MEETING NOTICE AND AGENDA

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

**CITY COUNCIL CITIZEN MEETING – 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 Tamara Tran.

2. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)

3. PRESENTATIONS AND AWARDS
   a. Presentation and Proclamation declaring December 15, 2022 as Mikayla Colohan Cluff Day.
   b. Presentation about Wasatch Integrated and Recycling – Nathan Rich.
   c. Presentation of the Annual Fiscal Year 2022 Audit.

4. DECLARATION OF ANY CONFLICTS OF INTEREST

5. CONSENT ITEMS
   a. Approval of Minutes of November 17, 2022.

6. ACTION ITEMS
   a. Rezone of 0.34 acre of property at 97 East Crestwood Road from R-1-8 (Single Family Residential) to R-1-6 (Single Family Residential) – Bryan Carling.
   b. Preliminary plat approval for Manor Estates Subdivision located at 67 North Angel Street – Phil Holland.
   c. Preliminary plat approval for Johnson Farms Subdivision located at 602 South Angel Street – David Nielsen.
   d. An Ordinance amending Kaysville City Ordinance 4-2-7 "Electric Revenues and Rates", regarding electric fund transfers.

7. WORK ITEMS
   a. Discussion regarding changes to the Personnel Policies and Procedures manual.

8. COUNCIL MEMBER REPORTS

9. CITY MANAGER REPORT

10. ADJOURNMENT

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

I hereby certify that I posted a copy of the foregoing Notice and Agenda and emailed copies to media representatives on December 9, 2022.

Annemarie Plaizier
City Recorder

PROCLAMATION
MIKAYLA COLOHAN CLUFF DAY
DECEMBER 15, 2022

WHEREAS, as a young woman, Mikayla Colohan Cluff spent hours on the soccer field diligently refining her soccer skills and building her character.

WHEREAS, Mikayla played 4 years of soccer at Davis High School, setting a Utah high school assists record twice as the school won the state championships for three years straight. Mikayla was named to the All-State First team each year from 2014 to 2016.

WHEREAS, Mikayla played club soccer for La Roca Futbol Club for 7 years and captained the Olympic Development Program Region IV team in 2015.

WHEREAS, Mikayla played 5 seasons of college soccer at Brigham Young University between 2017 and 2021 while also earning a degree in exercise and wellness. As a freshman, she registered an assist against Penn State in her Cougars debut. She ended her first year with 3 goals and 5 assists in 11 appearances, and was named to the All-West Coast Conference Freshman Team.

WHEREAS, Mikayla started all 19 games as a sophomore, where she totaled 5 goals and led the team with 7 assists as BYU claimed the West Coast Conference (WCC) regular season title. At the end of the season, Cluff was named to the 2018 All-WCC first team as well as the United Soccer Coaches All-West Region first team and All-America second team.

WHEREAS, On January 13, 2021, Cluff was selected in the second round (14th overall) of the 2021 National Women's Soccer League draft by Orlando Pride. Despite not declaring, a rule change amid the COVID-19 pandemic meant that any player who had exhausted 3 years of college eligibility could be selected. Having returned to BYU for the 2021 NCAA college soccer season, Cluff signed a 2-year contract with Orlando ahead of the 2022 season on January 26, 2022. She made her professional debut on March 19, 2022, starting in the season opener against Washington Spirit in the 2022 NWSL Challenge Cup. She scored her first NWSL goal on May 18, 2022 against North Carolina Courage.

WHEREAS, Mikayla continues to uphold and sustain the Constitution of the United States of America, as demonstrated on the professional soccer field amongst her peers by Standing to the Pledge of Allegiance. Through her demonstration of athletic ability and personal integrity, Mikayla Colohan Cluff demonstrates the outstanding character and qualities valued and cherished by residents of Kaysville Utah.

NOW, THEREFORE BE IT RESOLVED, that I, Tamara Tran, Mayor of Kaysville City, along with the Kaysville City Council, hereby proclaim December 15, 2022 as **Mikayla Colohan Cluff Day**, in the city of Kaysville.

IN WITNESS WHEREOF, I have cause the Seal of the City of Kaysville City, to be affixed on this 15th day of December, 2022.

Kaysville City 1850 UTAH'S HOMETOWN

_____
Tamara Tran
Mayor

KAYSVILLE CITY COUNCIL
November 17, 2022

Minutes of a regular Kaysville City Council meeting held on November 17, 2022 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

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

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, Finance Director Dean Storey, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Technology Assistant Jordan Hansen, Police Chief Sol Oberg, Power Department Director Brian Johnson, Public Works Director Josh Belnap, Officer Kalawai Delos Santos, Jeanne Foster, Douglas Foster, Greg Nelson, Wenfei Yu, Val Starkey

## OPENING

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

## CALL TO THE PUBLIC

Nothing was brought under this item.

## PRESENTATIONS AND AWARDS

PRESENTATION OF THE EMPLOYEE OF THE QUARTER

Police Chief Oberg said that the city created a program that gives our employees the opportunity to nominate one of their peers for Employee of the Quarter. Officer Kalawai Delos Santos was nominated and is being recognized as Employee of the Quarter. Chief Oberg said that Officer Delos Santos was recently also recognized at the Utah Department of Public Safety Awards Banquet and received a Metal of Valor for stopping a wrong-way DUI driver on I-15 earlier this year. Officer Delos Santos is a phenomenal employee and encompasses the spirit of outstanding service.

## DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

## CONSENT ITEMS

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

a. Approval of Minutes of November 3, 2022.

The motion was seconded by Council Member Jackson.

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The vote on the motion was as follows:

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

The motion passed unanimously.

**ACTION ITEMS**

APPROVAL OF A RESOLUTION AMENDING CHAPTER 3: HOUSING & NEIGHBORHOODS, OF THE 2022 GENERAL PLAN, TO INCORPORATE A MODERATE INCOME HOUSING ELEMENT AS REQUIRED BY UTAH STATE CODE 10-9A-403

Community Development Direction Melinda Greenwood explained that the revisions being proposed tonight are necessary to bring the City into compliance with statutory requirements for addressing Moderate Income Housing. Staff has revised the plan after the State's Moderate Income Housing Compliance Manager reviewed the plan and suggested areas for edits. Failure to adopt the amendments will result in the City being disqualified from state funding opportunities that come through UDOT, WFRC and GOEO. It is recommended that the Council approve the amendments, after which the required Moderate Income Housing report will be submitted to the State for review.

Staff presented the six proposed edits to the General Plan with the City Council. Mrs. Greenwood explained that three of the six proposed edits had been included in the 2019 General Plan.

Mayor Tran opened the meeting for public comment for this item.

Val Starkey said that he is in support of responsible growth and feels there are positive aspects of accessory dwelling units. However, he feels that these requirements are being government mandated by the State. The requirements are not justifiable without the support of government. If we buy into this system of government-supported housing, what are we teaching to those individuals who will be living there? Nobody is talking about why we are in a housing crisis. There are many people wanting to move to Utah. We only have a fixed amount of space available. Having open borders causes people to come into our country looking for places to live.

There were no further comments or questions from the public. Mayor Tran closed the public comment for this item.

Council Member Adams said it was mentioned that three of these elements had been included in the 2019 General Plan, and asked why they were not included in the approved 2022 General Plan.

Melinda Greenwood said that there is uncertainty as to why they were not in included in the 2022 General Plan. We were in compliance previously with the 2019 General Plan, but now are in

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noncompliance by not including these elements. The state is requesting that the same language from state code be adopted into our General Plan.

Council Member Blackham said that when the Council was reviewing the 2022 General Plan, the allowance for detached accessory dwelling units was left out specifically and intentionally. Council Member Blackham said that he would not be willing to consider approving the allowance of detached accessory dwelling units until more studies and research is done. We need to be able to see how allowing detached accessory dwelling units has impacted other cities. Council Member Blackham added that with the construction of new buildings, those buildings are accessed impact fees based on what is being built. Detached accessory dwelling units will affect existing utilities and should therefore be accessed impact fees. They city has to go through a process to calculate how city infrastructure will be impacted by new development and what the impact fees should be. If we aren't charging impact fees on these new accessory dwelling units, we will be subsidizing.

The City Council discussed each element from State Code 10-9a-403(2)(b)(iii) being proposed to be included in the 2022 General Plan.

The City Council reached a consensus that element "A" from 10-9a-403(2)(b)(iii) should be included in the amendment of the General Plan.

Melinda Greenwood said that the city was recently contacted by the ULCT who informed us that some of the state legislature are concerned about cities not allowing tandem parking with internal accessory dwelling units, and feel these cities are being too restrictive. Kaysville currently does not allow for tandem parking.

Council Member Jackson commented that he doesn't feel that the city should be so specific as to regulate how people park their cars at their homes, as long as there is enough parking at the residence so cars do not have to park on the street.

Council Member Oaks said that regulations are typically put into place for valid reasons and usually those reasons involve protecting the safety or welfare of our community. Council Member Oaks said that he is concerned that the state is asking cities to reduce their regulations on these accessory dwellings, which will make it much easier for anyone to have one. If the purpose in reducing regulation is to facilitate more of these accessory dwelling units, we need to be able to have a say in if we want more of these in our city. Council Member Oaks said that while he is okay with allowing for internal accessory dwelling units, he is in agreement with Council Member Blackham's comments in that we need to have more information before allowing for detached accessory dwelling units.

