



DATE MONDAY JANUARY 14, 2019



Planning and Development Services

*Ordinance Amending Section 19.14.050 – Uniform Zoning*

The Council reviewed the following Ordinance amending section 19.14.050 – Uniform Zoning:

ORDINANCE NO. 19-01-02

Date: January 14, 2019

AN ORDINANCE AMENDING SECTION 19.14.050 OF THE UNIFORM ZONING ORDINANCE OF KEARNS METRO TOWNSHIP, UTAH BY ADDITION SUBSECTION D, ALLOWING LIMITED EXCEPTIONS TO THE MINIMUM YARD REQUIREMENTS FOR CARPORTS, PATION COVERS, AND DECKS.

The Kearns Metro Township Council hereby ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.14.050 of the Uniform Zoning Ordinance of Keams Metro Township, Utah is hereby amended as follows:

19.14.050 – Yards

A. Dwellings: The minimum yard requirements for a private garage or dwelling are as follows:

Zone	Front Yard	Side Yard (Interior)	Side Yard (Facing a public street)	Rear Yard Without Garage	Rear Yard With Garage
R-1-3, R-1-4, R-1-5	20 feet	5 feet unless attached to a dwelling on an adjacent lot	20 feet	20 feet	15 feet
R-1-6, R-1-7, R-1-8	25 feet	5 feet one side and 11 feet on the garage or driveway side or 8 feet on each side	20 feet	30 feet	15 feet
R-1-10, R-1-15, R-1-21	30 feet	10 feet on each side	20 feet	Same as above	Same as above

DATE MONDAY JANUARY 14, 2019

R-1-43	30 feet	15 feet on each side	20 feet	Same as above	Same as above
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- B. Accessory Buildings: The minimum yard requirements for an accessory building, which may include a private garage that does not meet the setback requirements listed in subsection A above, are as follows:

Zone	Minimum Front Yard	Minimum Side Yard (Interior)	Minimum Side Yard (Facing a public street)	Minimum Rear Yard
R-1-3, R-1-4, R-1-5, R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-1-21, R-1-43	Must be in the rear yard and 6 feet away from the dwelling	1 foot	20 feet	1 foot, except lots which rear upon the side yard of an adjacent lot, in which case the minimum setback shall be 10 feet from the adjoining side yard.

- C. The minimum yard requirements for a main building other than residential are as follows:

Zone	Minimum Front Yard	Minimum Side Yards	Minimum Rear Yard
R-1-3, R-1-4, R-1-5	20 feet	20 feet	20 feet
R-1-6, R-1-7, R-1-8	25 feet	20 feet	30 feet
R-1-10, R-1-15, R-1-21, R-1-43	30 feet	20 feet	30 feet

- D. Subject to conditions 1 through 6 below. one of the minimum yard. requirements for carports, decks, and covered patios shall be as follows may be reduced to one of the following:

Front Yard: 15 feet  
Side Yard (interior): 3 feet  
Side Yard (street facing): 10 feet  
Rear Yard: 10 feet

Conditions of approval:

DATE MONDAY JANUARY 14, 2019

1. The structure is made of durable, permanent materials, (vinyl canvas, nylon, and other cloth "roofing" materials are not allowed).
2. A carport up to 600 square feet may be free-standing or attached to the dwelling. A deck or patio cover allowed under this provision shall be permanently attached to the dwelling,
3. The structure shall be approved by the building official prior to construction,
4. The applicant shall submit the written approval of the property owner immediately abutting the property line toward which the exception is requested,
5. A carport or patio cover allowed under this provision shall have no exterior walls or panels. A deck allowed under this provision may have walls built up to the height of the railing, but shall not be enclosed with a roof and walls, and,
6. No more than 50% of the available (unoccupied) portion of the lot may be covered with structures allowed under this section.

### SECTION III.

This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Kearns Metro Township, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Kearns Metro Township Council has approved, passed and adopted this ordinance this 14<sup>th</sup> day of January, 2019.

