



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, February 16, 2023, starting at 7:00 PM 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 Q&A – 6:30 PM

The City Council will be available to answer questions or discuss any matters the public may have.

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

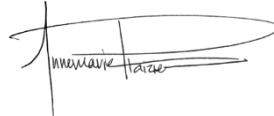
- 1) OPENING
 - a) Presented by Mayor Tami Tran
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) PRESENTATIONS AND AWARDS
 - a) Mercy Housing Presentation
- 4) DECLARATION OF ANY CONFLICTS OF INTEREST
- 5) CONSENT ITEMS
 - a) Approval of Minutes of January 19, 2023
 - b) Appointment of Mitch Arquette as Parks and Recreation Advisory Board Member
 - c) Appointment of Paul Allred as Planning Commission Member
 - d) Equipment Purchase for Fire Department Rescue Task Force and Police Department SWAT
- 6) ACTION ITEMS
 - a) Preliminary Plat Subdivision for the MCW Kaysville Subdivision located at approximately 175 West 200 North - Tera Form Companies, LLC (Elliot Smith)
 - b) Preliminary Preliminary Plat Subdivision for the Westgate Estates Commercial Subdivision located at 2356 West 200 North and 2368 West 200 North - Perry Land Investments, LLC
 - c) An Ordinance amending Title 17, Chapter 27 of the Kaysville Municipal Code regarding Mixed Use Zoning District Overlay
 - d) A Resolution amending Kaysville City's Consolidated Fee Schedule for FY 2023 to amend power rates
- 7) COUNCIL MEMBERS REPORTS

8) CITY MANAGER REPORT

9) 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 February 10, 2023.

A handwritten signature in black ink, appearing to read "Annemarie Plaizier", written over a horizontal line.

Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL

January 19, 2023

Minutes of a regular Kaysville City Council meeting held on January 19, 2023 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, and Council Member Nate Jackson

Council Members excused: 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, Assistant Finance Director Levi Ball, Information Systems Manager Ryan Judd, Police Chief Sol Oberg, Building Inspector Jared Tubbs, Sgt. Preston Benoit, Sgt. Cade Bradshaw, Officer Aaron Velasquez, Power Resource and Service Manager Bruce Rigby, Lourdes Velasquez, Vinicio Velasquez, Johanna Velasquez, Steven Haws, Hermon Mulugets, Belehlem Mamo, Kim Smith, Tina Johnson, Julie Miller, Todd Miller, Jeff Starkey, Kate Miller, Luci Willard, Alisa Jacobs, Austin Jacobs, Ruby Muller, Marissa Blocker, Hailey Christensen, McKay Clemens, Ryan Dimmick, Landon Jacobs, Abby Lusk, Mia Schimmer, Sophia Shekar, Lisa Von Bose, Kimberly Waite, Rick Smith, Fred Philpot, Alan Farnes

OPENING

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

CALL TO THE PUBLIC

Nothing was brought under this item.

PRESENTATIONS AND AWARDS

PRESENTATION OF EMPLOYEE OF THE QUARTER – JASON TUBBS

Community Development Director Melinda Greenwood explained that the city has created a program where city employees have the opportunity to nominate one of their peers as Employee of the Quarter. Jason Tubbs was nominated as Employee of the Quarter because he encompasses the spirit of outstanding employee service. Jason is one of our building inspectors for the city and has been with the city for a number of years now. Last year their department had experienced some turnover and Jason was always willing to help however needed, even when it meant working overtime. He always has a great attitude and we appreciate all that he does for the city.

