

**KAYSVILLE CITY
ORDINANCE 24-05-01**

**AN ORDINANCE AMENDING TITLE 17-20-4 CENTRAL COMMERCIAL
CONDITIONAL USES TO REMOVE DWELLINGS AS AN ALLOWED
CONDITIONAL USE AND ADDING 17-20-9 GRANDFATHERED DWELLINGS
TO ALLOW EXISTING DWELLINGS TO CONSTRUCT ADDITIONS AND
CONSTRUCTION OF ACCESSORY BUILDINGS**

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to amend Kaysville City Code 17-20-4 Central Commercial Conditional Uses to remove dwellings as an allowed conditional use and to add 17-20-9 Grandfathered Dwellings to allow dwellings which exist on or before May 2, 2024 to construct additions to their homes and add accessory buildings; and

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

WHEREAS, on March 14, 2024, with a vote of 4-0, the Kaysville City Planning Commission held a public hearing and made a recommendation of approval to the City Council of the proposed text amendment to 17-20-4 Central Commercial Conditional Uses; and

WHEREAS, the City Council discussed the proposed said text amendment and Planning Commission recommendation at the April 11, 2024 City Council meeting and directed staff to draft a new section of ordinance which would allow for existing dwellings to construct home additions and accessory buildings; and

WHEREAS, the City Council, after due consideration of said amendments, has concluded that it is in the best interest of the City and the inhabitants thereof that said amendment to 17-20-4 Central Commercial Conditional Uses be implemented and a new section 17-20-9 Grandfathered Dwellings be added;

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

SECTION 1: **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. Amusement arcades.
7. Public utility substations.
8. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
9. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

SECTION 2: **ADOPTION** “17-20-9 Grandfathered Dwellings” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-20-9 Grandfathered Dwellings(*Added*)

1. Dwellings in the Central Commercial Zone existing on May 2, 2024, have the following permitted uses:
 - a. Additions to existing homes;
 - b. Construction of accessory buildings (e.g., garages, sheds, gazebos, pools, and similar structures) as regulated by 17-31 Special Provisions Applying To Particular Uses;
2. Dwellings in the Central Commercial Zone existing on May 2, 2024 shall be prohibited from the following:
 - a. Intentional demolish and rebuilding of homes;
 - b. Adding additional dwelling units.

SECTION 3: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

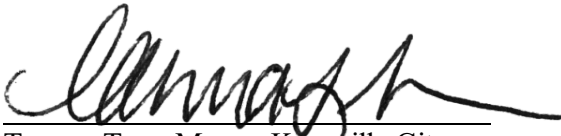
SECTION 5: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from the date of passing and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL MAY 02, 2024.

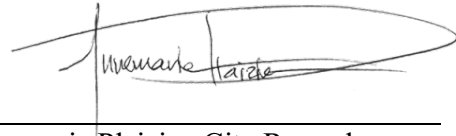
	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Blackham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Hunt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Jackson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Oaks	<u>X</u>	<u> </u>	<u> </u>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

Presiding Officer

Attest



Tamara Tran, Mayor, Kaysville City



Annemarie Plaizier, City Recorder,
Kaysville City

