY AND SOUL.**

JOHN MUIR



CITY COUNCIL STAFF REPORT

MEETING DATE: September 15, 2022

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Request to Rezone 0.65 acres of property at 500 North Main Street from General Commercial (GC) to the R-M (Multiple Family Residential) zoning district – Elite Craft Homes.

EXECUTIVE SUMMARY:

This City Council adopted the 2022 General Plan while this item was in between the Planning Commission meeting on the City Council meeting. Because of this, a new staff report referencing the 2022 General Plan (instead of the 2019 General Plan) needed to be drafted. The updated staff report is attached, as is the original staff report sent to the Planning Commission.

At the August 11, 2022 Planning Commission meeting, the Planning Commission held a public hearing and voted 4-1 to recommend denial of the rezoning request. As their primary reason for the denial, the Commissioners cited wanting to keep viable commercial/mixed-use zoning opportunities over losing them to a strictly residential use.

City Council Options:

1. Approve the rezone request.
2. Deny the rezone request.

Recommended Option:

Based on the Planning Commission's recommendation of denial and the 2022 General Plan calling for this property to be Mixed-Use, staff recommends that the City Council deny the rezone request of 500 North Main Street to R-M Multiple Family Residential District.

Fiscal Impact:

N/A.

Attachments:

1. CC Staff Report 500 North Main Street Rezone Request to R-M Multiple Family Residential
2. August 8, 2022 Planning Commission Staff report
3. August 8, 2022 Planning Commission Meeting Minutes excerpt
4. Public Comments received via email
5. Draft Rezone Ordinance

CITY COUNCIL STAFF REPORT

To: Kaysville City Council
From: Melinda Greenwood, Community Development Director
Date: September 8, 2022

RE: Rezone application for 500 North Main from GC General Commercial to R-M Multi Family Residential District - Elite Craft Homes

City Council Meeting Date	September 15, 2022
Application Type	Rezone
Applicant Owner	Elite Craft Homes Julie A. Duerden & Robert Douglas Duerden
Address Parcel ID Number	500 North Main 11-100-0030
Lot Size	.66 acre 28,749 ft ²
Current Use	One single family dwelling
Current Zoning	GC General Commercial
Density Entitlement	N/A
Requested Zoning	R-M Multiple Family Residential
Density Entitlement	10 family residential dwellings (1 per 2,800 ft ²)

1. BACKGROUND

The subject property is a 28,749 ft² parcel at 500 North Main Street with one existing single family home. The applicant is requesting the lot be rezoned from GC General Commercial district, which has no minimum lot size, to R-M Multiple Family Residential, which has a minimum lot size of 8,000 ft².

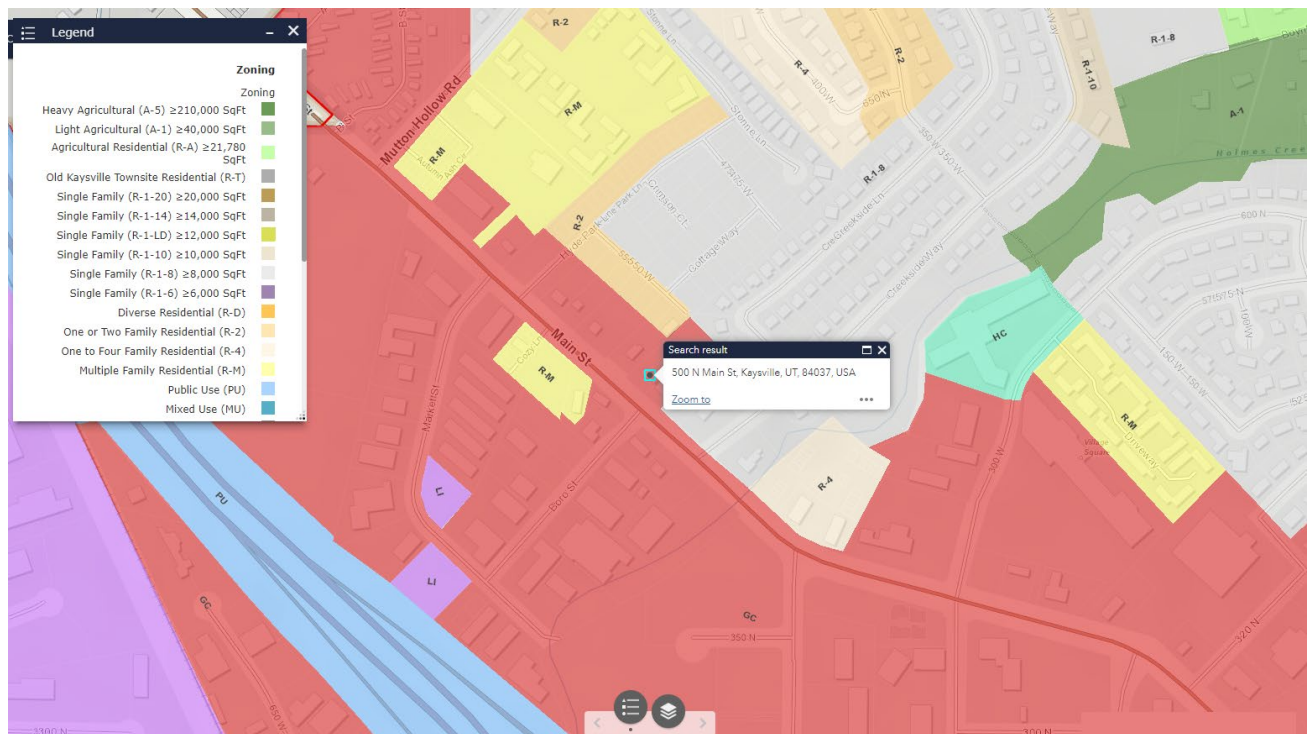
If approved, the zone change could allow for the construction of up to ten dwelling units as the code allows one unit per every 2,800 square feet.



2. SURROUNDING LAND USE AND ZONING

The parcel is located on the north side of Main Street at 500 North. The surrounding area and neighborhood includes a mix of residential densities in the vicinity. Specifically, the area includes the following zones:

- **Adjacent** – Directly adjacent to the subject property is General Commercial with R-2 abutting the north portion of the lot.
- **North** – The subject property is bordered by GC General Commercial and some R-2 zoning.
- **South** – Directly south of the parcels are GC General Commercial with R-1-8 and some R-4 further south.
- **East** – R-1-8 single family.
- **West** – The subject property is surrounded by GC General Commercial and across the street some R-M Multiple Family Residential.



The City Council should take the neighborhood character and surrounding zoning uses into consideration when determining if the R-M Multiple Family Residential zone is appropriate in this area.

The City Council may also want to discuss the loss of commercially zoned property on Main Street and whether or not the addition of housing could overcome the loss of commercial opportunities.

3. GENERAL PLAN

The 2022 Kaysville City General Plan Future Land Use Map calls for this property to be used as Mixed-Use. The rezone request to R-M is not supported by this element of the plan.

The 2022 General Plan also contains two guiding principles which are germane to the application. The first is:

Enrich our city center and downtown - We will enhance our city center with commercial and mixed-use development and investing in streetscape and parking.

The subject property is located within the designated preferred City Center concept and the principle calls for mixed use in this area.

The other relevant guiding principle states:

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

The rezone of 500 North Main Street to R-M Multiple Family Residential would create a broader range of residential opportunities to meet differing lifestyle and life cycle needs. Taking each principle on their own merit, they are contradicting. However, when looking at the overall picture of the 2022 General Plan, the rezone request is not supported as the General Plan calls for this property to be mixed use.

The 2022 General Plan also calls contains the following goals, objectives and implementation measures which largely support the subject property to be used as mixed-use and do not support the rezone application.

Chapter 1: Land Use and Placemaking Plan

GOAL 2: MAKE KAYSVILLE CITY CENTER DISTINCT AND IDENTIFIABLE FROM ADJACENT NEIGHBORHOODS AND SURROUNDING CITIES

Objective 2.1: Improve commercial Frontage and streetscapes along key corridors such as Main Street and 200 North.