SWEARING-IN OF YOUTH COURT JUDGES

Youth Council Advisor Kim Smith explained that Youth Court is a voluntary juvenile program for high school students. Through this program, the youth develop an understanding and respect for the legal process. The Youth Court does not determine guilt, but takes youth offenders who admit their mistakes and provides them with appropriate consequences. Youth who appear before the Youth Court have been identified by law enforcement personnel, school officials, or other concerned party as having committed acts which indicate a need for intervention to prevent further development toward juvenile delinquency. The early intervention that Youth Court provides in the form of positive peer pressure, helps keep the offending youth from having a juvenile record while holding youth accountable to both their peers and the community. The Kaysville Youth Court was founded in September 2000 and has been operational for twenty-two years, with a break from March 2020 to August 2022 due to COVID. In August 2022, fourteen new judges were selected for the 2023 court. They serve as judges, mentors, bailiffs and clerks, and they teach peer counseling and peer tutoring classes. They have completed three months of training and began hearing cases in January 2023, the first being a theft case. There are two Youth Court advisors, a representative from the Police Department, as well as city council representatives that participate as part of the Youth Court.

Mayor Tran said that she is grateful for the Youth Court and their willingness to serve in this capacity. It takes great integrity and the ability to keep things confidential as they face serious matters. Mayor Tran expressed appreciation for Kim Smith who started the Youth Court program and continues to keep the program going.

Mayor Tran administered the oath of office to the 2023 Kaysville Youth City Council.

SWEARING-IN OF NEW POLICE OFFICER, AARON VELASQUEZ

Police Chief Sol Oberg introduced Aaron Velasquez as their newest officer, and said that he had been an officer when he was working for the Clearfield City Public Works for a few years. We are excited to have him as part of our department now. Aaron had a great reputation with Clearfield and has shown us that he is a quick study and a hard worker.

City Recorder Annemarie Plaizier administered the Oath of Office to Officer Aaron Velasquez.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of December 15, 2022.
- b. Fraud Risk Assessment.
- c. A Resolution appointing an Interim City Manager.

The motion was seconded by Council Member Adams.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

PRESENTATION ABOUT SECONDARY WATER FROM DWCCC AND APPROVAL OF A RESOLUTION AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE FOR FY 2023, TO AMEND SECONDARY WATER FEES

Rick Smith, General Manager at Davis and Weber Counties Canal Company (DWC), explained that for the past three years, severe and extreme drought conditions have been a challenge. The current state of reservoirs and snowpack helps to bring us some level of comfort as the snowpack level as of today is 189% of the normal. Our storage at Echo is 63%, and at East Canyon is at 58%. Many years ago, the DWC conducted a capital facilities plan on secondary water, and they have just recently connected to the Kaysville Irrigation Reservoir and built the Boynton Pump Station. DWC has planned for future capital projects as well as the installation of secondary meters. DWC currently has approximately 3,900 secondary meters on their system, with the majority being installed with new development. They have been actively installing more with the help of two Bureau of Reclamation grants. In the 2022 Legislative Session, HB242 passed which required all secondary water services to be metered by December 31, 2029. After that time, fees will be assessed to water providers that are not in compliance. DWC has approximately 13,000 connections they need to install meters at, which is a huge task for them and will end up costing them close to forty-million dollars. Some funding has been made available thru ARPA grant funds, but they must be spent by the end of 2026. So far, DWC has only received about ten-million dollars from ARPA funds. Mr. Smith said that DWC has not raised their secondary water rates since 2011. With the anticipated cost of the required secondary water meter installations, they will need to raise their rates to cover costs.

Fred Philpot said that he helped DWC do a financial analysis in relation to their rates. They performed a secondary water rate study to analyze revenues and expenditures in order to meet operations and management costs, capital improvements costs, secondary metering, and repair and replacement costs. DWC has used loans to try to spread costs out and they anticipate obtaining more loans for upcoming projects. Mr. Philpot said that as part of the analysis, they created a baseline scenario where no action was taken in regards to rates. This scenario showed that DWC would not have enough cash reserves or debt coverage to maintain the pro forma because of the capital infrastructure needs. They then created a second scenario where needed rates were implemented. The second scenario showed sustainability in DWC's system, it ensured that UDOT projects and other capital projects were funded by the system as a whole, and it ensured that all operations and maintenance costs were included and evaluated based on a per acre foot basis. Mr. Philpot presented the recommended rates for Kaysville based on the analysis to the Council and explained that the rates are structured to address lot size, as well as meter size. For instance, larger lots using more water would pay a higher rate. By policy, the DWC Board chose to limit the maximum percentage increase to rates to 25%, and therefore some of the rates for Kaysville have