By: /s/ KELLY BUSH  
Mayor

ATTESTED:

By: /s/ SHERRIE SWENSEN  
County Clerk

Council Member Peterson, seconded by Council Member Snow, moved to approve ordinance #19-01-02. The motion passed unanimously.

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*Ordinance Amending Sections 19.04.315 and 19.80.035*

The Council reviewed the following Ordinance amending sections 19.04.315 and 19.80.035 – Uniform Zoning:

ORDINANCE NO. 19-01-01

Date: January 14, 2019

DATE MONDAY JANUARY 14, 2019

AN ORDINANCE AMENDING SECTIONS 19.04.315 AND 19.80.035 OF THE  
UNIFORM ZONING ORDINANCE OF KEARNS METRO TOWNSHIP, UTAH BY  
AMENDING THE DEFINITION OF "JUNK" AND CLARIFYING THE ALLOWABLE  
PARKING SURFACE FOR VEHICLES IN RESIDENTIAL ZONES.

The Kearns Metro Township Council hereby ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.04.315 of the Uniform Zoning Ordinance of Kearns Metro Township, Utah is hereby amended as follows:

19.04.315 - Junk.

- A. "Junk" means any salvaged or scrap copper, brass, iron, steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste or other articles or materials commonly designated as junk. Junk, except as provided in subsections (B) or (C), shall also mean any dismantled, wrecked or inoperable motor vehicles or recreational vehicles or parts thereof which are stored or parked on property outside of an enclosed building and which remain in such condition for a period of time in excess of sixty days. An automobile, truck or bus shall be considered inoperable if it is not currently registered and licensed in this state or another state.
- B. One truck, ~~[with a capacity of one ton or less or]~~ automobile, or recreational vehicle, (hereafter "vehicle,") which is not currently licensed and registered in this state or another state ~~[but is otherwise operable]~~ may be ~~[stored on property for a period not to exceed two years if it is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged exposing jagged metal; or~~
- C. ~~One truck with a capacity of one ton or less or automobile which is inoperable may be stored in a side yard, except a side yard which faces on a street or a rear yard on property for a period not to exceed two years]~~ parked on private property on a parking surface in compliance with section 19.80.035 of this ordinance, provided:
1. The ~~[automobile or truck]~~ vehicle is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged exposing jagged metal; and
  2. The ~~[automobile or truck]~~ vehicle is completely on private property and not encroaching on any sidewalk, park strip, or [shall not be visible from any] public street; and
  3. The vehicle does not drip any fluids such as oil, transmission fluid, brake fluid, coolant, etc. onto the parking surface or its surroundings. ~~[automobile or truck is~~

DATE                      MONDAY                      JANUARY                      14, 2019

~~entirely concealed by a covering which is maintained in good condition and which does not extend closer to the ground than the lowest point of the vehicle body.~~

- ~~D. All existing legal nonconforming motor vehicles as of the effective date of the ordinance codified in this section, or any amendment hereto, shall comply with the provisions of this section within one year from the date of the enactment of this section or any amendment thereto.]~~

SECTION III. Section 19.80.035 of the Uniform Zoning Ordinance of Kearns Metro Township, Utah is hereby amended as follows:

19.80.035 -Parking in R-1 and R-2 Residential Zones.

- A. Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in sections 14.12.110 and 14.36.060 of the metro township Code of Ordinances. Driveways over one hundred fifty feet in length are subject to approval by the fire authority. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this title regulating landscaping. In no case shall paved or gravel parking areas or driveways occupy more than 50% of the area of a front or rear yard.
- B. Private vehicles. Private vehicles parked on residential property in any R-1 or R-2 zone shall ~~[comply with the following:~~
1. ~~If] be~~ parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035. A, ~~[a private vehicle may be located]~~ in the front yard, side yard, or rear yard of a dwelling.
- ~~[2. If parked or stored on any other types of surface, private vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six foot, tall (minimum) opaque fence.]~~
- C. Recreation Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall ~~[comply with the following:~~
1. ~~If] be~~ parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, ~~[a recreational vehicle may be located]~~ in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel. This area must be kept weed free.