Objective 2.2: Create a distinct city center and expand the “heart of the community” to include areas beyond the historic core.

GOAL 3: IMPROVE THE COMMERCIAL PROFILE AND OPERATIONS ALONG THE OUTSKIRTS OF THE COMMUNITY AND REGIONAL CORRIDORS



GOAL 8: PROVIDE A RANGE OF HOUSING OPTIONS AND PRICE POINTS THAT HELP ENSURE KAYSVILLE IS AN AFFORDABLE PLACE TO LIVE

Implementation Measure: Allow and encourage new residential development models that meet the future needs of the community.

GOAL 9: ENCOURAGE DIVERSE COMMERCIAL USES TO MEET THE NEEDS OF THE COMMUNITY AND VISITORS

Objective 9.1: Focus primary commercial uses in the City Center and secondary uses in smaller existing/future nodes.

Implementation Measure: Encourage mixed use and flex development in the City Center.

Chapter 3: Housing & Neighborhoods

GOAL 1: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.1: Allow for higher density and mixed use within the City Center to diversify housing stock

Chapter 5: Economic Development and Prosperity

GOAL 1: PROMOTE KAYSVILLE CITY CENTER REDEVELOPMENT TO STRENGTHEN COMMERCIAL AREAS

Objective 1.1: Allow for greater densities in Kaysville City Center to generate an increase in buying power and capture rates.

GOAL 3: ALLOW FOR MIXED USE DEVELOPMENT IN IDENTIFIED AREAS TO GENERATE MORE ROOFTOPS AND PREVENT SALES LEAKAGE

The mixed use zoning would potentially allow for higher density than the R-M zoning. These higher densities and mixed-use developments allow for the strengthening and sustainability of commercial areas.

The 2022 General Plan excerpts support the future use of 500 North Main Street to be utilized as mixed-use and not R-M. The excerpts should be considered as findings when the City Council makes their decision.

4. ZONING

A. R-M Single Family Residential District

The stated purpose of the R-M zone is: To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained, and protected. The regulations of this district are designed to promote and encourage an intensively developed residential environment suitable primarily for adult living. To this end, the regulations permit, in

accordance with stated regulations, dwellings ranging from single-family to multiple and necessary public services and activities subject to proper controls.

Based on information in this report, public comment, discussion at the Planning Commission meeting, and any findings determined during this process, the Council may find it appropriate to apply the R-M zone to the subject property.

B. Density

The subject property is 28,749 ft², which could allow for up to ten dwelling units on the site. While based solely on square footage the math would allow for ten units, taking the lot size, shape, setbacks and other regulations into consideration, maximizing the density to ten units on the site is unlikely.

C. Regulations

Differences between lot size requirements and other regulations between the GC General Commercial zone (current) and R-M (proposed) zones are identified in the chart below.

	GC (Current Zone)	R-M (Proposed Zone)
Minimum Lot Size	N/A	8,000 ft ²
Density (based on lot size)	N/A	10
Lot Width	N/A	70'
Building Height	35'	30'
Front Setback	N/A	25'
Side Setback	N/A	≥ 8'
Rear Setback	N/A	15'
Residential Setback	20'	N/A
Open Space	N/A	800 ft ² for 2 + 600 ft ² for 3 and 4+ 400 ft ² each additional unit
Outdoor Storage	N/A	20 ft ² per unit

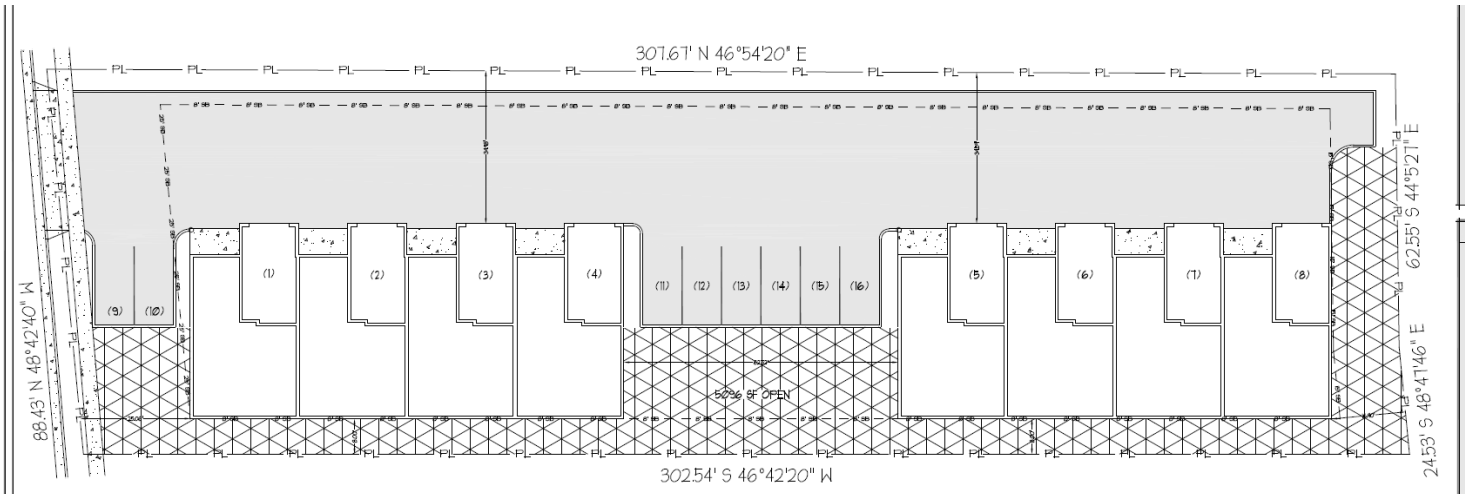
5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Thursday, August 4, 2022 and 79 public notices were mailed to property owners within 500 foot radius of the subject property. Several comments were submitted via the City's website stating concerns about privacy, water availability, traffic, crime, opposition to density. Those emails have been attached to the staff report with protected information having been redacted from the forms.

The Planning Commission held a public hearing regarding this application at their August 11, 2022 meeting. Comments made during the meeting echoed the concerns noted above and added a preference for commercial buildings, concerns about property values and dialogue about the eastern side of the city having more than its fair share of medium density housing. Staff doesn't differentiate between any portions of the City and maintains that overall, the City lacks housing options which are more likely to be moderate income housing. The approved minutes of that meeting are attached.

6. SUMMARY

The applicant submitted the below concept of an eight-unit development as an example for what may be constructed should the zone change be approved.



The City Council should debate the rezone request, the findings in this report, compatibility with the 2022 General Plan, how well the R-M zone would fit into the neighborhood character at this particular location and public comments received.

While there are some elements of the 2022 General Plan that support the rezone of the subject property to R-M, those elements are limited and the General Plan moreover calls for the property to be strengthened as a commercial use with the inclusion of residential to incorporate mixed-use on the site.

7. RECOMMENDATION

Based on the Planning Commission's recommendation of denial and the 2022 General Plan calling for this property to be Mixed-Use, staff recommends that the City Council deny the rezone request of 500 North Main Street to R-M Multiple Family Residential District.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Dan Jessop, Zoning Administrator and Melinda Greenwood, Community Development Director

Date: August 8, 2022

Agenda Item #6: Public Hearing for the rezone application from Blake Bastian for 500 North Main from GC General Commercial to R-M Multi Family Residential District

Meeting Date	August 11, 2022
Application Type	Rezone
Applicant Owner	Julie A. Duerden and Robert Douglas Duerden
Address Parcel ID Number	500 North Main 11-100-0030
Lot Size	.66 acre 28,749 ft ²
Current Use	One single family dwelling
Current Zoning	GC General Commercial
Density Entitlement	N/A
Requested Zoning	R-M Multiple Family Residential
Density Entitlement	10 family residential dwelling (1 per 2,800 ft ²)

1. BACKGROUND

The subject property is a 28,749 ft² parcel at 500 North Main Street with one existing single family home which faces south. The applicant is requesting the lot be rezoned from GC General Commercial, which has no minimum lot size, to R-M Multiple Family Residential, which has a minimum lot size of 8,000 ft².