been capped at 25%. With their cost analysis, they evaluated the components of the rate relative to estimated utilization and adjusting the methodology to account for more of the rate to be based on use, rather than a fixed-rate based on the connection size. DWC is requesting an immediate rate change to Kaysville's consolidated fee schedule to reflect this proposed rate increase.

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

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

Council Member Adams asked about secondary water providers in the city.

Rick Smith responded that DWC services approximately a third of Kaysville City with secondary water. There are two other secondary water companies within Kaysville City: Hights Creek Irrigation and Benchland Water District. All of the secondary water providers in the city are their own entities and therefore have their own set rates and regulations. Kaysville City provides the billing for DWC and remits the collected fees each month. The City collects a minor administrative fee for services. The city has an agreement with DWC that indicates that rates "may be amended periodically by Kaysville City and the Canal Company to reflect changes in operations and maintenance, changes to the service area and other expenses". DWC's service area in Kaysville was originally built by Kaysville City, and when DWC took over the system, the agreement was made that the city would collect the fees for DWC, and DWC would take over any previous debt. Because of the agreement, DWC has to receive approval from the council for the proposed secondary water rate increase.

Council Member Adams asked about the government funding DWC will receive.

Rick Smith responded that they would likely only receive about 25% of the money needed to install the meters through government funding. DWC will have to find the funds to pay for the remainder of the cost to install meters, which amounts to about thirty million dollars.

Council Member Adams asked when the meters are installed, will DWC start billing customers based on usage?

Rick Smith said that because the state has required the installation of these secondary water meters, they anticipate that the state will someday mandate that water providers bill based on usage. For now, the meters will be installed and used more as an educational tool for people to be able to see what their water usage is, but not to be billed by how much they use. Residents will just continue to pay a set rate for now. Mr. Smith said that DWC plans to conduct similar cost analysis studies every two to five years to see where they are at financially. They are also going to continue to look for grant money to help pay for the water meter installations as well.

Council Member Blackham asked if DWC was considered a special service district.

Rick Smith responded that they are a private non-profit entity. Kaysville City is a large shareholder of their canal stock.

Council Member Blackham asked how many water connections DWC had.

Rick Smith said they have approximately 16,500 connections, and they have 13,000 that still need to be metered. DWC has required that connection meters be installed on new connections for the last ten years.

Council Member Blackham asked if a rate increase was going to be applied district-wide.

Rick Smith replied that they would be applied for their entire service area.

Council Member Hunt asked about the proposed rate increased by DWC in comparison to other water districts.

Rick Smith responded that they are comparable. We are all feeling the impact of this mandated state legislation. DWC is continuing to reach out to state legislatures asking for more funding for this mandate. Another issue they are facing is that orders for meters are being delayed because of supply and demand.

Council Member Jackson asked if water providers were able to receive further grant money from the state, would there be a rate decrease.

Fred Philpot responded that the study they conducted shows where the rates need to be right now. They will conduct another study in two to five years to determine where we are at that point. If DWC does not receive more state funding, another rate increase would be likely in order to cover costs. If we do get funding, then it is likely that we either won't need to do a rate increase, or will not have to do as much of a rate increase. It is very rare to reduce utility rates.

Rick Smith added that another issue affecting this is inflation costs. Supplies are much more costly now than they have been in the past.

Council Member Jackson commented that it is frustrating that the state is requiring that every connection be metered within such a short timeframe and without providing all of the funds for cities to meter the connections. The state's mandating has placed a burden on cities.