DATE                      MONDAY    JANUARY    14, 2019

~~[2. If parked or stored on any other type of surface, recreational vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six foot tall (minimum) opaque fence.]~~

D. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:

1. Commercial vehicles may be parked on a property in conjunction with lawfully-permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.

2. One commercial vehicle may be parked behind the front line of the dwelling and, screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence, provided it is parked on a paved surface in compliance with section 19.80.030D or 19.83.035A.

3. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in the R-1 or R-2 zones upon issuance of a permit by planning and development services, as long as all of the following criteria are met:

a. No other commercial vehicle is parked or stored on the property.

b. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;

c. The commercial vehicle is parked on a paved surface in compliance with section 19.80.030.C or 19.80.035.A;

d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and

e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

SECTION IV. This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Kearns Metro Township, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Kearns Metro Township Council has approved, passed and adopted this ordinance this 14<sup>th</sup> day of January, 2019.

By: /s/ KELLY BUSH  
Mayor

ATTESTED:



PAGE 6676) FROM THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°35'25" EAST 105.17 FEET; THENCE SOUTH 84°19'56" EAST 152.83 FEET; THENCE SOUTH 89°55'59" EAST 307.48 FEET; THENCE NORTH 00°04'01" EAST 227.12 FEET; THENCE NORTH 89°28'00" EAST 132.67 FEET; THENCE NORTH 00°32'00" WEST 219.46 FEET; THENCE NORTH 89°56'26" WEST 573.61 FEET; THENCE SOUTHERLY 450.66 FEET ALONG THE ARC OF A 5,679.65 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 72°00'53" EAST AND THE CHORD BEARS SOUTH 15°42'44" WEST 450.54 FEET WITH A CENTRAL ANGLE OF 04°32'46" TO THE POINT OF BEGINNING. CONTAINS 254,239 SQUARE FEET OR 5.837 ACRES

Section 2: The map showing such change shall be filed with the Kearns Metro Township Planning Commission in accordance with Section 19.06.020 of the Kearns Metro Township, Code of Ordinances, 2017.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Kearns Metro Township Council has approved, passed and adopted this ordinance this 14<sup>th</sup> day of January, 2019.

By: /s/ KELLY BUSH  
Mayor

ATTESTED:

By: /s/ SHERRIE SWENSEN  
County Clerk

Council Member Snow, seconded by Council Member Schaeffer, moved to approve Application #30737 and the following ordinance approving a zone change from M-1 to RM zone subject to the following conditions: 1) density should not exceed 15 units per acre, 2) residential uses are limited to single family attached townhome style or single family detached structures and nonresidential uses are not allowed. The motion passed unanimously.

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*Salt Lake County Engineering*

**Ms. Madeline Francisco-Galang**, Salt Lake County Engineering, updated the Council on the following projects that were completed in 2018:

- Speed bumps and raised sidewalk on Misty Way between 6200 South to 5855 South
- ADA ramps on 5400 South between 5600 West and 4800 West
- Additional pedestrian crossing, lights, and signage at 5415 South 5350 West

DATE MONDAY JANUARY 14, 2019

- Camp Kearns improvements providing access to properties and addresses
- Replacement of sidewalks, landscaping, and fencing along 5600 West between 5400 South and 4700 South (90 percent completed)
- Storm drain projects in design at 6200 South Misty Way and 4715 South

Projects for 2019 include:

- High Intensity Activated Crosswalk at Kearns High School
- Inventory of sidewalks and conditions of those sidewalks
- Close encounter wall at 6200 South between 5660 West and 5000 West
- Development of a Master Transportation Plan
- Project on Lodestone Avenue
- Project at 4700 South 5600 West in partnership with UDOT and West Valley City

**Mayor Bush** stated a plan for lighting is being developed starting on Cougar Lane.

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*Library Services Division*

**Matt McLain**, Salt Lake County Library Services Division, updated the Council on the following:

- Everything has been moved out of the Kearns Library. Construction is on hold until the new Salt Lake County Mayor is appointed.
- Story time will start on January 21, 2019, and will be held at 5658 South Cougar Lane.