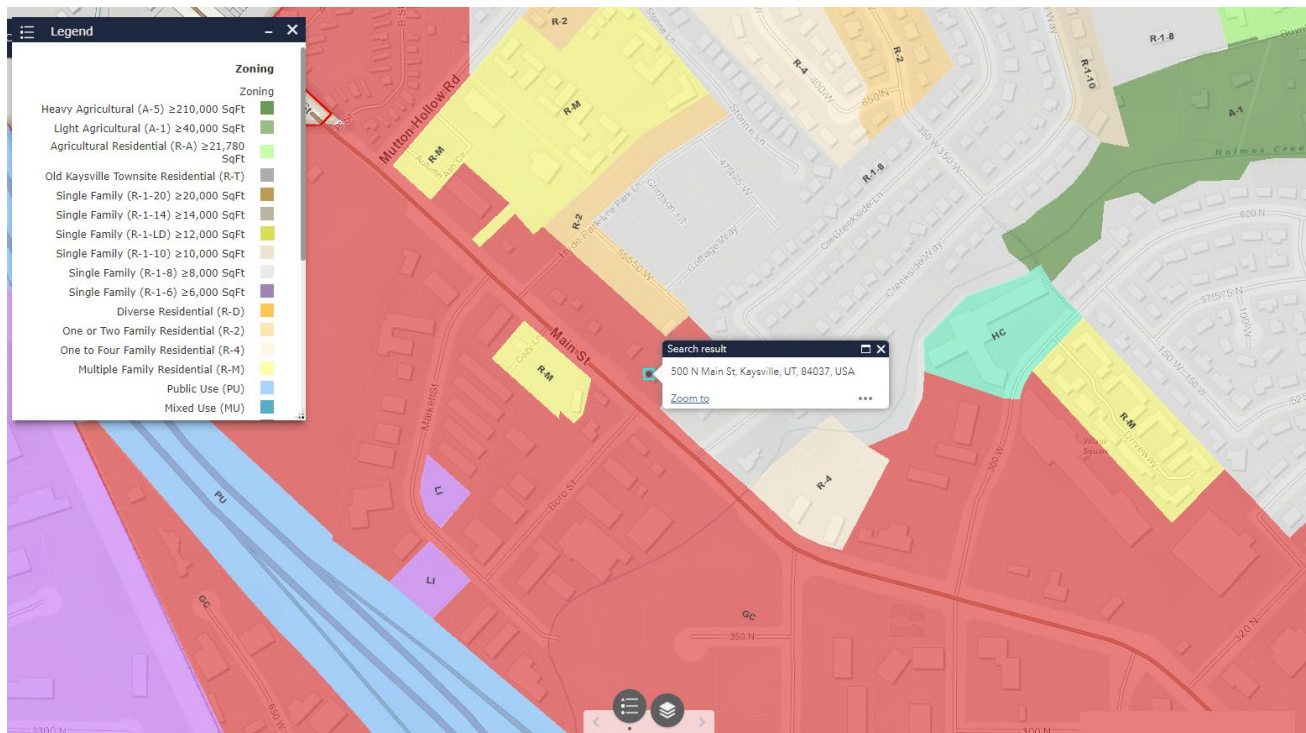
If approved, the zone change could allow for the construction of up to ten dwelling units as the code allows one unit per every 2,800 square feet.



2. SURROUNDING LAND USE AND ZONING

The parcel is located on the north side of Main Street at 500 North. The surrounding area and neighborhood includes a mix of residential densities in the vicinity. Specifically, the area includes the following zones:

- **Adjacent** – Directly adjacent to the subject property is General Commercial with R-2 abutting the north portion of the lot.
- **North** – The subject property is bordered by GC General Commercial and some R-2 zoning.
- **South** – Directly south of the parcels are GC General Commercial with R-1-8 and some R-4 further south.
- **East** – R-1-8 single family.
- **West** – The subject property is surrounded by GC General Commercial and across the street some R-M Multiple Family Residential.



The Planning Commission should take the neighborhood character and surrounding zoning uses into consideration when determining if the R-M Multiple Family Residential zone is appropriate in this area.

The Commission may also want to discuss the loss of commercially zoned property on Main Street and whether or not the addition of housing could compensate for the loss of commercial opportunities.

3. GENERAL PLAN

The 2019 Kaysville City General Plan sets the following goals and policies. These excerpts are relevant to the R-M Multiple Family Residential rezone application and should be considered as findings when the Commission makes their recommendation to the City Council.

I. Identity and Character

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

The rezone of 500 North Main Street to R-M Multiple Family Residential would create more residential property in the city, keeping in line with Kaysville being a primarily residential community. As mentioned in the previous section and relevant to this goal, is the question of whether or not converting commercial property into residential uses creates a vision to promote business and industry.

III. Growth and Development

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

The R-M zone allows for multifamily developments such as townhomes, adding medium density housing options which would continue to add diversity to existing housing opportunities, which are by large, single family. The rezone request to R-M 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. East of I-15, allow for housing compatible with and complimentary to existing neighborhoods while considering medium densities along major streets and higher densities near transit stops and arterial streets (200 North, Main Street, Interstate 15, and U.S. 89).

The subject property is located on North Main Street which is considered an arterial street and it is east of I-15. Given its location, it is appropriate to consider applying the R-M 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 2019 General Plan calls for multiple unit housing consisting of three to six units and specifically calls for having a variety of housing opportunities throughout the city. The concept plan submitted shows two four-unit buildings, which is within the limitations detailed.

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.*
- 7. Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.*
- 9. Rezone for densities necessary to assure the production of moderate income housing.*

The requested zone converts commercially zoned property to residential uses, which satisfies objective one above. The requested change would also diversify available housing products in the area and provide additional housing options at a lower cost due to construction methods used in townhome style products. The addition of properties zoned for medium density housing meets objectives in the 2019 MIH Plan.

The 2019 General Plan contains adequate goals and policies to support the rezone of the property at 500 North Main Street to R-M Multiple Family Residential.

4. ZONING**A. R-M Single Family Residential District**

The stated purpose of the R-M zone is: To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained, and protected. The regulations of this district are designed to promote and encourage an intensively developed residential environment suitable primarily for adult living. To this end, the regulations permit, in accordance with stated regulations, dwellings ranging from single-family to multiple and necessary public services and activities subject to proper controls.

Based on information in this report, public comment, discussion at the Planning Commission meeting, and any findings determined during this process, the Commission may find it appropriate to apply the R-M zone to the subject property.

B. Density

The subject property is 28,749 ft², which could allow for up to ten dwelling units on the site. While math based solely on square footage would allow for ten units, taking the lot size, shape,

setbacks and other regulations into consideration, maximizing the density to ten units on the site is unlikely.

C. Regulations

Differences between lot size requirements and other regulations between the GC General Commercial zone (current) and R-M (proposed) zones are identified in the chart below.