Council Member Hunt made a motion to approve a Resolution amending the City's Consolidated Fee Schedule for FY2023 to amend secondary water fees, seconded by Council Member Blackham.

Council Member Adams asked about the agreement with DWC.

City Attorney Nic Mills responded that approving this item is necessary because through the agreement the City officially sets the secondary water rates for DWC through our consolidated fee schedule. This is because DWC is a privately owned non-profit entity and they do not have taxing authority. DWC relies on our municipal authority to levy taxes.

City Manager Shayne Scott added that staff feels that it might be best to consider creating a new agreement with DWC to address some of the concerns that have been discussed.

Council Member Adams asked to amend the motion to include that staff consider if there is any other way for the city to incorporate a rate change in the future from DWC without it having to be approved by council vote.

Council Member Hunt amended her motion to approve a Resolution amending the City's Consolidated Fee Schedule for FY2023 to amend secondary water fees with direction to city staff that they review the current agreement with DWC and consider adding language stating that council approval would not be required with future rate increases. The motion was seconded by Council Member Blackham.

Council Member Jackson said that he would not agree to remove the council review process for these types of items because it is good for council to know about these things and discuss them.

Shayne Scott commented that there is still a lot of discussion that would need to be done in regards to the agreement, as well as discussing with DWC if they would be willing to sign a new agreement.

Rick Smith added that as new development has occurred, Kaysville has retained water shares as part of the development process. Every year the city continues to obtain more DWC and Kaysville Irrigation water shares. DWC is the facilitator of getting water to the end customer. The difference between DWC and Hights Creek Irrigation and Benchland Water District is that the other secondary water providers are working directly with their customers, and not through the city.

Council Member Adams said that in the future he would rather see just a presentation of new water rate increases from DWC, rather than having it as an action item.

Rick Smith said the agreement between DWC and the City states that DWC share their financials with Kaysville City and to keep the system viable. DWC is here tonight to show that in order to keep the system viable, it is necessary to raise rates in order to pay off current and future debts and expenditures.

Shayne Scott added that amendments to the consolidated fee schedule is typically done as part of the budget process, however because DWC would like to implement these rates imminently, it needed to come before council now.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

Power Commissioner Alan Farnes said that he has lived in Kaysville for thirty-seven years and has been serving on the Power Commission for six years. He has worked at Bountiful City Light

and Power for forty-five years, and for the last fifteen of those years he has been the Generation Superintendent. He has a background in system reliability, project development and construction management. Mr. Farnes said that he was here tonight to try to help the council understand some of the challenges the Kaysville Power Department is facing now and will be facing in the future. The first issue they are dealing with is in regards to wholesale power costs that have been unusually high through 2022. The city did not have any months in 2022 where we paid less for power than we had in previous years. Several factors have contributed to this increase in cost. The first being the drought, which has limited the availability of hydropower. Some coal plants in the state have been closed down. The decreased coal supply has reduced availability of coal generation. The shutdown of the Nebo Power Plant (a natural gas plant) in Payson, Utah for scheduled and unscheduled maintenance has added to the power shortage. In the month of December, wholesale power costs to Kaysville amounted to over half a million dollars more than in previous years. The months of August, September and November were also very high. It is expected that rates will continue to be high in January as well. The Nebo Power Plant is planned to be back online soon, but will likely not affect power rates in January. Another issue that Kaysville Power faces is in regards to system reliability. ECI conducted a long-range reliability study for the city in 2020 that identified over five-million dollars of necessary system improvements that still need to be completed. That estimated cost for those improvements has gone up since then, and will likely continue to go up with the cost of inflation and because of equipment delays. Another issue is our aging power infrastructure. The city will always be doing some kind of investing into the system and upgrading older equipment. Another issue is the need for a new office and warehouse garage for the Power Department. Mr. Farnes said that the Power Commission met on January 10, 2023 and discussed the need for a power rate increase for the city, but they are unsure of how much of a rate increase will be needed. Staff is gathering more information for the Commission and they will meet again on February 7. It is anticipated that the Power Commission will be recommending to the City Council that they implement the power rate increase as of March 1, 2023. Implementing a rate increase sooner rather than later will help to try to curb the problem of not covering our costs for power. We will likely need to meet again after the summer to look at where we are at again, and if another rate increase will need to be done in the fall. The Power Commission has expressed concern regarding recent discussions the City Council has had about transferring power funds. The Commission would like to see the Council not change the current city Ordinance 4-2-7 because they do not feel that there are surplus funds to transfer from the power funds at this time, especially with the record increase to the cost of power.