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*Wasatch Front Waste and Recycling District*

**Ms. Pam Roberts**, Wasatch Front Waste and Recycling District, read a resolution recognizing Mayor Bush for her work on the WFWRD Administrative Control Board for 2017 and 2018.

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### *Kearns Improvement District*

**Ms. Pam Gill**, Kearns Improvement District, updated the Council on the following:

- There was a water leak on Cooper Lane. A flowable fill was put in until the leak can be fixed in the spring.

DATE MONDAY JANUARY 14, 2019

- Vouchers are available for the Wasatch Front Waste and Recycling District.
- The metro sewer project is now completed.

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## Kearns Oquirrh Parks Fitness Center

**Ms. Patti Hansen**, Kearns Oquirrh Parks Fitness Center, (KOPFC), updated the Council on the following:

- Winter Indoor Tri-Series was held on Saturday, January 12, 2019. This was the first of three sessions with 128 participates in each session.
- On Saturday, January 23, 2019, free swim lessons will be available for adults.
- The new facility is full. The old weight room will be turned into a fitness room and will be ready the first of February.

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*Unified Police Department*

**Chief Brian Lohrke** updated the Council on the following:

- UPD officers had the opportunity to bid for work with either the Kearns or Magna precincts in December. All allocations are filled for both precincts.
- The Kearns precinct will get a new lieutenant within the next two weeks.
- Officer Zack Young is working on an education piece for traffic enforcement.
- Facebook page on what the UPD Kearns precinct is doing.
- On December 30, 2018, there was a fatal accident where a citizen of Kearns was killed. The investigation is ongoing.

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*Unified Fire Authority*

**Captain Wade Russell**, Unified Fire Authority, updated the Council on the following:

- Newsletter showing the stats for 2018 on how many calls were made.

DATE      MONDAY      JANUARY      14, 2019

- UFA hired 28 new full-time fire fighters. The recruitment camp will start on February 4, 2019, and run 16 weeks.
- Promotion of four captains.
- On January 4, 2019, there was a house fire from a Christmas tree causing \$50,000 to \$60,000 in damages.
- Community outreach is continuing at schools and at the senior center.



#### Public Stakeholders

##### *Evidence to Success*

**Josh Nelson**, Evidence to Success, updated the Council on the following:

- A press conference was held on January 14, 2019, relating to Parents Empowered. There were 40 coalition members attending with five stories totaling seven minutes with an estimated 118,000 viewers. This was a huge success. Funding is in place to fund Parents Empowered for the next three years.
- Healthy Kearns has been incorporated into Evidence to Success. The Board will be discussing this at its January 23, 2019, meeting.
- Student recognition will be held quarterly. Evidence to Success will focus on Oquirrh Hills Elementary School first.

**Mayor Bush** stated plans have changed since she last talked with Mr. Nelson. It has been decided that student recognition at Oquirrh Hills Elementary School will be held at the end of the school year. The theme for this recognition will be super heroes. Everyone will wear capes, and each student will receive a cape, which will symbolize empowerment. With Oquirrh Hills Elementary School closing, it is hoped that this will help with the healing process for the school and community.



#### Board Updates

**Council Member Peterson** updated the Council on the following:

*Salt Lake Valley Law Enforcement Service Area (SLVLSEA)*

DATE MONDAY JANUARY 14, 2019

- Public Hearing was held regarding the proposed 3 percent tax increase for 2019. The increase would generate \$481,000 in new revenue and would cost the average homeowner approximately \$10 a year. This increase was approved.
- SLVLSEA adopted a resolution relating to an Interlocal Corporation Lease Agreement with the Unified Police Department.