	GC (Current Zone)	R-M (Proposed Zone)
Minimum Lot Size	N/A	8,000 ft ²
Density (based on lot size)	N/A	10
Lot Width	N/A	70'
Building Height	35'	30'
Front Setback	N/A	25'
Side Setback	N/A	≥ 8'
Rear Setback	N/A	15'
Residential Setback	20'	N/A
Open Space	N/A	800 ft ² for 2 + 600 ft ² for 3 and 4+ 400 ft ² each additional unit
Outdoor Storage	N/A	20 ft ² per unit

5. PUBLIC NOTICING AND PUBLIC COMMENT

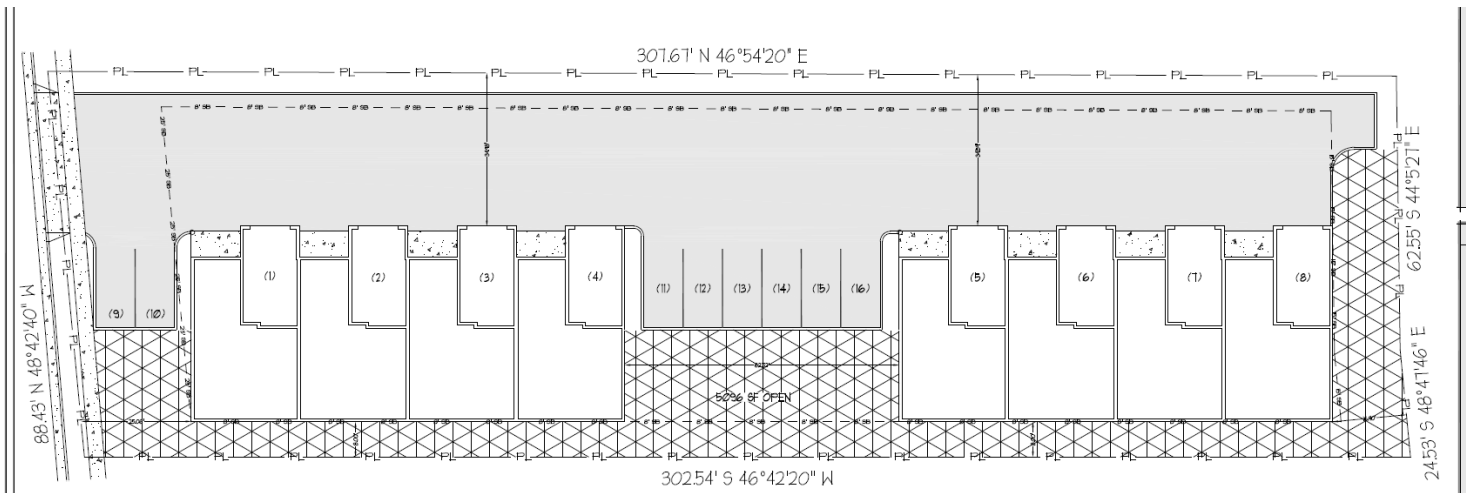
A sign was placed on the property on Thursday, August 4, 2022 and 79 public notices were mailed to property owners within 500 foot radius of the subject property.

Several comments have been submitted via the City's website stating concerns about privacy, water availability, traffic, crime, opposition to density.

6. SUMMARY

The 2019 General Plan contains adequate goals and policy objectives to support approval of the rezone request.

The applicant submitted the below concept of an eight-unit development as an example for what may be constructed should the zone change be approved.



The Planning Commission should further debate the rezone request, the findings in this report, compatibility with the 2019 General Plan, how well the R-M zone would fit into the neighborhood character at this particular location and public comments received.

7. RECOMMENDATION

Staff recommends the Planning Commission make a recommendation to the City Council to approve the requested zone change from GC General Commercial to R-M Multiple Family Residential at 500 North Main Street.

5- FINAL PLAT SUBDIVISION APPROVAL FOR HUCKLEBERRY ESTATES FOR ROBERT AND LINDA BOURNE LOCATED AT 1742 PHILLIPS STREET

Introduced by: Melinda Greenwood

Ms. Greenwood presented the staff report for Huckleberry Estates. Slides were presented of the aerial view of the subdivision as well and the final plat. The final plat shows that Bourne Drive and Huckleberry Way would be a private street. The final plat shown had all the corrections and requirements needed for approval and staff is recommending approval of the Final Plat of the Hinckley Subdivision. Ms. Greenwood also shared that the Bourne's were in attendance if there were to be any questions from the commissioners.

Commissioner Sundloff asked if this final plat had come to the Planning Commission as a preliminary plat.

Ms. Greenwood responded that came before them under the name of Bourne Estates Subdivision.

Commissioner Allred asked about the corrections he had asked the Bourne's to make in regards to the Final Plat and Ms. Greenwood said that the corrections had all been made. He also asked if a PRUD overlay was a Conditional Use and Ms. Greenwood stated that it was not.

Commissioner Sundloff shared that this is a PRUD overlay because of the private lane.

Commissioner Allred made the motion to recommend to the City Council the approval of the final plat for Huckleberry Estates. Commissioner Sundloff seconded the motion and the vote was unanimous (5-0) in favor of the motion.

6- PUBLIC HEARING FOR REZONE REQUEST ON 500 NORTH MAIN STREET FROM GC GENERAL COMMERCIAL DISTRICT TO R-M MULTIPLE FAMILY RESIDENTIAL DISTRICT

Introduced by: Melinda Greenwood

Ms. Greenwood presented information from the staff report, stating the lot is 28,749 square feet and the zone change would allow for a density entitlement of ten units. She shared slides showing the aerial view of the property as well as the zoning map for the area. The zoning map showed that R-M, R-2, R-1-8, R-4, and GC zones were in the area surrounding 500 North Main Street. She also shared the R-M zone requirements for density, lot width, building height, front, side, and rear setbacks.

Ms. Greenwood discussed goals and objectives from the 2019 General Plan and the identity and character of the area. The rezone on 500 North Main Street would create more residential property in the city keeping in line with Kaysville being a primarily residential community. She said the Commission would want to address the question of whether or not converting commercial property into residential uses creates a vision to promote business in the community.

Ms. Greenwood continued, sharing that the R-M zone allows for multifamily developments such as townhomes, and that adding medium density housing options would continue to add diversity to existing housing opportunities and that the rezone request to R-M supports this goal and policy.

She stated that North Main Street is considered an arterial street and it is east of I-15. Given its location, it is appropriate to consider applying the R-M zone. She continued saying that the 2019 General Plan calls for multiple unit housing consisting of three to six units and specifically calls for having a variety of housing opportunities throughout the city. The concept plan submitted shows two four-unit buildings, which is within the limitations detailed.

She continued by speaking to the plan for addition moderate income housing. And there are 4 of the 9 principals that are germane to this rezone. The main one is zoning properties to allow for more dense housing, permitting less costly size, design, materials, and construction of housing, allowing for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers or employment centers, and rezones for densities necessary to assure the production of moderate income housing.

Ms. Greenwood shared a concept plan that was submitted by the applicant which shows 8 units and that fitting any more than 8 would be really tight. She also shared that 79 public hearing notices were mailed to a 500' radius and the city had received 6 comments. The citizen comments were concerning density, water availability, privacy and impacts to existing residences, traffic, crime, and the preference for a community garden.

She said based on the findings in the staff report and the support of the 2019 General Plan, staff recommends approval of the rezone at 500 North Main Street.

The applicant, Blake Bastian, with Elite Craft Homes came before the Commissioners and said he feels that something residential on that lot would be less impactful to neighbors than a commercial building.

Commissioner Barrus asked the applicant if he had any conversations with the neighbors and Mr. Bastian said that he had just received a copy of the emails that had been submitted online and would be happy to sit down and meet with them.

Commissioner Sommerkorn says that the 2019 General Plan does indicate that this lot is in an area where the city is looking at allowing for mixed use and asked Mr. Bastian if there was consideration of putting this lot as a mixed use.

Mr. Bastian answered no they hadn't considered mixed use and said he felt that this project would fit really well in that area.

Chair Barrus opened up the meeting for the Public Hearing.

Commissioner Sundloff asked those in attendance who are wanting to comment to address a preference for either a commercial building or residential building.

Linda Earl shared she has lived in Kaysville for a little over a year and thanked staff on her report. She feels that the area is already very dense and thinks that density could be spaced out over other areas of the city. She said people are not living in commercial buildings so that they would not be there late at night in a high rise looking down on the neighbor's properties. She said she feels that residential would be much different. She also spoke to traffic and the parking concerns. Ms. Earl also addressed the applicant asking if there were any other projects in the area that they have done in the last five years.