Council Member Blackham said that there are twenty-four elements listed in the state code that the city can choose to adopt. Some of the elements will be easier to implement in our city then others. Council Member Blackham said that even though the 2019 General Plan included element "E" from the State Code, he feels that it should not be included in the 2022 General Plan until we get more information about regulating detached accessory dwelling units.

Melinda Greenwood said that adding any of these elements to the General Plan does not mean that the city will automatically do these things. Another thing that the State is requiring of cities is that

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a timeline for implementation must be stated for each of these goals. The Council will have the final decision as to how any of these elements are implemented or not implemented.

Council Member Hunt said that the city needs to include elements that we could be able to comply with. Otherwise, we are likely to be penalized. As we are already in compliance with element "E", it would make sense to keep it in the General Plan. We also need to consider that although these elements will have a timeline on them, it does not mean that the timeline is when we will implement these elements. We have time to vet all of these out and decide if they are what is best for our city.

Melinda Greenwood added that if the city decided to allow for detached accessory dwelling units, regulations would need to be adopted for them. Those regulations would also help in restricting the number of units that can be built so we are not inundated with them. The city will need to continue to show the state what progress we have made in regards to implementing these elements.

Council Member Adams said that by leaving element "E" in our General Plan, we can report to the state that we have met the requirements for this element as it is written because we currently allow for internal accessory dwelling units.

Council Member Blackham said that he feels that the proposed timeline for element "E" feels too short, and would prefer to see it set for 2030 to give us time to get more information about detached accessory dwelling units. It would also give us time to see how the allowance of internal accessory dwelling units is working.

Melinda Greenwood responded that State Code does not want the timeline to implementation these elements to be longer than five years. The reason the timeline for element "E" was set at 2023 is that the work for element "E has already been done. The ordinance for internal accessory dwelling units has already been adopted. There would not be a lot of work needed to collect data to see what other cities do and best practices for detached accessory dwelling units. State code does not say what decision needs to be made, but rather cities need to show the State that they are working on these elements. Mrs. Greenwood added that the 2022 General Plan amendment being presented tonight has been reviewed by the State's Moderate Income Housing Compliance Manager who has indicated that what is being proposed would put us into compliance. We are one of the cities under the scrutiny of the state because of our non-compliance.

The City Council reached a consensus that element "F" should be included in the amendment of the General Plan.

Council Member Oaks commented that in regards to element "R", he would not be in favor of eliminating impact fees for accessory dwelling units that are not internal dwelling units because then at that point the city would be subsidizing those fees. The city would not want to give up revenue to make it easy for people to put additional units on their property that would potentially become rental units.

Melinda Greenwood said that impact fees are highly regulated by state code. Each of the utility services that we provide have to go through a very rigorous evaluation process to determine what costs are associated in adding new growth to our systems. Impact fees are meant to pay for new

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growth, and the city council adopts those impact fees. Staff feels that if the city has new growth, then that new growth should be paying its portion to utilize our utility systems.

The City Council reached a consensus that element "R" should not be adopted into the General Plan.

Melinda Greenwood explained what type of zoning incentives could be used for new development of moderate-income units and explained that a development agreement would likely need to be approved as part of the development if the city wished to offer incentives. This element would need more research done to find out the best practices that other cities have found when implementing such incentives.

Council Member Oaks said that he feels that this element "J" seems an easier element to implement because there is a lot of flexibility with it.

Council Member Jackson asked if the city could specify which areas we would consider allowing zoning incentives.

Melinda Greenwood responded that we could. Mrs. Greenwood explained how a mortgage assistance program, as mentioned in element "N", might work within the city. Setting up a program such as this would take several years to develop.

Council Member Jackson commented that he feels that it is premature to include element "N" because of concerns with funding this type of program. He also stated that he has some concerns including element "J" and wants to ensure that it is only allowed within certain areas of the city.

Shayne Scott said that the General Plan does not obligate the city to do anything. It sets a course for what the council wants the city to look like and gives general guidelines. If the council would like to limit this element for specific zones, the General Plan is not the document to outline those restrictions, but rather it would need to be included within city ordinances.

Council Member Oaks stated that the proposed timeline for element "N' lists the implementation date as 2026, which gives us time to do more research on this element.

Council Member Jackson said that in five or ten years from now, we will have a different city council who could interpret these elements differently than how the current council intended.

Mayor Tran commented that she would like the city council to consider adopting element "E" with an extended timeline. It is very likely that the state legislature will pressure cities again in allowing detached accessory dwelling units. We do not need to allow detached accessory dwellings on every lot in the city, and with more time, we could do the research needed to better understand the best way to allow for them. It is very likely the city will have to allow for detached accessory dwelling units in the future and we need to be ready for it.

Council Member Hunt commented that if the city adopts five of these twenty-four elements into our General Plan, the city would increase our chances of receiving more funding from the state. We already receive some funds from the state for this now. Council Member added that she is in favor of approving element "N" because she feels it is a tragedy that the majority of our city

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employees cannot afford to live in our city and it's something that is worth finding out if it's even feasible for the city to afford.

Council Member Blackham suggested adopting element "H" of the state code.

Council Member Adams made a motion to approve a Resolution amending Chapter 3: Housing & Neighborhoods of the 2022 General Plan to include the following Moderate Income Housing elements as required by Utah State Code 10-9a-403:

(A) rezone for densities necessary to facilitate the production of moderate income housing;
(F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
(J) implement zoning incentives for moderate income units in new developments;
(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
(H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

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

The motion passed unanimously.

**WORK ITEMS**

DISCUSSION ABOUT INTERFUND TRANSFERS

Shayne Scott explained that this item had been discussed in recent council meetings and the council had asked to hear from the Power Department about what their needs are now and what they anticipate their needs will be in the future. Our Power Department Director has considered this and is estimating that they will need approximately $13 million over the next seven years for power projects. The council also asked Staff to draft an ordinance that could be considered which would give the city the ability to transfer these funds. We want to make sure we are doing this responsibly and be very transparent about what we are considering.

Power Department Director Brian Johnson explained that within the last five years the city had hired a consultant company to conduct a load study of the city's power infrastructure on the city's substations and main feeder lines only. The consultants made a list of recommendations of projects

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that needed to be done to improve the city's power infrastructure, which has been provided to the council tonight. This list also includes projects that have been since been added by Staff that includes more recent issues found outside of our main feeders. These projects are planned to be completed over the next seven to ten years.

Council Member Hunt said that when residents hear that the council is considering transferring power funds to be used for other needs in the city, they would likely ask if their power services are as good as it can be, and if transferring funds from the power department now would affect their power services. There is a perception by some residents in certain areas of town that power is not as reliant as other areas.

Brian Johnson responded that the biggest power problems they have had in the past have been in the King Clarion area. That area has a history of having many power outages and they have been working to figure out how to improve the infrastructure in that area. A couple of years ago they were able to pinpoint some key trouble areas, work on those areas, and have since seen a dramatic decrease in the number of outages in the area. Their department is still working on improving the infrastructure here, but it is taking more time because it is a difficult area to navigate with the topography of the area. While there is a mindset that has been developed over the years about the city having many power outages, it will take time for residents to gain our trust back as we continue to build an improved infrastructure.

Council Member Hunt asked if it would help in speeding up the upgrades if contractors were hired out to help with the work.

Brian Johnson responded that have found that we tend to not get the same quality of work from contractors. However, we are planning to hire contractors to help with the installation of power poles in the gully area of King Clarion, which is more treacherous.

Shayne Scott asked Mr. Johnson about taking monies from the power funds.

Brian Johnson responded that he is in support of it because it would be beneficial to be able to use excess reserves for other areas of the city budget as needed. It could help keep taxes and other fees down for our residents and it would be a way to give back to and serve our community.

Council Member Blackham commented that if the city were to transfer funds from one fund to another within the city budget, we would be extremely transparent in showing the reason for the transfer.

Dean Storey said that several years ago, the city council adopted a cash reserve policy indicating an appropriate amount to have in our power fund. Since that time, the city now has a retention fund and UAMPS, which helps provide more funds for our power department. Our power funds are considered healthy and the city is in a good position. We want to continue to ensure that we are meeting the Power Department's needs, and if we are, it would be appropriate to use power funds for public purposes.

Council Member Adams said that during the yearly budget review, he would like to see that the council be able to consider the transfer of funds, if needed.

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Council Member Adams made a motion to move the proposed draft ordinance of Section 4-2-7 "Electrical Revenues and Rates" to an Action Item. The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

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

The motion passed unanimously.

DISCUSSION ABOUT A PUBLIC INFORMATION OFFICER POSITION

Shayne Scott explained that the need for a Public Information Officer (PIO) for the city has never been greater after the city has recently had several situations that required steady, consistent, and frequent communication during crises and even outside of an emergency. A Public Information Officer would make sure that as a city we are communicating with the media and the public, which in turn would allow other staff members to focus on the situation at hand. This person would also be able to head up major construction and other projects where additional communication is warranted and where the city usually contracts with and pays a third-party to inform residents about possible impacts. This position is proposed to be part-time with no benefits, and funded with a portion of most departments' paying some percentage of this person's salary.

Public Works Director Josh Belnap said that there would be value in having uniform and consistent communications with the media and public from a professional Public Information Officer. Certain construction projects at Public Works warrant a Public Information Officer, and it would be easier to have one in-house.