*Unified Police Department*

- During public input an employee with 19.5 years of service stated he would lose his 20-year bonus when dispatch goes to VECC. Mayor Silvestrini stated the board would investigate this.
- Holladay Precinct Chief, Don Houston, has been selected as the chief of the newly formed Riverton Police Department.
- Captain Kendra Herlin introduced 17 new officers.
- Lisa Dudley, UPD CFO, presented the fiscal year 2018 annual audit with adjustments. After a public hearing, the board voted to approve the adjustments.
- A motion was made to do a cost analysis for officer body cameras. Currently, it has 125 cameras for 400 officers. It cost \$155,000 per year for information storage. The approximate cost would be \$450,000 per year for a full roll out.
- A motion was approved to provide interlocal mutual aid. No fee will be charged.
- A motion was approved to lease the Magna precinct building from SLVLSEA, at a cost of \$350,000 a year.
- Accepted donations of a vehicle from the National Crime Insurance Bureau and \$1,000 from Magna Town Council for sub-for-Santa.
- Scott Carver is leaving SLVLESA for a new job at the Attorney General's Office.
- UPD and Salt Lake County Sheriff's Department raise over \$48,000 for the Shop with a Shield event.
- Discussed VECC and benefits

*Association of Municipal Councils*

- Discussed topics for the upcoming year, which included: business license and fees, home occupation, meet the new County Mayor, post legislation update, housing, medical marijuana, rank voting, Wasatch Front Regional Council's long-range plan and grants

DATE MONDAY JANUARY 14, 2019

available, mosquito abatement, UDOT, UTA, water district new rules, tax commission and services.

## Animal Services

- Licensing dogs and cats at the Kearns Olympic Park on Friday, January 25, 2019. License fees are \$15 for sterilized animals, \$40 for unsterilized. Free chipping will be available.

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**Council Member Brown** updated the Council on the following:

## Municode

- She recommended that Municode put in a standard shell for the website, design features could be added later. This option would get the website up and running.

**Mayor Bush** stated if Municode just does a shell for the website to start with the pricing would need to be renegotiated.

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**Mayor Bush** updated the Council on the following:

*Greater Salt Lake Municipal Services District*

- Software has been purchased so budgeting can be handled out of the GSLMSD.
- Emergency Operation Plan is on hold until UFA decides if it is going to do a contract.
- A new assistant will be hired to help get Municode up and running.

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## Council Business

*Approval to move \$300,000 from fund balance to 5600 West Project*

**Mayor Bush** stated this is a budget adjustment to move \$300,000 from Kearns Metro Township fund balance to the 5600 West Project. West Valley City will not be contributing to this project. This adjustment will allow for the project to start in the spring. There will be a sound wall that will go from 6200 South down to 4700 South with street lightning and landscaping.

Council Member Schaeffer, seconded by Council Member Snow, moved to allocate \$300,000 from fund balance to the 5600 West Project. The motion passed unanimously.

DATE MONDAY JANUARY 14, 2019

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## Purchase Cards

This item was not discussed.

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### *Approval of Minutes*

Council Member Snow, seconded by Council Member Peterson, moved to approve the minutes of the Kearns Metro Township Council meeting held on Monday, November 13, 2018. The motion passed unanimously.

Council Member Snow, seconded by Council Member Brown, moved to approve the minutes of the Kearns Metro Township Council meeting held on Monday, December 10, 2018, with correction on page 5 that Council Member Peterson gave the Council of Governments update instead of Mayor Bush. The motion passed unanimously.

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### *Future Agenda Items*

- Purchase card discussion
- Voting for officers

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time,  
the meeting was adjourned.

SHERRIE SWENSEN  
METRO TOWNSHIP CLERK

By \_\_\_\_\_  
Deputy Clerk

CHAIR, KEARNS METRO TOWNSHIP COUNCIL

DATE MONDAY JANUARY 14, 2019