Tom Wood spoke to the previous application that was turned in four years ago for this piece of property. The applicant at the time did not have any general renderings or ideas of what he was wanting to put on the property and the rezone application was denied. Mr. Wood addressed Commissioner Sundloff's question about residential versus commercial and gave two examples of projects going on right now that he feels are large. He likes the idea of commercial on the lot. He also shared his frustration of the city not sharing the burden of high density housing being dispersed throughout the city.

Steve Johnson said that several years ago the Planning Commission denied re-zoning a couple of lots to

the south of 500 North Main Street saying that needed to stay commercial and doesn't understand why Planning Commission would be okay with making it residential now and he wants the lot to stay commercial.

David Black said he doesn't agree with calling this medium density as he feels it is high density. He mentioned the three other projects that are going on in this area but feels that these kind of projects can go to other places in the city. He would like the city to spread out the density.

Tony Spinello said he lives about 200 feet from the lot in question. He is concerned about the three homes 40 feet away from the property that are \$850,000-875,000 and he wonders how will their value go down living near a property with apartments. His greatest concern is the water situation and asked why we would add more homes when we don't even have the resource to water our own lawns.

Sharon Hadley said she lives in the home that is on the north side of the property. She is concerned with having two-story homes going in where they could look down on her property. She shared a concern about traffic and safety on Main Street. She is also concerned with the private lane street being connected to her street.

Brian Stenquist's fence is along the fence line of the 500 North property. He is indifferent to residential or commercial, he is just concerned with privacy.

Lorn Pitt lives south of 500 North. The houses to the south of him were to be built as single family homes, however the person who bought them put in a three-story home and there has been water problems ever since. He feels the city is wise not to give up any commercial zoned areas. The city is very lean with available commercial. If the lot stays commercial then it makes his lot more valuable.

Emily Cramer said she agreed with everything that Lorn Pitt just shared.

There were no other comments and Chair Barrus closed the Public Hearing.

Chair Barrus invited Mr. Bastian back up to talk with the Commissioners.

Mr. Bastian commented about traffic and said a commercial building would bring in more traffic than a residence and that a building could be put right up against the sidewalk, where if it was residential there would be a 20 foot setback to allow for a better line of sight. He addressed the concern of renters saying that each unit would have an individual tax number and that they were planning on selling them. He mentioned some of the projects Elite Craft has done in Davis County and Weber County.

Mr. Bastian spoke about building height and privacy concerns. He said there would be some windows on the south and north sides and few windows on the east. He also said that they would only be two-story units. They plan on having a one-car garage, 16 parking spaces and the units would be about 1,700 square feet with three bedrooms and two baths. He said the rear setback is 15 feet, so it would be hard to look into the neighbor's yards. He also said he doesn't see any way to get more than 8 units on the property and that these concepts are identical to the units that are being built just north of 500 North.

An inaudible question was asked from the audience.

Mr. Bastian said that they could put up an eight foot vinyl fence and trees to help with privacy.

A resident in audience asked about putting the parking on the east side of the property and Mr. Bastian

said that is possible.

Linda Earl approached again saying that privacy is not the only concern and that this area has its fair share of high density. She asked the applicant if perhaps these could be made into a senior residential with less impact on school and social concerns.

Mr. Bastian spoke to the senior residential comment saying that he has built those kind of projects however most of those communities do not want to have stairs.

Commissioner Allred asked the applicant if these will be plated as townhomes and Mr. Bastian said they would be.

Commissioner Lott asked if there could be more parking on the east side and Mr. Bastian said they could accommodate three units on one building and five in the other building.

Commissioner Lott asked Ms. Greenwood about the moderate income housing 15% number and where Kaysville is with that.

Ms. Greenwood said she isn't sure but knows the city is not anywhere close to where it needs to be.

Commissioner Allred says that a good rule of thumb is that most communities are about three single family homes to every attached home. Over the next 10 years we will see things change. He also spoke to the building of his home and the research he did to make sure he was making a good investment. He also believes that this is a good proposal for the city to approve this rezone and that Main Street is a great place for this project. He spoke to the fact that residential use brings less traffic.

Commissioner Lott was feeling torn between the two options. She spoke to her time living in that area and has empathy for the neighbor's concerns.

Commissioner Barrus feels that there is a need to preserve all the commercial zoned areas.

Commissioner Sommerkorn says that the 2019 General Plans really calls for this area to be Mixed Use. He knows that we need to have more housing and feels that we could more. He suggested doing a Mixed Use overlay on this zone that way it can address both the commercial and residential needs.

Commissioner Sundloff explains that it allows commercial and residential on one parcel. He shared with all the input and efforts that have gone into getting enough data to give to a consultant who created the Future Land Use map. It reflects what the citizens have wanted for the future in Kaysville. In the area that we are discussing shows as Mixed Use on the 2022 Future Land Use Map. In his mind if we are making decision we need to start making changes based on the 2022 General Plan. He would like to see the mixed use on these properties as opposed to strict residential.

Commissioner Sommerkorn echoes what Commissioner Sundloff shared.

Commissioner Allred shared that many are unfamiliar with what mixed use is here in Utah. It not only means have commercial and residential on the same property but that they could be in the same building. They are starting to become popular in the state of Utah. We will be moving to mixed use more and more in the state of Utah. He feels that making this property as mixed use will be moving it further down the road.

Commissioner Barrus commented on the challenge a resident made to having density in more than one area in the city.

Commissioner Allred answered him by saying that most of our land has been locked up in large lot residential. He asked Ms. Greenwood how much raw land do we still have in Kaysville? She responded that there are less than 300 acres. She also shared that there is an application that will be coming for mixed use on the west side of the city that would bring in over 80 units.

Commissioner Sundloff said that those that come to public meetings with data to prove their argument instead of using emotion make a better case. He talked about the general plan survey taken by residents to come up with the data for the maps and the goals for the city and that the information comes from what the residents are wanting in Kaysville.

Commissioner Sommerkorn made a motion to recommend denial of the R-M rezone of 500 North Main Street to City Council with the basis that this area would be better served by having the mixed use overlay placed upon the commercial zoning that is currently in place. Commissioner Sundloff seconded the motion and the vote was 4-1 in favor of the motion, with Commissioner Allred dissenting.

7- DISCUSSION ON GENERAL PLAN AMENDMENTS AND REZONE APPLICATIONS

Ms. Greenwood answered Commissioner Sommerkorn's question about timing of the adoption of the General Plan. She said that it will be an action item on the agenda August 18th at City Council. The past General Plans have not had a Future Land Use map and added that anticipating the General Plan will be adopted, she asked the Commission how they would prefer to process rezone applications when they are not in line with what the future land use map? She asked if we should add a General Plan text amendment. Ms. Greenwood is interested in which direction the Planning Commission would like to go.

Commissioner Sommerkorn said that he is a planner and his perspective is to be true to your plan. Why go through the effort in doing a plan and then you don't stick to it.

Commissioner Sundloff's view of a General Plan is that it is a general high level way of saying how we want things to look like. If you allow or require map amendments to the General Plan in conjunction with rezone amendments then the General Plan map is essentially the Zoning Map 2.0 and it is not intended for that. He doesn't feel that you need to change the General Plan because then that just makes the General Plan less of a guiding document and it's not meant to be a zoning map.

Commissioner Sommerkorn said he will now argue the other way. When you do a rezone who is giving the input for that rezone? It is typically those that live around the area of the rezone so you don't get broad community input.

Commissioner Allred believes that the General Plan is by design is a guiding document not a regulating document. The zone and laws regulate the zone. If every time we were to consider a zone change and it doesn't perfectly follow the General Plan, then we have become like states that require all rezoning to follow the General Plan.

Commissioner Sundloff said they key part to all of this is if the elected officials recognize the importance of the General Plan and that that should be the presumption that they are approaching rezone questions.

Ms. Greenwood shared that oftentimes people get hung up on the General Plan as nothing more than the Land Use Map, but the General Plan is much more than that. It is the goals and the objectives of the city.

Even though the future land use map is a very large piece of the plan and easy to understand, the goals and objectives are a little more challenging to understand.