Council Member Hunt asked if it would save the city money to have a Public Information Officer as an employee rather than contract it out.

Josh Belnap said that it likely would not save the city money, but would add to the quality of communication with the media and public, as well as add the ability to respond to things more quickly.

Shayne Scott added that there many cities similar in size to Kaysville that have a Public Information Officer. However, at this time, Staff does not feel that there would be enough work to make it a full-time position.

Mayor Tran said that there are often times when having a Public Information Officer would come in handy. There is a lot of information that we could provide for our community and it would help to increase communication.

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Council Member Blackham commented that usually new requests for additional staffing is presented by each department for consideration during the yearly budgeting process, and he would like to hear what the staffing needs are of other departments before creating this position.

Josh Belnap responded that this is not something that needs a decision right away. Staff brought this before the council tonight to get some feedback.

## COUNCIL MEMBER REPORTS

Council Member Blackham said that the Mayor, Council Member Hunt, city Staff members and he were able to see a presentation done by the Wasatch Front Regional Council regarding transportation in the area. UTA was in attendance and they were able to speak with them about UTA's transportation services within Kaysville, and what their future plans were for the city with the West Davis Corridor going in. They were also able to speak with others in attendance about active transportation in our area, and learned about some funding that the city could potentially receive with certain road projects.

Mayor Tran said that our IT Manager, Ryan Judd, was participating in a state cyber security assessment program that will result in being able to receive grant funds for our cyber security program. Mayor Tran added that Kaysville, Bountiful and Layton were sponsoring a first-annual elected officials Holiday Open House on December 20 and invited the council members to attend.

## CITY MANAGER REPORT

Shayne Scott commented that the council meeting schedule for December 1 would likely be cancelled and therefore the next council meeting would be held on December 15.

## ADJOURNMENT

Council Member Oaks made a motion to adjourn the City Council meeting at 9:14 p.m., seconded by Council Member Blackham and passed unanimously.

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# CITY COUNCIL STAFF REPORT

**MEETING DATE:** December 15, 2022

**TYPE OF ITEM:** Action

**PRESENTED BY:** Melinda Greenwood, Community Development Director

**SUBJECT/AGENDA TITLE:** Rezone application for 97 East Crestwood from R-1-8 Single Family to R-1-6 Single Family Residential District from Bryan Carling

**EXECUTIVE SUMMARY:**
At the November 10, 2022 Planning Commission meeting, the Planning Commission held a public hearing and voted 5-0 to recommend approval of the rezone request for the property at 97 East Crestwood to go from R-1-8 to R-1-6.

The staff report from the Planning Commission meeting as well as the meeting minutes are attached.

No public comments were received regarding this rezone request.

City Council Options:

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

Recommended Option:
Based on the Planning Commission's 5-0 vote to recommend approval, staff recommends the City Council approve the rezone request for the property located at 97 East Crestwood from R-1-8 to R-1-6.

Fiscal Impact:
The City would receive nominal additional property taxes if the property is subdivided and another home is built.

Attachments:

1. Planning Commission Staff Report: Public Hearing for the rezone application from Bryan Carling for 97 East Crestwood from R-1-8 Single Family to R-1-6 Single Family Residential District
2. November 10, 2022 Planning Commission Meeting Minutes excerpt
3. Draft Rezone Ordinance

# PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission
**From:** Dan Jessop, Zoning Administrator
**Date:** October 20, 2022

**Agenda Item #5:** Public Hearing for the rezone application from Bryan Carling for 97 East Crestwood from R-1-8 Single Family to R-1-6 Single Family Residential District

| | |
|---|---|
| **Meeting Date** | November 10, 2022 |
| **Application Type** | Rezone |
| **Applicant \| Owner** | Bryan Carling |
| **Address \| Parcel ID Number** | 97 East Crestwood \| 11-101-0007 |
| **Lot Size** | .34 acre \| 14,810 ft² |
| **Current Use** | One single family dwelling |
| **Current Zoning** | R-1-8 Diverse Residential single family |
| **Density Entitlement** | One dwelling unit |
| **Requested Zoning** | R-1-6 |
| **Number of New Lots** | 2 |

## 1. BACKGROUND

There is one existing single family home which faces south. The applicant is requesting the lot be re-zoned from R-1-8 which has a minimum lot size 8,000 ft² to R-1-6, which has a minimum lot size of 6,000 ft². The proposed change in zoning would allow for the construction of one dwelling unit on a new 6,000 ft² minimum lot with a 25 foot setback, and 55 foot frontage.

## 2. SURROUNDING LAND USE AND ZONING

The parcel is located on the northwest corner of Crestwood Drive and Fairfield Road. For the Commission's consideration of the whether or not the application of the R-1-6 zone on the subject property is appropriate, the character of the surrounding area and neighborhood includes:

- **Adjacent** – Directly adjacent to the property is R-1-8.

- **North** – The subject property is bordered by R-1-8.
- **South** – Heritage Park is across the street to the south and is zoned PU Public Use.
- **East** – R-1-8.
- **West** –R-1-8 with General Commercial further west. There is a small area zoned R-M Multiple Family Residential to the west and across Crestwood Road to the south.

The majority of the land surrounding the subject property is single family, and while the R-1-6 would increase the density on this particular lot, the single family feel of the area would arguably not be jeopardized as the R-1-6 zoning falls within the category of single family zoning.

3. **GENERAL PLAN**

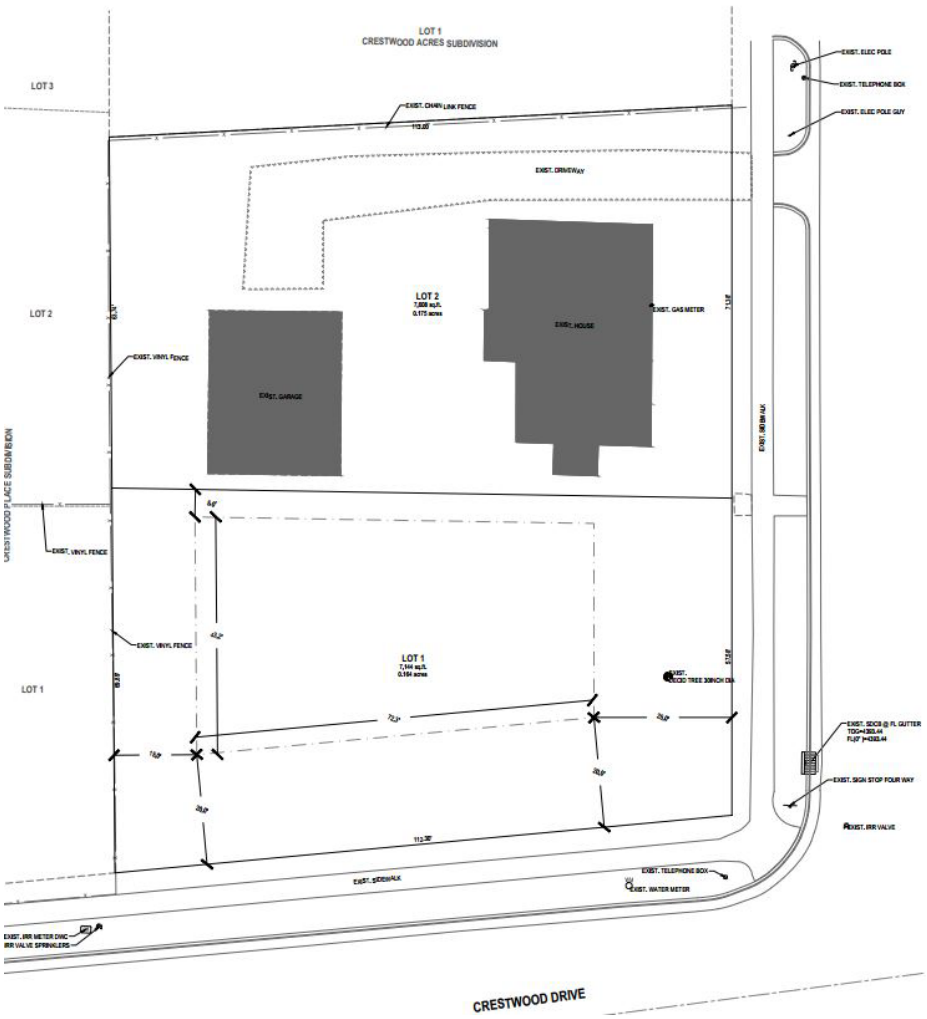
The 2022 General Plan Future Land Use Map calls for this property to remain Single Family Residential. The requested zone of R-1-6 is a single family zone and complies with the proposed zone change. Goal 1 of Chapter 3 of the 2022 General Plan states:

> PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS.

Homes on smaller lots and smaller homes would accommodate a varying economic, lifecycle and lifestyle need of the community. The 2022 General Plan contains goals and policy objectives which support approval of the rezone request.

**4. SUMMARY**

The applicant submitted the below concept of their proposed two-lot subdivision.




## 5. RECOMMENDATION

The Planning Commission may make a recommendation to approve or deny the rezone request. Staff recommends the Planning Commission forward a recommendation of approval the rezone application for 97 East Crestwood Road from R-1-8 to R-1-6, based on the findings within this report, compatibility with the 2022 General Plan, public comments received and how well this requested zone works at this particular location.

