

**KAYSVILLE CITY
ORDINANCE 23-08-01**

AN ORDINANCE ENACTING TITLE 17, CHAPTER 19, SECTION 8 AND TITLE 17, CHAPTER 20, SECTION 8 EXPRESSLY PROHIBITING CERTAIN USES IN SPECIFIC AREAS OF THE GENERAL COMMERCIAL ZONE AND CENTRAL COMMERCIAL ZONE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Kaysville City desires to encourage a diverse and healthy business profile; and

WHEREAS, Kaysville City desires to implement the City Center and Downtown vision identified in the 2022 General Plan to ensure that development and redevelopment occur in a manner consistent with the resident's desires; and

WHEREAS, Kaysville City also desires to maintain and attract businesses and uses which create and enhance walkable mixed-use places which are desirable as a destination; and

WHEREAS, the City finds that limiting uses which are singularly focused on vehicles along major corridors of 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South is a critical first step in identified placemaking goals and objectives; and

WHEREAS, the Kaysville City Planning Commission held a public hearing on July 13, 2023 and voted 5-0 to send a recommendation of approval of the proposed ordinance to the City Council; and

WHEREAS, the Kaysville City Council finds it to be in the best interest of its citizens to enact the ordinance outlined below.

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

SECTION 1: **ADOPTION** "17-19-8 Prohibited Uses" of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-19-8 Prohibited Uses(*Added*)

Uses which are singularly focused on vehicles are expressly prohibited on properties with frontage along 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South. Such uses include but are not limited to auto repair shops, tire shops, auto detailing services, towing services, auto tinting services, auto rentals, lube and oil service stations, spray and tunnel car washes, windshield repair centers, drive-through establishments which do not include indoor retail or dining spaces for customers and other uses which create a heavy emphasis on vehicle space. Storage services are not permitted on properties with frontage along 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South.

SECTION 2: **AMENDMENT** "17-20-4 Conditional Uses" of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

17-20-4 Conditional Uses

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

1. Theaters.
2. Motels or hotels.
3. Light industry/research uses subject to the provisions of [KCC 17-23](#).
4. Dwellings.
5. Social halls, lodges, fraternal organizations.
- ~~6. Automotive repair that does not break the continuity of retail store frontage for pedestrians, does not impose a nuisance on residences or other surrounding uses, does not create traffic hazards or undue traffic congestion, and has pump islands located so that vehicles serviced or awaiting service do not block any public sidewalk or driveway.~~
7. Amusement arcades.
8. Public utility substations.
9. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
10. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

SECTION 3: **ADOPTION** "17-20-8 Prohibited Uses" of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-20-8 Prohibited Uses(*Added*)

Uses which are singularly focused on vehicles are expressly prohibited on properties with frontage along 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South. Such uses include but are not limited to auto repair shops, tire shops, auto detailing services, towing services, auto tinting services, auto rentals, lube and oil service stations, spray and tunnel car washes, windshield repair centers, drive-through establishments which do not include indoor retail or dining spaces for customers and other uses which create a heavy emphasis on vehicle space. Storage services are not permitted on properties with frontage along 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South.

SECTION 4: REPEALER CLAUSE If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 5: SEVERABILITY CLAUSE 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.

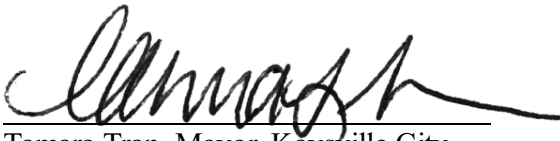
SECTION 6: EFFECTIVE DATE This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL AUGUST 03, 2023.

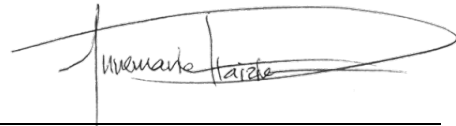
	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Blackham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Hunt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Jackson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Oaks	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Tamara Tran, Mayor, Kaysville City



Annemarie Plaizier, City Recorder,
Kaysville City