Ms. Greenwood summarized the feedback of the Planning Commission was to keep the process the same as current and not to add a general plan amendment to the process.

8- CALL TO THE PUBLIC

Rick George approached the Commissioners on behalf of the Northern Wasatch Association of Realtors. He was glad to hear the conversation about adding more medium density housing to Kaysville. He is concerned that his children will not be able to afford housing and just wanted to thank the Planning Commission for having the discussion.

9- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Commissioner Sommerkorn asked staff where they are at in the Appeals Process. Ms. Greenwood said that it she has looked into other cities to see their process and continue to research the process.

Ms. Greenwood said that staff will be bring a Mixed Use text amendment to address several concerns with parking and public transit, height allowances if specific types of developments were to come to 35' just would not be enough for a hotel.

Ms. Greenwood reminded the Commissioners about the email with planning conferences that are coming up and we would love to get them registered if they are able to attend.

10- ADJOURNMENT

Commissioner Sommerkorn made a motion to adjourn the meeting at 9:44 pm.

From: noreply@civicplus.com
To: [Melinda Greenwood](#); [Mindi Edstrom](#); [Dan Jessop](#); [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 4, 2022 3:49:30 PM

Contact the Planning Commission

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

Name	Stephen L Johnson
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	Utah
Zip Code	84037
Phone Number	[REDACTED]

Your Message

This is in response to the application of Blake Bastian to change zoning from GC to R-M at 500 N Main St.

The proposal would undoubtedly involve a multiple level building on a very narrow lot. This would result in the loss of privacy and the quiet enjoyment of the adjoining properties. The Hadleys purchased their home at the end of a dead end street specifically for privacy in a retirement community. No amount of due diligence on their part would envision a zoning change that would allow a multilevel building to be constructed just over the fence.

I am aware of the previous owner being unresponsive to requests from the Hadleys to tend to a tree that was pushing on their fence and making a mess with droppings on their property. Now that owner seeks to add insult to injury by using the property for a multilevel building on that property.

Please be sensitive to Sharon Hadley's situation. Her husband passed away less than two weeks ago. Vern is no longer here to help her with this matter.

While I understand the desire of Mr. Bastian to make money from

his land, it should not come at the expense of his neighbors.

Thank you.

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Tuesday, August 2, 2022 4:37:51 AM

Contact the Planning Commission

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

Name	Brooke Buys
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	UT
Zip Code	84037
Phone Number	[REDACTED]
Your Message	No more high-density housing. It's not "affordable", it's over-priced. It just drives up the cost of all the surrounding areas making it more expensive for everyone. The new development on Deseret drive has roads so tight it's difficult to drive in, should've never been approved. This is Kaysville, not San Francisco.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Monday, August 1, 2022 9:57:56 PM

Contact the Planning Commission

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

Name	Joyce Clarkson
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	Utah
Zip Code	84037
Phone Number	[REDACTED]
Your Message	Hi! I appreciate you taking the time to read this. Just have a comment on the proposed zone change on the north end of main street. PLEASE do not let this pass! Don't let every lot become townhouses or multiple units!! If our neighboring cities choose to do this fine, but we don't need to follow suit. Please keep Kaysville "Our hometown" not ourtownhouse. Thanks Joyce Clarkson
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From: noreply@civicplus.com
To: [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, August 3, 2022 5:34:49 PM

Contact the Planning Commission

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

Name	Field not completed.
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Email Address	Field not completed.
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Address	Field not completed.
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City	Kaysville
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State	UT
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Zip Code	84037
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Phone Number	Field not completed.
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Your Message	I personally do not think that we need to use that land to build more housing. I think that field needs to stay where it . The house should be torn down , and the entire land should be tilled and used as a way to bring near by community together. It would be a great a idea to use that land as a community garden where neighborhoods can plant fruits, vegetables, even flowers. I think that as a community garden, neighbors should be able to plant, and bring home the produce, as well as share with others in need. With prices rising everywhere due to inflation, some people are struggling to pay bills, much less keep healthy food on the table. I personally believe that providing the community with a place to grow food, as well as an opportunity to get outside, is more important than building more houses where prices are most likely just going to be jacked up, so a family with a modest income can barely even afford rent. A small parking lot can put built where the house currently is, with the driveway leading up to it.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Tuesday, August 2, 2022 9:00:02 AM

Contact the Planning Commission

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

Name	Katy Martin
Email Address	[REDACTED]
Address	752 S 1350 W
City	Kaysville
State	UT
Zip Code	84037
Phone Number	[REDACTED]
Your Message	In regards to the proposed rezoning at 500 North Main Street:

When is enough, enough? Seriously. We are short on water, traffic on the East side of Kaysville gets worse everyday, and streets are not as clean as they once were. A build of this magnitude on such a small lot size is absolutely ridiculous! Sure, the city resources can handle the overcrowding, but when is it going to be enough? Until every single half acre lot has 10 houses sitting on it? Really?

I moved to Kaysville with my family of 6 just over a year ago. We moved due to a job relocation from out of state where we had lived in a small community like our own for 10 years! During those 10 years I watched city parks be turned into townhome communities. My child's gym was torn down for senior housing. The traffic went from great to terrible because the streets were not designed for so much traffic. The wear on the streets from cars, scooters, motorcycles, etc. made unsightly potholes and patchwork that looked awful. Crime increased significantly due to the growing number of people. There was a substantial uptick in traffic accidents and fatalities, lots of them involving innocent children.

When we moved in to our Kaysville home a year ago it was a breath of fresh air. Finally, a small town that really embodied that "small town" feel. One where there was minimal shopping and very little traffic. A slower speed limit, and a slower overall pace of life. Open land. Larger lots. People who care about those kinds of things.

I can't believe that in 1 YEAR the mentality has changed so drastically. I don't know if it's greed for money due to the housing market, or if it's an attitude of indifference, but I won't support it.

It's one thing to take a one or two acre lot of land and build 2-4 homes, but it's something entirely different to take a .6 acre lot of land and build TEN homes! There is no place for that in our city!

I understand that it's on Main Street, the major thoroughfare in our town, but we don't need that. It disrupts the feel of our city, our home town. There are plenty of homes on the market now that aren't selling. Even with price reductions they continue to sit on the market. Why would we want to add more homes? If people want town homes or apartments, they are welcome to move to a different city. We need to keep our home town of Kaysville as special and unique as the majority of the people living here want it to be. If you continue to approve every rezone that is proposed, Kaysville will become just like every other city. Might as well start taking down all those "Kaysville, Utah's Home Town" signs now.

I will continue to write and oppose every one of these proposed rezones until I feel my voice is being listened to. You may not take this seriously, but I do! I have seen what happens to a lovely, quiet community that continues to build like this and I don't want that for my family, my neighbors, my friends, or my fellow Kaysville community members.

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Melinda Greenwood

From: noreply@civicplus.com
Sent: Thursday, August 11, 2022 5:14 PM
To: Melinda Greenwood; Mindi Edstrom; [REDACTED]
[REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission

Contact the Planning Commission

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

Name	Connie Porter
Email Address	[REDACTED]
Address	[REDACTED]
City	Kaysville
State	Utah
Zip Code	84037
Phone Number	[REDACTED]
Your Message	We would like you to know that we are against the rezoning of the lot at 500 N. Main St. from GC General Commercial District to R-M Multiple Family Residential District. Putting a 10 unit multi family dwelling on that lot is not a good idea. The lot is too small and putting that many units in cause an over saturation for services and for the elementary school that is already overloaded with students. Please do not approve this zoning change.
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Email not displaying correctly? [View it in your browser.](#)

ORDINANCE NO. 22-XX-XX

AN ORDINANCE REZONING 500 NORTH MAIN STREET, A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-M MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT, 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 500 North Main Street from G-C General Commercial district to the R-M Multiple Family Residential district; and

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

WHEREAS, on August 11, 2022, with a vote of 4-1, the Kaysville City Planning Commission made a recommendation of denial of the zone change to R-M 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-M 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: Rezone. The real property at 500 North Main Street, and known by Parcel Identification Number 11-100-0030, as shown on the attached map which is made a part hereof, containing approximately .66 acre (28,749 ft²) of land, shall be rezoned and the Zoning Map amended by removing it from the Kaysville City G-C General Commercial District as currently delineated and rezoning it to the R-M Multiple Family Residential district.