Finance Director Dean Storey added that in regards to the power fund reserves, city staff feels that there are adequate reserves. However, if over the next several months we continue to see similar resource costs for power as we did in December, it would be cause for much concern. We are not in crisis mode yet as far as resource costs, but this substantial increase is enough to give us trepidation. Things have changed rather quickly.

Council Member Blackham asked about net power revenues.

Dean Storey said that in December, between what we sold power for and what we paid for it, the city had a loss of about \$500,000. That amount does not include any operating costs. However, the opposite occurred last July where we had about a \$634,000 gain. This has not been a typical year.

Mayor Tran asked if this might be an isolated situation.

Alan Farnes commented that he feels that the coal shortage is not going to be a temporary thing because the federal government is shutting down coalmines and we are losing resources with no backup plan. Until we get something to replace those resources from closed mines and nuclear plants, we will likely see a new plateau of power costs.

Dean Storey added that he feels that the city needs to continue to be aware of and monitor the situation, and to proceed cautiously at this point.

Council Member Adams commented that the city needs to proceed cautiously with rate increases, especially in a time when everyone seems to be struggling financially. Council Member Adams suggested waiting until the Nebo Power Plant is back in service and then review the cost of power at that point.

Power Resource and Service Manager Bruce Rigby responded that adding to this issue is that the Nebo Power Plant is a natural gas plant and natural gas prices have gone up three or four times what they have been in the past because of the war on fossil fuels. Even if natural gas prices do go down, it will not be at what it was before. Part of the issue with being able to have and use coal as a resource right now are problems with transporting the coal.

Council Member Adams asked how Rocky Mountain Power was handling this power cost increase.

Bruce Rigby commented that Rocky Mountain Power's public service commission will meet in March, and we will likely find out what they will do at that time. UAMPS recently asked their participating entities how many would need to raise rates and most of them responded that they would need to. Not just because of the cost of power, but also material and equipment costs. If costs continue to rise, the city will likely need to use our power reserve funds to help cover rising costs.

Mayor Tran asked Mr. Farnes what Bountiful Power was considering.

Alan Farnes responded that they are considering a rate increase, but was unsure of how much. Mr. Farnes said that in the last fifteen years, Bountiful Power has reinvested over forty-five million dollars into their power system. Mr. Farnes said he does not feel that Kaysville has reinvested much into their own power system and more reinvestment needs to be done before considering the transfer of any power funds to another use.

Council Member Jackson commented that he feels that the council should not decide to take funds from the power company if the power company needs those funds. If there are reserve funds, it should be used so that power rates will not need to be increased for our residents and not for other purposes at this time. We need to wait until the Nebo Power Plant comes back online to see how that will influence the current wholesale power costs. We respect what our citizens have done previously in regards to Proposition 5, but the city also needs to do their due diligence.

Mayor Tran suggested getting a report of the last five to ten years showing details of what the power revenue and expenditures have been.

COUNCIL MEMBER REPORTS

Mayor Tran said that the ULCT recently held a Day of Legislature at the Capital and invited elected officials and Youth Council to attend. Mayor Tran thanked the council members who were able to attend with Kaysville's Youth Council.

Council Member Hunt said that the Youth Court has gone through a few months of training and just recently reviewed their first case. They are a great group of students and are hardworking.