A motion was made by Commissioner Allred to approve the Preliminary Plat for Manor Estates as proposed with the conditions of adding a note and a dashed line that there is plan to connect a future road to the north and that sidewalk will be added to Angel Street as our findings for support and with the noted changes on the preliminary plat per our discussion. Seconded by Commissioner Branch. Vote was unanimous in favor of the applicant. (5-0)

## 5- PUBLIC HEARING FOR THE REZONE APPLICATION FROM BRYAN CARLING FOR 97 EAST CRESTWOOD FROM R-1-8 SINGLE FAMILY RESIDENTIAL TO R-1-6

**Introduced by: Melinda Greenwood**

Ms. Greenwood explained the property on 97 East Crestwood is a .34 acre parcel and the owner is requesting for R-1-8 to R-1-6 zone change. The intent of the applicant is to add an additional home that would front Crestwood. Zoning across the street in that area is PU - Public Use and this rezone is supported by the future land use map because R-1-6 is single family residntial.

The required square footage of R-1-6 would allow for two dwelling units as the set backs are a little bit smaller.

The applicant submitted a concept plan for the rezone with his application which was shown to the Commission. Ms. Greenwood said staff was recommending approval and the applicant was at the meeting for any questions.

Commissioner Allred asked if there a requirement for which direction the home would face. Applicant would be only adding one home. The applicant would have some flexibility based on the context on what is around the property.

Mr. Carling gave a history of the lot that it is actually not .37 acres but is actually it is .34 acres. The existing home is non-compliant, non-conforming. Mr. Carling said that they will be keeping the huge tree in the front yard with no intention of taking it down.

Commissioner Barrus opened the public hearing and there were no comments. Commissioner Barrus closed the public hearing.

Commissioner Allred made a motion to recommend the rezone with the proposed findings: That staff has reviewed the General Plan and gives a strong recommendation and it complies with Future Land Use Map, also the rezone represents a direction Kaysville City is moving towards. Commissioner Sundloff seconded the motion. The vote is unanimous in favor (5-0).

## 6- PUBLIC HEARING FOR AMENDING THE 2022 GENERAL PLAN TO INCORPORATE MODERATE INCOME HOUSING REQUIRMENTS

Ms. Greenwood gave an introduction to the proposed document and explained the objectives were word from word from state code.

Ms. Greenwood shared some of the changes she made from the draft document included in the packet based on the recommendation from the state who reviewed the plan for compliance issues.

Commissioner Sundloff wanted to make a clarification in regards to A, E, R, F and items J and N. It was required to have three items to submit to the state and if we submitted five, then it would give us priority

ORDINANCE NO. 22-XX-XX

AN ORDINANCE REZONING 97 EAST CRESTWOOD DRIVE, A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-1-6 SINGLE 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 97 East Crestwood from R-1-8 Single Family Residential zoning district to the R-1-6 Single Family Residential zoning district; and

**WHEREAS**, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard and no public comments were received; and

**WHEREAS**, on November 10, 2022, with a vote of 5-0, the Kaysville City Planning Commission made a recommendation of approval of the zone change to R-1-6 to the City Council on said zoning action; and

**WHEREAS**, the City Council, after due consideration of said district, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-1-6 zone be implemented at the property addressed 97 East Crestwood and known as Tax ID # 11-101-0007;

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 97 East Crestwood, and known by Parcel Identification Number 11-101-0007, as shown on the attached map which is made a part hereof, containing approximately .34 acre (14,810 $ft^2$) of land, shall be rezoned and the Zoning Map amended by removing it from the Kaysville City R-1-8 Single Family Residential zoning district as currently delineated and rezoning it to the R-1-8 Single Family Residential zoning 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 10th day of December, 2022.

ORDINANCE NO. 22-XX-XX

_____
Tamara Tran
Mayor

ATTEST:

_____
Annemarie Plaizier
City Recorder

ORDINANCE NO. 22-XX-XX

# CITY COUNCIL STAFF REPORT

**MEETING DATE:** December 15, 2022

**TYPE OF ITEM:** Action

**PRESENTED BY:** Melinda Greenwood, Community Development Director

**SUBJECT/AGENDA TITLE:** Preliminary Plat Subdivision approval for Manor Estates for Phil Holland for the property at 67 North Angel Street

**EXECUTIVE SUMMARY:**
At the November 10, 2022 Planning Commission meeting, the Planning Commission held a public meeting and voted 5-0 to recommend approval of the preliminary subdivision plat for Manor Estates for the property at 67 North Angel Street. The Commission included these conditions with their recommendation:

1. Adding a note and a dashed line showing the stubbed road is a future connection to any future road to the north; and
2. Adding a notation that sidewalk will be added to Angel Street.

More details can be found in the attached staff report from the Planning Commission meeting as well as the meeting minutes.

City Council Options:

1. Approve the preliminary subdivision for Manor Estates.
2. Deny the preliminary subdivision for Manor Estates.

Recommended Option:
Option 1: Based on the Planning Commission's 5-0 vote to recommend approval, staff recommends the City Council approve the preliminary plat subdivision for Manor Estates for the property at 67 North Angel Street with the following conditions:

1. Adding a note and a dashed line that there is plan to connect a future road to the north; and
2. Adding a notation that sidewalk will be added to Angel Street.

Fiscal Impact:
N/A

Attachments:

1. Planning Commission Staff Report: Public Hearing for the rezone application from Bryan Carling for 97 East Crestwood from R-1-8 Single Family to R-1-6 Single Family Residential District
2. November 10, 2022 Planning Commission Meeting Minutes excerpt

# PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission
**From:** Dan Jessop, Zoning Administrator
**Date:** November 1, 2022

**Agenda Item #4:** Preliminary Plat Subdivision approval for Manor Estates for Phil Holland for the property at 67 North Angel Street

| | |
|---|---|
| **Meeting Date** | November 10, 2022 |
| **Application Type** | Preliminary Plat |
| **Applicant \| Owner** | The Holland Group INC. |
| **Address \| Parcel ID Number** | 67 North Angel Street \| 11-109-0041 |
| **Lot Size** | 5.27 acres \| 229,561 ft² |
| **Current Use** | Single family dwelling |
| **Current Zoning** | R-1-14 |
| **Number of New Lots** | 11 |
| **Lot Sizes** | 15,243 ft² to 24,799 ft² |

## 1. BACKGROUND

The subject property is a 5.27 acre / 229,561 ft² parcel on the west side of Angel Street and the corner of Bonneville Lane with one existing single family home which faces east. The applicant was granted a rezone from A-1 Light Agricultural District, to R-1-14 single family which has a 14,000 square foot minimum lot size requirement. The subdivision plat has 11 lots ranging from 15,243 square feet to 24,799 square feet. All lots meet required square footage and frontage as per R-1-14 zone ordinance.

## 2. SUMMARY

The applicant submitted the attached concept of their proposed eleven lot subdivision. The subdivision proposes one lot with the existing home (which will remain) facing Angel Street, and two lots facing Bonneville Lane. The plat has a total of eight lots facing Preston Street with a seventy-five foot temporary turn around for a future road connection when development continues on contiguous properties to the north.