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.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this 15th day of September, 2022.

ORDINANCE NO. 22-XX-XX

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: September 15, 2022

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: Kaysville and Farmington Connector Road Interlocal Agreement

EXECUTIVE SUMMARY:

In 2017, City Staff began working with Farmington Staff on the “Connector Road” project, as a means to help better direct traffic onto and off of the West Davis Corridor. Together the Cities have worked on design and coordination for the project, as well as successfully obtaining over \$13.5 million dollars in funding.

The project is currently out for bid, and Farmington and Kaysville Staff have worked together to determine how to officially manage the project, including disbursing its funds. The conclusion of these discussions has been that Kaysville will act as the official administrator of this project, while both Cities will still be involved in all decisions and payments.

We are seeking Council’s authorization for the City Manager to finalize and execute the Interlocal Agreement with Farmington.

Council Options: 1) Approve Resolution, 2) Approve Resolution with suggested changes, 3) Table

Recommended Options: Approve Resolution

Fiscal Impact & Fund Source for Recommended Action: Project Funds

RESOLUTION XX-XX-XX

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH FARMINGTON CITY TO CONSTRUCT THE CONNECTOR ROAD PROJECT

WHEREAS, Kaysville City (hereinafter “City”) and Farmington City (hereinafter “Farmington”) have worked closely together since 2017 to coordinate and design a series of connector roads (hereinafter "Project") to improve connectivity with the West Davis Corridor; and

WHEREAS, the City and Farmington have expressed a desire to have the City formally act as administrator over the Project and its finances, while still working closely with Farmington to approve Project decisions and payments; and

WHEREAS, the City Council of Kaysville City deems it to be in the best interest of the City for the parties to continue to work together by executing an Interlocal Agreement (hereinafter "Agreement") with Farmington as further detailed below.

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

1. The terms of the Agreement shall address the terms and conditions of directing work and payment for the project in a manner consistent with the intent of the Advertisement for Bids and City Policies. The Agreement shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering an agreement for the Project.
2. The terms of the Agreement shall be for the Project as a completed whole, and shall not include phasing or splitting of the Project.
3. The Council recognizes that minor considerations and requests may arise. Thus, the City Manager is authorized to make non-material alterations, if necessary, to accomplish the desired goals as outlined above.
4. At such time as the Agreement is in a form acceptable to the City Manager and City Attorney and after Farmington has properly executed said Agreement, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by Farmington shall constitute their acceptance of the terms and conditions of the Agreement. Execution of the Agreement by the City Manager shall constitute the City's acceptance of the terms and conditions of the Agreement.
5. Any action taken heretofore in furtherance of this resolution is hereby ratified.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **15th day of September, 2022.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: September 15, 2022

TYPE OF ITEM: Action

PRESENTED BY: Dexter Fisher, City Engineer

SUBJECT/AGENDA TITLE: An Ordinance Updating Kaysville City Code 8-5, "Flood Damage Prevention"

EXECUTIVE SUMMARY:

The Federal Emergency Management Agency ("FEMA") recently made changes to the floodplain maps throughout the State, which will be adopted on September 15, 2022. This update in the ordinance would adopt those new maps while updating sections of the code to make Kaysville City compliant with all FEMA requirements for floodplain management.

Staff is seeking adoption of the update ordinance.

City Council Options:

1. Approve the ordinance update
2. Deny the ordinance update

Recommended Option:

Staff recommends that the City Council adopted Flood Damage Prevention Ordinance Update item to be in compliance with FEMA regulations.

Fiscal Impact:

N/A

Attachments:

1. Draft Ordinance for Kaysville City Code 8-5, "Flood Damage Prevention"

ORDINANCE ~~XX-XX-XX~~

AN ORDINANCE AMENDING AND ENACTING TITLE 8, CHAPTER 5, REGARDING FLOOD DAMAGE PREVENTION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The Federal Emergency Management Agency (“FEMA”) recently made changes to the flood plain maps throughout the state; and

WHEREAS, Kaysville City desires to adopt those updated flood plain maps; and

WHEREAS, Kaysville City desires to amend and update its code regarding flood damage prevention to conform with these changes by FEMA and recommendations by the State of Utah; and

WHEREAS, the City Council of Kaysville City finds it to be in the best interest of its citizens to amend and enact this section of the City Code.

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

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

SECTION II: Enactment. Title 8, Chapter 5, shall be amended and enacted to read as follows:

Chapter 5 Flood Damage Prevention

8-5-1 Statutory Authorization

The Legislature of the State of Utah has in Utah Code Unannotated 10-3-701 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore the City Council of Kaysville City does or has delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, does ordain as follows:

8-5-~~1~~2 Findings Of Fact

1. The flood hazard areas of Kaysville City are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard

areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

8-5-23 Statement Of Purpose

It is the purpose of this Chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas: and
7. Insure that potential buyers are notified that property is in a flood area.

8-5-34 Methods Of Reducing Flood Losses

In order to accomplish its purposes, this Chapter uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood. or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains. stream channels, and natural protective barriers. which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase flood damage;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

8-5-45 Definitions

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

Alluvial Fan Flooding - Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex - A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant Structure - A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of Future Conditions Flood Hazard - The land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area of Shallow Flooding - A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard - The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, AI-30, AE, A99, AR, AR/AI-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Base Flood - The flood having a 1 percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) – The water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zone, A, AE, AH, AI-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1 –percent chance of equaling or exceeding that level in any given year.

Basement - Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical Feature - An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development - Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated Building - For insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing Construction - For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Study - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM) - An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) - See Flood Elevation Study.

Floodplain or Floodprone Area - Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain Management - The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations - Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Protection System - Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood Proofing - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway - See Regulatory Floodway.

Functionally Dependent Use - A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure - Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which has been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior or;
 2. Directly by the Secretary of the Interior in states without approved programs.

Levee - A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System - A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest Floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured Home - A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New Construction - For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Primary Frontal Dune - A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Recreational Vehicle - A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projections, designed to be self-propelled or permanently towable by a light duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine - Relating to, formed by, or resembling a river (including tributaries), stream, brook. etc.

Sand Dunes - Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special Flood Hazard Area - See Area of Special Flood Hazard.

Start of Construction - (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)). includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure - For floodplain management purposes. a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial Damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or;
2. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designated as a "historic structure."

Variance - A grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5),(c)(4),(c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

8-5-~~5~~6 Lands To Which This Chapter Applies

The ordinance shall apply to all areas of special flood hazard within the jurisdiction of Kaysville City.

8-5-~~6~~7 Basis For Establishing The Areas Of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Davis County, Utah" dated September 15, 2022, with accompanying Flood Insurance Rate Maps and/or Floor Boundary-Floodway Maps (FIRM and/or FBFM) dated September 15, 2022 and any revisions thereto are hereby adopted by reference and declared to be a part of this Chapter.

8-5-~~7~~8 Establishment Of Development Permit

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this Chapter.

8-5-~~8~~9 Compliance

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Chapter and other applicable regulations.

8-5-~~9~~10 Abrogation And Greater Restrictions

This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

8-5-~~10~~11 Interpretation

In the interpretation and application of this Chapter, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under State statutes.

8-5-~~11~~12 Warning And Disclaimer Of Liability

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made hereunder.