Mayor Tran added that she is appreciative of our Police Department for supporting the Youth Council. It is a wonderful program.

CITY MANAGER REPORT

City Manager Shayne Scott said that the City Council would be holding their yearly strategic planning retreat on Friday, January 27 beginning at 9:00 a.m.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 8:32 p.m. The motion was seconded by Council Member Blackham and passed unanimously.

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Consent Items

PRESENTED BY: Cole Stephens

SUBJECT/AGENDA TITLE: Appointment of Mitch Arquette as Parks and Recreation Advisory Board Member

EXECUTIVE SUMMARY:

The Kaysville Parks and Recreation Advisory Board recently had a member seat open earlier this year. Applications were received and the Mayor held interviews to fill those vacant board seats. Mayor Tran is proposing to appoint Mitch Arquette as a Parks and Recreation Board member.

The Parks and Recreation Advisory Board is composed of 7 members, all of whom must reside in the City for at least one year prior to their appointment. Board members serve a term of 4 years. The Board functions as a planning, advisory, and coordinating body for the City in matters pertaining to parks and recreation plans and programs. Their efforts are coordinated with the Parks and Recreation Department and all actions or proposed actions are submitted through City Staff and receive approval of the City Council prior to implementation. (KCC 12-5-5)

City Council Options:

Approve or Reject

Staff Recommendation:

Approve

Fiscal Impact:

None

ATTACHMENTS:

None

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Consent Items

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Appointment of Paul Allred as Planning Commission Member

EXECUTIVE SUMMARY:

Our Planning Commission recently had a seat open as a member of the Commission. Paul Allred has been serving as a Planning Commission Alternate and has expressed interest in taking the vacant seat as a full-time Planning Commission member. Mayor Tran has agreed, and is now proposing Paul Allred be appointed as Planning Commission member.

The Planning Commission consists of seven (7) members, all of whom must reside in the City for at least one year prior to their appointment. The term of office for each appointment member is three (3) years with no limit to the number of terms that they can be reappointed.

City Council Options:

Approve or Reject

Staff Recommendation:

Approve

Fiscal Impact:

None

ATTACHMENTS:

None

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Consent Items

PRESENTED BY: Chief Paul Erickson

SUBJECT/AGENDA TITLE: Equipment Purchase for Fire Department Rescue Task Force and Police Department SWAT

EXECUTIVE SUMMARY:

This purchase request is for ballistic vests and helmets for fire department rescue task force personnel use and police department SWAT operators. This will support ongoing training and response to dangerous critical incidents for police and fire personnel.

The entire purchase of this equipment will be reimbursed through FEMA's State Homeland Security Program (SHSP) grant.

City Council Options:

Approve or Deny

Staff Recommendation:

Approve equipment purchase

Fiscal Impact:

\$39,070.18 - to be reimbursed through SHSP grant

ATTACHMENTS:

1. Purchase Requisition
 2. Curtis Blue Line Invoice 1
 3. Curtis Blue Line Invoice 2
-



Purchase Requisition

Required over \$5,000

Number: Police 20923

Department: Police

Date: 2/9/2023

Vendor: CBL Salt Lake City

Address: 1635 South Gramercy Road

City: Salt Lake City State: Utah Zip: 84104

Quantity	Description	Unit Price	Extension
10	Viper Ballistic Helmets (RTF)	\$ 819.67	\$ 8,196.70
4	Team Wendy Ballistic Helmets (SWAT)	\$ 1,334.37	5,337.48
8	Hardwire Ballistic Vests (RTF)	\$ 2,013.00	16,104.00
4	Hardwire Ballistic Vests (SWAT)	\$ 2,358.00	9,432.00
			-
			-
			-
			-
			-
Total			\$ 39,070.18

Signatures:

Person Requesting: _____

Department Head: _____

If Over \$10,000

City Manager Signature: _____

Ph: 801-349-1150
saltlake@curtisblueline.com
UEI#: DDLSADSWN7U7



CBL Salt Lake City
1635 South Gramercy Road
Salt Lake City, UT 84104
www.CurtisBlueLine.com

REMIT PAYMENT TO:

L.N. Curtis and sons
Dept. 34921
P.O. Box 39000
San Francisco, CA 94139

Invoice

SOLD TO:

Kaysville City Police Department
23 East Center Street
Kaysville UT 84037

SHIP TO:

Kaysville City Police Department
80 North Main St.
Kaysville UT 84037

INVOICE NO.