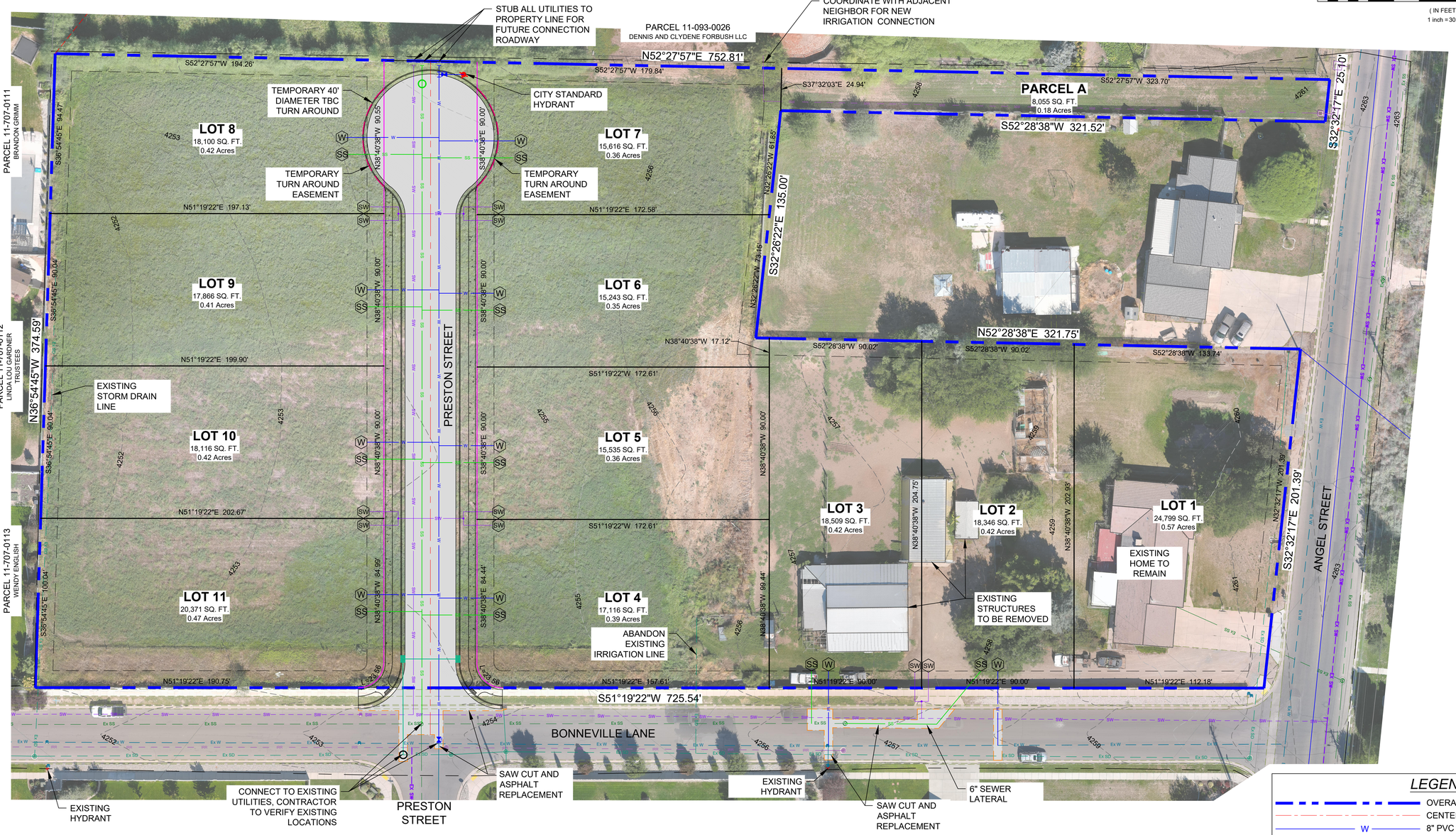
## 3. RECOMMENDATION

The proposed subdivision is consistent with the anticipated development of the R-1-14 zone. It is in compliance with applicable zoning districts, and proposes eleven desirable building lots.
The Planning Commission may make a recommendation to approve the preliminary plat for Manor Estates.

Attachments:

A. Preliminary Plat documents

# MANOR ESTATES
## PRELIMINARY PLAN



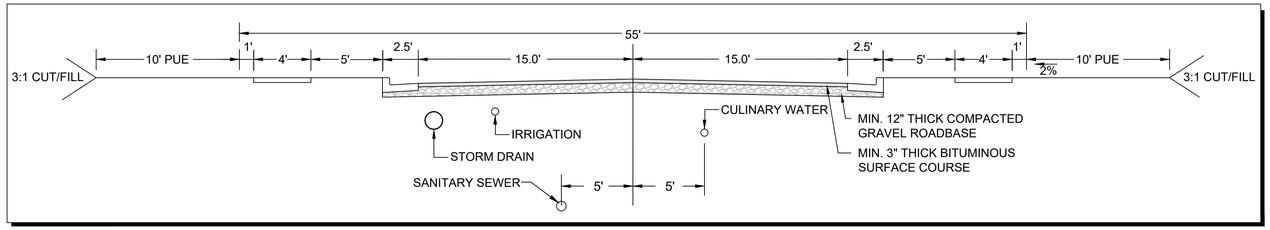

60 0 15 30 60 120

( IN FEET )
1 inch = 30 ft.

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT BEING LOCATED SOUTH 89°43'27" EAST 2154.95 FEET AND SOUTH 1010.69 FEET FROM THE WEST QUARTER CORNER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN; RUNNING THENCE N.52°27'57"E., A DISTANCE OF 752.81 FEET; THENCE S.32°32'17"E., A DISTANCE OF 25.10 FEET; THENCE S.52°28'38"W., A DISTANCE OF 321.52 FEET; THENCE S.32°26'22"E., A DISTANCE OF 135.00 FEET; THENCE N.52°28'38"E., A DISTANCE OF 321.75 FEET; THENCE S.32°32'17"E., A DISTANCE OF 201.39 FEET; THENCE S.51°19'22"W., A DISTANCE OF 725.54 FEET; THENCE N.36°54'45"W., A DISTANCE OF 374.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 228,118.48 SQUARE FEET OR 5.2369 ACRES, MORE OR LESS.




## LEGEND

- OVERALL PROPERTY BOUNDARY
- CENTERLINE
- W — 8" PVC C900 DR-14 WATER LINE
- Ex W — EXISTING 8" WATER LINE
- SS — 8" PVC SDR 35 SEWER LINE
- Ex SS — EXISTING 8"-24" SEWER LINE
- SD — 18" RCP CLASS III STORM DRAIN LINE
- Ex SD — EXISTING 15" STORM DRAIN LINE
- 4' or 5' Ø MANHOLE
- CITY STANDARD FIRE HYDRANT
- 8" WATER/SECONDARY WATER VALVE
- INLET BASIN
- (SS) — 4" SEWER LATERAL
- (W) — 3/4" WATER LATERAL W/ A 3/4" METER
- (SW) — 1" SINGLE/ 1.5" DOUBLE SEC WATER LAT

| NO. | DATE | REVISION |
|---|---|---|

DRAWING IS NOT TO SCALE
IF BAR DOES NOT MEASURE 1 INCH
0 1/2 1

MANOR ESTATES
PRELIMINARY PLAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH


Scott P. McFarland, PE
Project Manager
547 East 1375 South
Layton, Utah 84041
801.726.6797 (W)
spmc@yahoo.com

MEA
MCFARLAND ENGINEERING & ASSOCIATES, INC


REGISTERED PROFESSIONAL ENGINEER
SCOTT P. MCFARLAND
No.504870
STATE OF UTAH

DESIGN: SPM
PROJECT: 1745
DATE: 10-31-22

SHEET:
SP1

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# MANOR ESTATES
## PRELIMINARY PLAN

( IN FEET )
1 inch = 30 ft.

PARCEL 11-093-0026
DENNIS AND CLYDENE FORBUSH LLC

PARCEL 11-707-0111
BRANDON GRIMM

PARCEL 11-707-0112
LINDA LOU GARDNER
TRUSTEES

PARCEL 11-707-0113
WENDY ENGLISH

**LOT 8**
18,100 SQ. FT.
0.42 Acres

**LOT 9**
17,866 SQ. FT.
0.41 Acres

**LOT 10**
18,116 SQ. FT.
0.42 Acres

**LOT 11**
20,371 SQ. FT.
0.47 Acres

**LOT 7**
15,616 SQ. FT.
0.36 Acres

**LOT 6**
15,243 SQ. FT.
0.35 Acres

**LOT 5**
15,535 SQ. FT.
0.36 Acres

**LOT 4**
17,116 SQ. FT.
0.39 Acres

**LOT 3**
18,509 SQ. FT.
0.42 Acres

**LOT 2**
18,346 SQ. FT.
0.42 Acres

**LOT 1**
24,799 SQ. FT.
0.57 Acres

**PARCEL A**
8,055 SQ. FT.
0.18 Acres

PRESTON STREET

BONNEVILLE LANE

ANGEL STREET

N52°27'57"E 752.81'

S52°27'57"W 194.26'

S52°27'57"W 179.84'

S37°32'03"E 24.94'

S52°27'57"W 323.70'

S32°32'17"E 25.10'

S52°28'38"W 321.52'

S32°32'17"E 201.39'

S32°26'22"E 135.00'

N32°26'22"W 61.85'

N32°26'22"W 73.15'

N52°28'38"E 321.75'

S52°28'38"W 90.02'

S52°28'38"W 133.74'

N38°40'38"W 17.12'

N36°54'45"W 374.59'

S36°54'45"E 94.47'

S36°54'45"E 90.04'

S36°54'45"E 90.04'

S36°54'45"E 100.04'

N51°19'22"E 197.13'

N51°19'22"E 172.58'

N51°19'22"E 199.90'

S51°19'22"W 172.61'

N51°19'22"E 202.67'

S51°19'22"W 172.61'

N51°19'22"E 190.75'

N51°19'22"E 157.61'

N51°19'22"E 90.00'

N51°19'22"E 90.00'

N51°19'22"E 112.18'

S51°19'22"W 725.54'

N38°40'38"W 90.55'

S38°40'38"E 90.00'

N38°40'38"W 90.00'

S38°40'38"E 90.00'

N38°40'38"W 84.99'

S38°40'38"E 84.44'

N38°40'38"W 99.44'

N38°40'38"W 204.75'

N38°40'38"W 202.93'

L=20.56'

L=20.56'