8-5-~~12~~13 Designation Of The Floodplain Administrator

The City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

8-5-~~13~~14 Duties And Responsibilities Of The Floodplain Administrator

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
2. Review permit application to determine whether the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this Chapter.
4. Review permits for proposed development from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
6. Maintain the flood carrying capacity within the altered or relocated portion of any watercourse.
7. When base flood elevation data has not been provided in accordance with KCC 8-5-6, the Floodplain Administrator shall obtain, review and reasonably use any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of KCC 8-5-16 through KCC 8-5-21.
8. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements. or other development (including fill) shall be permitted within Zones AI-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development. when combined with all other existing and anticipated development. will not increase the water surface elevation of the base flood more than one foot at any point within the community.
9. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones AI-30, AE,

AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

10. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is Utah Division of Emergency Management, State Floodplain Manager, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

8-5-~~14~~15 Permit Procedures

1. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of KCC 8-5-187(2);
 4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
 5. Maintain a record of all such information in accordance with KCC 8-5-143(1).
2. Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Chapter and the following relevant factors:
 1. The danger to life and property due to flooding or erosion damage;
 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. The danger that materials may be swept onto other lands to the injury of others;
 4. The compatibility of the proposed use with existing and anticipated development;
 5. The safety of access to the property in times of flood for ordinary and emergency vehicles;

6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

8-5-1516 Variance Procedures

1. The Planning Commission shall hear and render judgment on requests for variances from the requirements of this Chapter.
2. The Planning Commission shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter.
3. Any person or persons aggrieved by the decision of the Planning Commission may appeal such decision to the Administrative Law Judge.
4. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
5. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Chapter.
6. Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in KCC 8-5-154(2) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
7. Upon consideration of the factors noted above and the intent of this Chapter, the Planning Commission may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Chapter.
8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
9. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

10. Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 2. Variances shall only be issued upon showing a good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship to the applicant, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 3. Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest flood elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest flood elevation.
11. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria outlined in KCC 8-5-15(1) through (9) are met and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

8-5-1617 General Standards For Flood Hazard Reduction

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

8-5-1718 Specific Standards For Flood Hazard Reduction

In all areas of special flood hazards where base flood elevation data has been provided as set forth in KCC 8-5-76, KCC 8-5-1413(8) or KCC 8-5-1918(3), the following provisions are required:

1. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to ~~or above~~ one foot (1') above the base flood elevation. Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in KCC 8-5-1514(1)(a), is satisfied.
2. **Nonresidential Construction.** New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot (1') above the base flood elevation ~~elevated to or above the base flood level~~ or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction. and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
3. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 1. A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 2. The bottom of all openings shall be no higher than 1 foot above grade.

3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. **Manufactured Homes**

1. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. Require that manufactured homes that are placed or substantially improved within Zones AI-30, AR and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards.
3. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones AI-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:
 1. The lowest floor of the manufactured home is at or above the base flood elevation, or
 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 3. Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards
5. **Recreational Vehicles.** Require that recreational vehicles placed on sites within Zones AI-30, AH, and AE on the community's FIRM either be on the site for fewer than 180 consecutive days, or be fully licensed and ready for highway use, or meet the permit requirements of KCC 8-5-1514(1), and the elevation and anchoring requirements for

"manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

8-5-1819 Standards For Subdivision Proposals

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with KCC 8-5-21, KCC 8-5-32 and KCC 8-5-43.
2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of KCC 8-5-87 and KCC 8-5-1514, and the provisions of KCC 8-5-1716 through KCC 8-5-2221.
3. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which are greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to KCC 8-5-76 or KCC 8-5-1413(8).
4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

8-5-1920 Standards For Areas Of Shallow Flooding (AO/AH Zones)

Located within the areas of special flood hazard, established in KCC 8-5-76, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to one foot (1') above the base flood elevation ~~elevated to or above the base flood elevation~~ or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified). Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards.
2. All new construction and substantial improvements of nonresidential structures;
 1. have the lowest floor (including basement) elevated to one foot (1') above the base flood elevation ~~or above the base flood elevation~~ or the highest adjacent grade at

least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

2. together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads or effects of buoyancy.
3. Higher standards for freeboard (i.e. greater than 1 foot) may also be required subject to the adopted State of Utah Building Codes and other applicable standards.
3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in KCC 8-5-15~~14~~ are satisfied.
4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

8-5-~~20~~21 Floodways

Located within areas of special flood hazard established in KCC 8-5-7~~6~~, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which call) debris, potential projectiles and erosion potential, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. If subsection (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of KCC 8-5-17~~16~~ through KCC 8-5-22~~21~~.
3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

8-5-~~21~~22 Coastal High Hazard Areas

Located within the areas of special flood hazard established in KCC 8-5-7~~6~~, are areas designated as Coastal High Hazard Areas (Zones V1-30, VE, and/or V). These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this Chapter, the following provisions must also apply:

1. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.
2. All new construction shall be located landward of the reach of mean high tide.
3. All new construction and substantial improvements shall be elevated on pilings and columns so that:
 1. the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level;
 2. the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (3)(a) and (b) of this Section.
4. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

For the purpose of this Section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meet the following conditions:

1. breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
5. Prohibit the use of fill for structural support of building.

6. Prohibit man-made alteration of sand dunes and mangrove stands that increase potential flood damage.
7. **Manufactured Homes.** Require that manufactured homes placed or substantially improved within Zone V1-30, V and VE on the community's FIRM on sites outside of a manufactured home park or subdivision. in a new manufactured home park or subdivision. in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (1) through (6) of this Section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of KCC 8-5-17(4).
8. **Recreational Vehicles.** Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either be on the site for fewer than 180 consecutive days. or be fully licensed and ready for highway use, or meet the requirements in KCC 8-5-7 and paragraphs (1) through (6) of this Section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

8-5-23 Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a class B misdemeanor. Nothing herein contained shall prevent Kaysville City from taking such other lawful action as is necessary to prevent or remedy any violation.

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

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

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

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

CITY COUNCIL STAFF REPORT

MEETING DATE: September 15, 2022

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: Authorization to purchase Dispatch, Outage Communication/Management System Software



EXECUTIVE SUMMARY:

Kaysville Power currently uses Apello answering service for after-hour trouble calls from the residents. It is a basic system where the residents call Apello and they then call our on-call crew member. We then respond to the given address with no further correspondence with the residents affected by the outage. Staff is proposing a new method which will advance our ability to respond to trouble calls, and interact with and inform the public. We are evaluating our options with multiple computer software and app programs that are customizable to the needs and functionality of Kaysville Power. Enhancing our ability to communicate with the public, manage outages and monitor our system.

These apps and software will do the following:

- Unlimited simultaneous phone calls with customizable call flows.
- Automated and customizable notification text messaging/calling with all accounts associated with outages and scheduled outages.
- Less opportunity for human error.
- Increase the targeted communication between the city and the public with minimal long-term impact to employee resources.
- Allow quicker outage response and restoration of power.
- Provide staff with advanced technology analysis to locate faults and narrow down the cause of an outage.
- Increased capabilities for staff to monitor, examine, and inventory all components of the power grid city wide.

Kaysville Power would like the approval to implement an Outage management system that will function alongside with an Interactive Voice response system. This will give staff the ability to communicate in an effective manor with residents about existing outages, future outages and power related notifications. It will provide crews with analytical information reducing outage times and help recognize and evaluate concerns with Kaysville's power system. It will provide crews with inventory and structure reports of the power system allowing for a precise mapping and references to needed hardware and equipment on our system. Kaysville Power will be working closely with the IT department to determine what features of this program can be implemented on our own, to lower the overall and annual costs of a program of this nature. Kaysville Power and IT have collaborated with other power departments and feel we have a strong grasp of what a program of this nature will both cost and benefit the city of Kaysville. A Competitive price for the benefits, capabilities and advancements in technology of this kind will be a top priority of Kaysville Power. Kaysville Power is asking for an amendment to the FY23 Power Budget not to exceed \$215,000 to purchase and fulfill the annual subscription fee for an OMS/IVR system.

City Council Options: Approve/Table

Recommended Option: Approve

Fiscal Impact & Fund Source for Recommended Action: Professional Answering Service Funds/Power Funds