PINV786290

INVOICE DATE

02/08/2023

DATE DUE

03/10/2023

TOTAL

\$25,536.00

CUST ORDER/PO NO.

Seth Ellington

ORDERING PARTY

Seth Ellington

CUSTOMER NO.

C4251

SALESPERSON

Ken Purdy

ORDER CLASS

NASPO-LE

ACCOUNTING INSTRUCTIONS

PROFORMA SENT ; DO NOT SEND INVOICE

NOTES & DISCLAIMERS

Safety Warning Notice: Products offered, sold, or invoiced herewith may have an applicable Safety Data Sheet (SDS) as prepared by the manufacturer of the product. Any handlers or users of product should refer to applicable SDS prior to handling or utilizing the product. Applicable SDS are included with shipment of products. For other important product notices and warnings, or to request an SDS, please contact Curtis or visit <https://www.curtisblueline.com/product-notices-warnings>

LN	QTY	UNIT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	8	EA	1350430-M SAFARI CUSTOM	Hardwire 68 Level IIIA, A7 – Male Panel Set NIJ HW-2019-01-SB. as Follows: FEMALE OPTION AVAILABLE SIZE : TBD	\$1,290.00	\$10,320.00
2	8	EA	1348925 SAFARI CUSTOM	M Series Concealable Covert Carrier, as Follows; SIZE : TBD COLOR : BLACK	\$117.00	\$936.00
3	8	EA	DN6565 PROTECH CUSTOM	2.0 Bothell Carrier, as Follows; SIZE : TBD COLOR : NAVY	\$276.00	\$2,208.00
4	4	EA	1352362 SAFARILAND CUSTOM	FirstSpear Tubes and Velcro Closure FAV G3 Traditional Modular Webbing System Tactical Vest Carrier System, As Below: SIZE : TBD COLOR: TBD	\$585.00	\$2,340.00

Ph: 801-349-1150
saltlake@curtisblueline.com
UE#: DDLSADSWN7U7

CURTIS

BLUE LINE

CBL Salt Lake City
1635 South Gramercy Road
Salt Lake City, UT 84104
www.CurtisBlueLine.com

LN	QTY	UNT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
5	4	EA	SAFARILAND CUSTOM	As Below: 1354506 FAV G3 BALLISTICS, HARDWIRE 68 LEVEL IIIA SIZE : TBD	\$1,317.00	\$5,268.00
6	4	EA	SAFARILAND CUSTOM	As Below: 1351920 FAV G3 SIDE BALLISTICS HARDWIRE 68 LEVEL IIIA *CUMMERBUND* SIZE : TBD	\$456.00	\$1,824.00
7	8	EA	007-015-6600 HARDWIRE	HW-ICW-III 10X12 In-Conjunction Rifle Plate 2 Per FAV KIT (1 FRONT 1 BACK)	\$330.00	\$2,640.00

TERMS NET 30

Service charge 1.5% per month added after 30 days

Subtotal	\$25,536.00
Tax Total	\$0.00
Transportation	\$0.00
Amount Due	\$25,536.00

Ph: 801-349-1150
saltlake@curtisblueline.com



CBL Salt Lake City
1635 South Gramercy Road
Salt Lake City, UT 84104
www.CurtisBlueLine.com

REMIT PAYMENT TO:

L.N. Curtis and sons
Dept. 34921
P.O. Box 39000
San Francisco, CA 94139

Invoice

SOLD TO:

Kaysville City Police Department
23 East Center Street
Kaysville UT 84037

SHIP TO:

Kaysville City Police Department
80 North Main St.
Kaysville UT 84037

INVOICE NO.