TEMPORARY 40' DIAMETER TBC TURN AROUND

TEMPORARY TURN AROUND EASEMENT

TEMPORARY TURN AROUND EASEMENT

CITY STANDARD HYDRANT

STUB ALL UTILITIES TO PROPERTY LINE FOR FUTURE CONNECTION ROADWAY

COORDINATE WITH ADJACENT NEIGHBOR FOR NEW IRRIGATION CONNECTION

EXISTING STORM DRAIN LINE

ABANDON EXISTING IRRIGATION LINE

EXISTING STRUCTURES TO BE REMOVED

EXISTING HOME TO REMAIN

EXISTING HYDRANT

CONNECT TO EXISTING UTILITIES, CONTRACTOR TO VERIFY EXISTING LOCATIONS

PRESTON STREET

SAW CUT AND ASPHALT REPLACEMENT

EXISTING HYDRANT

SAW CUT AND ASPHALT REPLACEMENT

6" SEWER LATERAL

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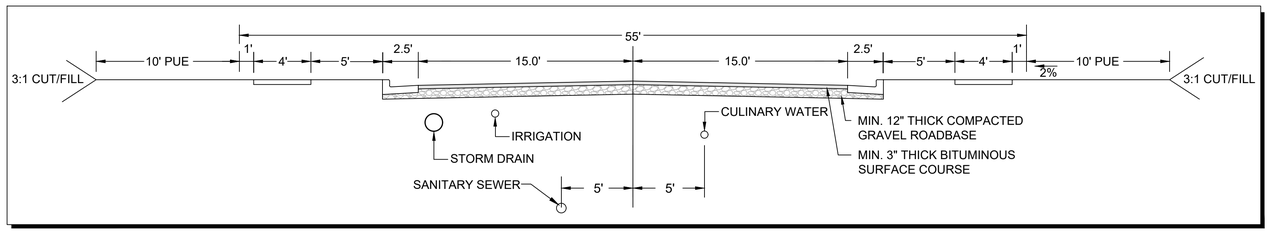


## LEGEND

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- SW — 1" SINGLE/ 1.5" DOUBLE SEC WATER LAT

| NO. | DATE | REVISION |
|---|---|---|

DRAWING IS NOT TO SCALE
IF BAR DOES NOT MEASURE 1 INCH
0 1/2 1

MANOR ESTATES
PRELIMINARY PLAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH


Scott R. McFarland, PE
Project Manager
347 East 1375 South
Kaysville, Utah 84037
801.726.6797 (W)
srpmfl@yahoo.com

MEA
MCFARLAND ENGINEERING & ASSOCIATES, INC


REGISTERED PROFESSIONAL ENGINEER
SCOTT P. MCFARLAND
No.504870
STATE OF UTAH

DESIGN: SPM
PROJECT: 1745
DATE: 10-31-22

SHEET:
SP1

G:\Users\Owner\My Drive\1745 - Kaysville Angel\00-Cadd\00-Base\Angel Construction Set.dwg Oct 31, 2022 - 10:31am

show the turning radius for both sides of the road on the final plat.

Commissioner Allred asked the applicant if he is good with the curb, gutter and sidewalk in the right of way outside of the property line and the applicant was good with the suggestion.

Commissioner Allred made the motion to approve the subdivision with the conditions included by staff in red on the preliminary plat and with the additional following conditions: the depiction of the turn radii from Angel Street onto the private drive, showing public improvements on Angel Street outside the boundaries of the subdivision plat, adding an easement for public safety, adding a note stating maintenance on the road to be denoted as the responsibility of the HOA, and a note on the final plat that the turnaround area is not included in the area of the lot. The motion was seconded by Commissioner Lyons.

Vote was approved unanimous in favor of the Preliminary Plat (5-0).

4- PRELIMINARY PLAT SUBDIVISION APPROVAL FOR MANOR ESTATES FOR PHIL HOLLAND FOR THE PROPERTY AT 67 NORTH ANGEL STREET

**Introduced by: Melinda Greenwood**

Ms. Greenwood began by explaining the agenda item was a rezone from a couple months back and is now zoned R-1-14. She said the property has an existing home on the lot, and the intent is to keep the home and then add 11 lots with a required temporary turnaround for a future road connection to the property to the north. This application has been reviewed by the City Engineer and staff and they are recommending approval of preliminary plat.

Commissioner Allred asked about the temporary turnaround and if the curved radii will be removed. In his experience the developer needs to be protected with a holding strip and to note on the plat with a dashed line so that there is no question at all that it is a requirement for this applicant or future property owner that the road will need to be connected.

Mr. Holland says that ownership wise they will be taking the road all the way to the end and then dedicate the right of way to the city.

Commissioner Allred asked if staff can add a couple of dashed lines and an additional note on the final plat saying for future reference this will be the responsibility of an abutting property owner to install public improvements at the request of the city and he can leave the temporary cul-de-sac where it is if he's going to be required to put those improvements all in.

Commissioner Sundloff asked staff what the plan is for the fully built out right-of-way, will it have curb, gutter, and sidewalk on both sides of the street?

Ms. Greenwood answered that the city would require a side walk to be installed.

Mr. Holland said lot one will be fully improved and they are planning on taking the improvements all the way on both sides of the street.

Ms. Greenwood repeated back to the Commission that they wanted it denoted that the road would be developed and would tie into the property to the north for future development and that the plat would show the sidewalk being added in on Angel Street.

A motion was made by Commissioner Allred to approve the Preliminary Plat for Manor Estates as proposed with the conditions of adding a note and a dashed line that there is plan to connect a future road to the north and that sidewalk will be added to Angel Street as our findings for support and with the noted changes on the preliminary plat per our discussion. Seconded by Commissioner Branch. Vote was unanimous in favor of the applicant. (5-0)

## 5- PUBLIC HEARING FOR THE REZONE APPLICATION FROM BRYAN CARLING FOR 97 EAST CRESTWOOD FROM R-1-8 SINGLE FAMILY RESIDENTIAL TO R-1-6

**Introduced by: Melinda Greenwood**

Ms. Greenwood explained the property on 97 East Crestwood is a .34 acre parcel and the owner is requesting for R-1-8 to R-1-6 zone change. The intent of the applicant is to add an additional home that would front Crestwood. Zoning across the street in that area is PU - Public Use and this rezone is supported by the future land use map because R-1-6 is single family residntial.

The required square footage of R-1-6 would allow for two dwelling units as the set backs are a little bit smaller.

The applicant submitted a concept plan for the rezone with his application which was shown to the Commission. Ms. Greenwood said staff was recommending approval and the applicant was at the meeting for any questions.

Commissioner Allred asked if there a requirement for which direction the home would face. Applicant would be only adding one home. The applicant would have some flexibility based on the context on what is around the property.

Mr. Carling gave a history of the lot that it is actually not .37 acres but is actually it is .34 acres. The existing home is non-compliant, non-conforming. Mr. Carling said that they will be keeping the huge tree in the front yard with no intention of taking it down.

Commissioner Barrus opened the public hearing and there were no comments. Commissioner Barrus closed the public hearing.

Commissioner Allred made a motion to recommend the rezone with the proposed findings: That staff has reviewed the General Plan and gives a strong recommendation and it complies with Future Land Use Map, also the rezone represents a direction Kaysville City is moving towards. Commissioner Sundloff seconded the motion. The vote is unanimous in favor (5-0).

## 6- PUBLIC HEARING FOR AMENDING THE 2022 GENERAL PLAN TO INCORPORATE MODERATE INCOME HOUSING REQUIRMENTS

Ms. Greenwood gave an introduction to the proposed document and explained the objectives were word from word from state code.

Ms. Greenwood shared some of the changes she made from the draft document included in the packet based on the recommendation from the state who reviewed the plan for compliance issues.

Commissioner Sundloff wanted to make a clarification in regards to A, E, R, F and items J and N. It was required to have three items to submit to the state and if we submitted five, then it would give us priority

# CITY COUNCIL STAFF REPORT

**MEETING DATE:** December 15, 2022

**TYPE OF ITEM:** Action

**PRESENTED BY:** Melinda Greenwood, Community Development Director

**SUBJECT/AGENDA TITLE:** Preliminary Plat Subdivision approval for Johnson Farms for David Nielsen for the property at 602 South Angel Street

**EXECUTIVE SUMMARY:**
At the November 10, 2022 Planning Commission meeting, the Planning Commission held a public meeting and voted 5-0 to recommend approval of the preliminary subdivision plat for Johnson Farms for the property at 602 South Angel Street. In the staff report, the City Engineer recommended the following conditions.

1. The subdivision title includes the term PRUD.
2. The private road is dedicated to the HOA.
3. Utility signature blocks are removed.

The Commission included additional conditions with their recommendation, and those conditions are listed below as items 4 through 8.

4. Adding a note stating maintenance on the private road is the responsibility of the HOA.
5. Adding an easement for public safety access.
6. Adding a note that the turnaround area is not included in the area of the lots.
7. Depicting the turn radii from Angel Street onto the private drive.
8. Showing public improvements on Angel Street outside the boundaries of the subdivision plat.

Items numbered 7 and 8 are not commonly shown on subdivision plats, so the Council may wish to include only items 1-6 as conditions of approval.

The staff report from the Planning Commission meeting as well as the meeting minutes are attached for more information.

City Council Options:

1. Approve the preliminary subdivision for Johnson Farms with conditions 1 through 6.
2. Approve the preliminary subdivision for Johnson Farms with conditions 1 through 8.
3. Deny the preliminary subdivision for Manor Estates.

Recommended Option:
Option 1: Based on the Planning Commission's 5-0 vote to recommend approval, staff recommends the City Council approve the preliminary plat subdivision for Manor Estates for the property at 67 North Angel Street with the following conditions:

1. The subdivision title includes the term PRUD.
2. The private road is dedicated to the HOA.
3. Utility signature blocks are removed.
4. Adding a note stating maintenance on the private road is the responsibility of the HOA.
5. Adding an easement for public safety access.
6. Adding a note that the turnaround area is not included in the area of the lots.

Fiscal Impact:
N/A

Attachments:
1. Planning Commission Staff Report: Preliminary Plat Subdivision approval for Johnson Farms for David Nielsen for the property at 602 South Angel Street
2. November 10, 2022 Planning Commission Meeting Minutes excerpt

# PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission
**From:** Dan Jessop, Zoning Administrator
**Date**: October 25, 2022

**Agenda Item #3:** Preliminary Plat Subdivision approval for Johnson Farms for David Nielsen for the property at 602 South Angel Street

| | |
|---|---|
| **Meeting Date** | November 10, 2022 |
| **Application Type** | Preliminary Plat for Subdivision |
| **Applicant \| Owner** | Evelyn L. Johnson Trust \| David Johnson |
| **Address \| Parcel ID Number** | 602 South Angel Street \| 08-009-0102 |
| **Zoning** | R-1-14 PRUD |
| **Lot Size** | 1.66 acres \| 72,309.6 square feet |
| **Current Use** | Single family dwelling |
| **Number of New Lots** | 4 |
| **Lot Sizes** | 14,000 to 24,644 square feet |

## 1. BACKGROUND

A while back if you recall the Johnson's property was re-zoned to R-1-14 PRUD after being denied an R-1-8 rezone application.

The Evelyn L Johnson Trust-David Johnson are now submitting a preliminary subdivision plat application which includes four proposed lots with a private lane PRUD that will meet the size, frontage, and buildable envelope set-backs that will meet the R-1-14 zone.

The subdivision consists of four total lots. Lot 1 and Lot 2 will may face the public right of way, Angel Street, or the new Private Street, Dawn Lane, however they see fit due to the corner lot location. Lots 3 and 4 will face the proposed private lane. The lots range from 14,000 square feet to 24,644.86 square feet.

## 2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign placed on the property on November 4, 2022. The City does not mail notices for subdivisions.

## 3. RECOMMENDATION

The proposed subdivision is consistent with the anticipated development of the R-1-14 zone. It is in compliance with applicable zoning districts, and proposes four desirable building lots. Staff has reviewed the proposed subdivision plat and is recommending that the Planning Commission forward a favorable recommendation of approval to the City Council the proposed preliminary plat for Johnson Farms PRUD Subdivision. The approval is subject to the following conditions:

A. The subdivision title includes the term PRUD.
B. The private road is dedicated to the HOA.
C. Utility signature blocks are removed.

Attachments:

1. Preliminary Plat

W/C N 89°50'27" E 859.08'
FOUND WITNESS CORNER MONUMENT T3N, R1W, SLB&M DAVIS COUNTY SURVEY MONUMENT PG 469

W/C 91.15'
FOUND WITNESS CORNER MONUMENT T3N, R1W, SLB&M DAVIS COUNTY SURVEY MONUMENT PG 469

32 33 5 4
CALC (NOT FOUND) NW CORNER SECTION 4 T3N, R1W, SLB&M

SECTION LINE
BASIS OF BEARING S 89° 20' 55" E 2717.10' (WC TO WC)
NAD83 N 88° 56' 23" W 2716.45' (GRID)

FOUND WITNESS CORNER MONUMENT T3N, R1W, SLB&M DAVIS COUNTY SURVEY MONUMENT PG 468

W/C 57.35
33 33 4 4
CALC (NOT FOUND) NORTH ¼ SECTION 4 T3N, R1W, SLB&M

Include PRUD in title

# JOHNSON FARMS SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH

dedicate road to HOA

***OWNER'S DEDICATION***

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HERBY SET APART AND SUBDIVIED THE SAME INTO LOTS AND STREET AS SHOWN ON THIS PLAT, AND THE NAME OF SAID TRACT IS

**JOHNSON FARMS SUBDIVISION**

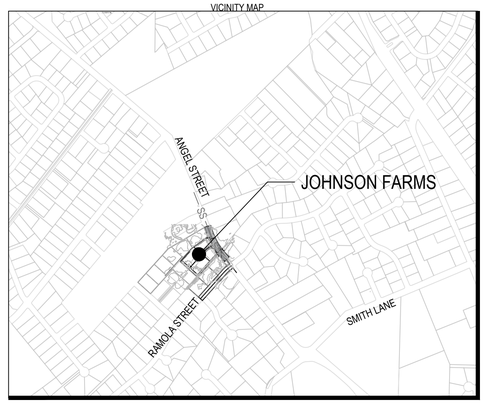
AND DO HEREBY DEDICATE, GRANT AND CONVEY TO KAYSVILLE CITY, DAVIS COUNTY, UTAH, ALL THOSE PARTS AND PORTIONS OF SAID TRACTS OF LAND DESIGNATED AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY KAYSVILLE CITY. PURSUANT TO CITY CODE xxxxxxx(d), AND SHALL WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE AND OPERATION OF THE STREETS.

SIGNED THIS _____ DAY OF _____ A.D.20_____
BY THE PROPERTY OWNERS

BY:_____

BY: _____

VICINITY MAP




***ACKNOWLEDGMENT***

STATE OF UTAH }
COUNTY OF DAVIS } S.S

ON THE_____DAY OF_____A.D., 20___ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF_____IN SAID STATE OF UTAH, THE SIGNER() OF THE ABOVE OWNERS DEDICATION I NUMBER, WHO DULY ACKNOWLEDGE TO ME THAT SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES:_____ NOTARY PUBLIC
RESIDING IN _____COUNTY _____

RED TAIL CONSULTANTS
PO BOX #160183
CLEARFIELD, UTAH 84016

LEGEND

- SECTION CORNER
- W/C DAVIS COUNTY WITNESS CORNER
- R/M DAVIS COUNTY REFERENCE MONUMENT
- STREET MONUMENT
- PROPERTY CORNER
- PROPERTY CORNER - SET REBAR & CAP
- WM WATER METER
- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- EASEMENT
- SETBACK
- INGRESS/EGRESS & UTILITY EASEMENT

***BOUNDARY DESCRIPTION***
JOHNSON FARMS SUBDIVISION
NE¼ OF SECTION 4, T3N R 1W
SALT LAKE BASE & MERIDIAN

BASIS OF BEARING IS BETWEEN THE WITNESS CORNER MONUMENT THAT LIES 91.15 FEET WEST FROM THE NE CORNER OF SECTION 4 T3N R1W AND THE WITNESS CORNER MONUMENT THAT LIES 57.35 FEET WEST FROM THE N 1/4 OF SECTION 4 T3N R1W S 89° 20' 55" W 2717.10'

COMMENCING AT THE DAVIS COUNTY WITNESS CORNER MONUMENT THAT LIES 57.35' WEST OF THE N 1\4 CORNER OF SECTION 4 T3N R1W, THENCE S33°30'55"W 2,802.22 FEET

TO AN ANGEL STREET MONUMENT 3" FLAT BRASS CAP OFFSET FROM THE CL OF ANGEL STREET, THENCE S 19°57'24" E 102.92 FEET TO THE EDGE OF THE ANGEL STREET RIGHT OF WAY AND POINT OF BEGINNING, THENCE AROUND THE BOUNDARY OF THE JOHNSON FARMS SUBDIVISION THE FOLLOWING 5 COURSES.

1.) S 41° 14' 43" W 315.18' ALONG THE BOUNDARY OF THE BIG CREEK SUBDIVISION.
2.) N 48° 23' 20" W 239.36' ALONG THE BOUNDARY OF THE ANGEL CREST SUBDIVISION.
3.) N 41° 47' 37" E 174.14' ALONG THE BOUNDARY OF THE ANGEL CREST SUBDIVISION.
4.)N 53° 21' 42" E 207.39 FEET ALONG THE BOUNDARY OF THE ANGEL CREST SUBDIVISION TO THE ANGEL STREET RIGHT OF WAY.
5.)ALONG THE ANGEL STREET RIGHT OF WAY 204.84 FEET ALONG CURVE WITH A RADIUS OF 749.39 FEET. [CHORD BEARS S 30°42'36" 204.20 FEET] TO THE POINT OF BEGINNING.

CONTAINING 1.80 ACRES MORE OR LESS

| CURVE | ARC LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
|---|---|---|---|---|---|
| C1 | 204.84 | 749.39 | 15-39'40" | S30-42'36"W | 204.2 |
| C2 | 15.75 | 50 | 18-02'41" | S50-16'04"W | 16.3 |
| C3 | 40.84 | 26 | 90-00'00" | S86-14'43"W | 33.94 |
| C4 | 40.84 | 26 | 90-00'00" | S03-45'17"W | 33.94 |
| C5 | 8.19 | 26 | 18-02'41" | N50-16'04"W | 7.52 |
| C6 | 102.39 | 749.21 | 07-49'50" | S26-47'41"W | 102.34 |
| C7 | 102.39 | 749.21 | 07-49'50" | S34-37'31"W | 102.34 |

0 25 50 75
GROUND SCALE FACTOR 1.00023645117887

N

S 00° 10' 57" W 2625.66' (CALC TO CALC)

We do not require utility signatures

***ROCKY MOUNTAIN POWER***
APPROVED THIS _____ DAY OF _____
20___,
BY _____
TITLE
ROCKY MOUNTAIN POWER

***COMCAST***
APPROVED THIS _____ DAY OF _____
20___,
BY _____
TITLE
ROCKY MOUNTAIN POWER

***CENTURY LINK***
APPROVED THIS _____ DAY OF _____
20___,
BY _____
TITLE
CENTURY LINK

4 4 CALC (NOT FOUND) CENTER SECTION 4 T3N, R1W, SLB&M
4 4

***DOMINION ENERGY UTAH***

QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.
QUESTAR GAS COMPANY
dba DOMINION ENERGY UTAH
APPROVED THIS _____ DAY OF _____ A.D. 20__
BY _____
TITLE _____
DOMINION ENERGY UTAH

R/M FOUND REFERENCE MONUMENT T3N, R1W, SLB&M DAVIS COUNTY SURVEY MONUMENT PG 443

SURVEYOR'S CERTIFICATE

No. 8885968 NICHOLAS L. WARDELL STATE OF UTAH

I NICHOLAS WARDELL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING A LICENSE IN ACCORDANCE WITH "TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT" LICENSE NO. 8885968, DO HEREBY CERTIFY THAT;

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF TOM HILL.

2. THE LAND SURVEY LIES WITHIN SECTION 4, T3N, R1W, SLB&M AND THE SURVEY WAS COMPLETED ON 10/15/2022.

3. THIS PLAT COMPLIES WITH APPLICABLE STATUTES OF THIS STATE, AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED. THE SURVEY IS ALSO IN ACCORDANCE WITH SECTION 17-23-17, UTAH STATE CODE.

***CITY ATTORNEY***
APPROVED THIS _____ DAY OF _____
A.D, 20 ____ BY _____
SYRACUSE CITY ATTORNEY

***COUNTY RECORDER***
STATE OF UTAH COUNTY OF DAVIS
RECORDED AND FILED A THE REQUEST OF
_____
DATE: _____TIME: _____
ENTRY# _____FEE: _____
COUNTY RECORDER

***PLANNING COMMISSION***
APPROVED THIS _____ DAY OF _____ A.D, 20
BY SYRACUSE CITY LAND USE AUTHORITY
CHAIRMAN, PLANNING COMMISSION

***CITY ENGINEER***
APPROVED AS TO FORM THIS_____ DAY OF
_____A.D., 20 _____
SYRACUSE CITY ENGINEER

**Kaysville City Planning Commission Meeting Minutes**
**November 10, 2022**

The Planning Commission meeting was held on November 10, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

**Planning Commission Members in Attendance:** Chair Barrus, Commissioners Lyon, Branch, Sundloff, and Allred

**Staff Present:** Mindi Edstrom and Melinda Greenwood

**Public Attendees:** David Nielsen, Katherine Carling, Jason Carling, Tom Carling, Gentrie Maag, Gina Carling, Phil Holland, Mike Macfarlane, and Sydney Macfarlane.

## 1-OPENING

Chair Barrus opened the meeting by welcoming all in attendance to the November 10, 2022 Planning Commission meeting.

## 2- APPROVAL OF THE MINUTES FROM THE OCTOBER 13, 2022 PLANNING COMMISSION MEETING

Commissioner Lyon made a motion to approve the minutes from the October 13, 2022 meeting and Commissioner Sundloff seconded the motion. All voted in favor of approving the minutes (5-0).

## 3- PRELIMINARY PLAT SUBDIVISION APPROVAL JOHNSON FARMS FOR DAVID NIELSEN FOR THE PROPERTY AT 602 SOUTH ANGEL STREET

Ms. Greenwood began by sharing that this property at 602 South Angel Street was recently rezoned to R-1-16 with a PRUD overlay. She said the subdivision would subdivide into four lots with a private street and a hammerhead turn around. The City Engineer has reviewed the plat and staff is recommending approval based on the conditions outlined in the staff report.

Commissioner Allred asked if roads and other items will be added to the plat. He also asked about the turnaround areas and if the street area is included in the square footage of the lot area. Ms. Greenwood responded that it was not.

Commissioner Sundloff asked if there will be curb and gutter and will it tie into Angel Street and whether or not it would it tie in to the west side of Angel Street. He said if Angel Street is in need of curb and gutter, then now would be the time to add it in. Commissioner Lyon responded that there is curb and gutter on that side of the road.

Ms. Greenwood mentioned that road is a private drive and we do not require curb and gutter on private streets.

Commissioner Allred asked about the turn around and recommends that the applicant makes sure to

show the turning radius for both sides of the road on the final plat.

Commissioner Allred asked the applicant if he is good with the curb, gutter and sidewalk in the right of way outside of the property line and the applicant was good with the suggestion.

Commissioner Allred made the motion to approve the subdivision with the conditions included by staff in red on the preliminary plat and with the additional following conditions: the depiction of the turn radii from Angel Street onto the private drive, showing public improvements on Angel Street outside the boundaries of the subdivision plat, adding an easement for public safety, adding a note stating maintenance on the road to be denoted as the responsibility of the HOA, and a note on the final plat that the turnaround area is not included in the area of the lot. The motion was seconded by Commissioner Lyons.

Vote was approved unanimous in favor of the Preliminary Plat (5-0).

4- PRELIMINARY PLAT SUBDIVISION APPROVAL FOR MANOR ESTATES FOR PHIL HOLLAND FOR THE PROPERTY AT 67 NORTH ANGEL STREET

**Introduced by: Melinda Greenwood**

Ms. Greenwood began by explaining the agenda item was a rezone from a couple months back and is now zoned R-1-14. She said the property has an existing home on the lot, and the intent is to keep the home and then add 11 lots with a required temporary turnaround for a future road connection to the property to the north. This application has been reviewed by the City Engineer and staff and they are recommending approval of preliminary plat.

Commissioner Allred asked about the temporary turnaround and if the curved radii will be removed. In his experience the developer needs to be protected with a holding strip and to note on the plat with a dashed line so that there is no question at all that it is a requirement for this applicant or future property owner that the road will need to be connected.

Mr. Holland says that ownership wise they will be taking the road all the way to the end and then dedicate the right of way to the city.

Commissioner Allred asked if staff can add a couple of dashed lines and an additional note on the final plat saying for future reference this will be the responsibility of an abutting property owner to install public improvements at the request of the city and he can leave the temporary cul-de-sac where it is if he's going to be required to put those improvements all in.

Commissioner Sundloff asked staff what the plan is for the fully built out right-of-way, will it have curb, gutter, and sidewalk on both sides of the street?

Ms. Greenwood answered that the city would require a side walk to be installed.

Mr. Holland said lot one will be fully improved and they are planning on taking the improvements all the way on both sides of the street.

Ms. Greenwood repeated back to the Commission that they wanted it denoted that the road would be developed and would tie into the property to the north for future development and that the plat would show the sidewalk being added in on Angel Street.

# STAFF REPORT

**COUNCIL MEETING DATE: December 15, 2022**

**TYPE OF ITEM: Action**
**PRESENTED BY: Nic Mills**

**SUBJECT/AGENDA TITLE: An Ordinance Amending Kaysville City Code 4-2-7 regarding Electric Fund Transfers**

**EXECUTIVE SUMMARY:**

**This ordinance would amend 4-2-7 regarding Electric Fund Transfers. This amendment would allow a potential fund transfer, but provides gentle guidance regarding when such transfers are appropriate. Importantly, this amendment does not require any fund transfers. Further, any fund transfer would require further City Council action along with the proper notices.**

Council Options: 1) Approve the Ordinance as written; 2) Approve the Ordinance with any modifications that the Council deems appropriate; 3) Decline to approve the Ordinance and remand to staff with further direction.

Recommended Options: Approve the Ordinance as written.

Fiscal Impact & Fund Source for Recommended Action: This Ordinance has no direct fiscal impact, but its effect will give the City Council greater flexibility to fund future expenses.

**ORDINANCE 22-XX-XX**

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 2, SECTION 7 REGARDING ELECTRIC REVENUES AND RATES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS,** Kaysville City desires to have the ability to utilize City revenue held in its Electric Utility Enterprise fund for City needs; and

**WHEREAS,** the Kaysville City Council recognizes that they are not obligated to use these proposed fund transfers, but recognizes that having this option may alleviate the need to raise property taxes and other fees; and

**WHEREAS,** the Kaysville City Council recognizes that they are stewards of the public's funds and shall not use these enterprise transfers in a way that violates the proposed amendment; and

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

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

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

**SECTION II: Enactment.** Title 4, Chapter 2, Section 7 shall be amended to read as follows:

**4-2-7 Electric Revenues And Rates**

All operating revenues of the Kaysville Electric Utility Enterprise Fund should be used to benefit the City. Preference may be given to restrict expenditures solely to the direct operations of the Kaysville Power Department. The Kaysville Electric Utility Enterprise Fund shall maintain Cash Reserves as established by the governing body. Operating revenues above operation expenditures and Cash Reserves may be redistributed to other City needs that encourage the health, safety, and welfare of the Citizenry.

**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 shall become effective 20 days after publication or posting, or 30 days after final passage by the governing body, whichever is sooner.

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

_____
Tamara Tran, Mayor

ATTEST:

_____
Annemarie Plaizier, City Recorder

# CITY COUNCIL STAFF REPORT

**COUNCIL MEETING DATE:** December 15, 2022

**TYPE OF ITEM:** Work

**SUBJECT/AGENDA TITLE:** Personnel Policies and Procedures Manual Changes

**EXECUTIVE SUMMARY:**

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

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

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

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

Council Options: 1) Move to Action 2) Remand to Staff with further direction

Recommended Options: Move HR Manual Changes to Action

Fiscal Impact & Fund Source for Recommended Action: None.

**Personnel Policies and Procedures Manual Changes - Summary**

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

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

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

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