PINV786292

INVOICE DATE

02/08/2023

DATE DUE

03/10/2023

TOTAL

\$13,534.18

CUST ORDER/PO NO.

Helmets Seth Ellington

ORDERING PARTY

Seth Ellington

CUSTOMER NO.

C4251

SALESPERSON

Ken Purdy

ORDER CLASS

LE

ACCOUNTING INSTRUCTIONS

PROFORMA SENT - DO NOT SEND INVOICE

NOTES & DISCLAIMERS

Safety Warning Notice: Products offered, sold, or invoiced herewith may have an applicable Safety Data Sheet (SDS) as prepared by the manufacturer of the product. Any handlers or users of product should refer to applicable SDS prior to handling or utilizing the product. Applicable SDS are included with shipment of products. For other important product notices and warnings, or to request an SDS, please contact Curtis or visit <https://www.curtisblueline.com/product-notices-warnings>

LN	QTY	UNT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	10	EA	4-0525-9969 GALVION	Medium Black Full Cut Batlskin Viper A3 Ballistic Helmet: * Viper Modular Suspension System * 1 NVG Hole * Hardware Kit Size : TBD	\$495.00	\$4,950.00
2	10	EA	4-0506-5009 GALVION	Medium Black Batlskin Viper Front Mount Size : TBD	\$70.32	\$703.20
3	10	EA	4-0505-5065 GALVION	Medium Black Max Flawless Optics Front Mount Viper Visor, Includes 3-Position Attachment Arm And Sealing Gasket Size : TBD	\$254.35	\$2,543.50
4	4	EA	TEAM WENDY CUSTOM	As Below: PT # 73-R3-21S-E21 PRODUCT : XFIL BALLISTIC HELMET W/ RAIL 3.0 DESCRIPTION : XFIL BALLISTIC HELMET W/ RAIL 3.0, BLACK, SIZE 1 M/L	\$1,212.50	\$4,850.00
5	4	EA	21-B21 TEAM WENDY	Med/Lar Black Cam Fit Retention System	\$121.87	\$487.48

Ph: 801-349-1150
saltlake@curtisblueline.com



CBL Salt Lake City
1635 South Gramercy Road
Salt Lake City, UT 84104
www.CurtisBlueLine.com

TERMS NET 30

Service charge 1.5% per month added after 30 days

Subtotal	\$13,534.18
Tax Total	\$0.00
Transportation	\$0.00
Amount Due	\$13,534.18

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Preliminary Plat Subdivision for the MCW Kaysville Subdivision located at approximately 175 West 200 North - Tera Form Companies, LLC (Elliot Smith)

EXECUTIVE SUMMARY:

Preliminary plat subdivision for MCW Kayville was presented to the Planning Commission on January 26, 2023. The proposed subdivision includes the full frontage on the south side of 200 North between 100 West and 200 West. The six properties included in the MCW Subdivision are currently zoned General Commercial. The subdivision would create four lots and includes Goldenwest Credit Union, an intended future car wash, and two lots which are intended for a future mixed use project. The Planning Commission voted 6-0 to forward a recommendation of approval to the City Council. No conditions were applied to their recommendation.

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

City Council Options:

1. Approve the preliminary plat subdivision as presented.
2. Approve the preliminary plat subdivision with additional conditions.
3. Deny the preliminary plat subdivision based on findings of inadequate compliance with city code.

Staff Recommendation:

Staff recommends option 1 - Approval of the preliminary plat subdivision for MCW Kaysville.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Planning Commission Prelim MCW Subdivision 1.26.23
 2. Planning Commission Minute Excerpt- MCW Kaysville
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: January 18, 2023

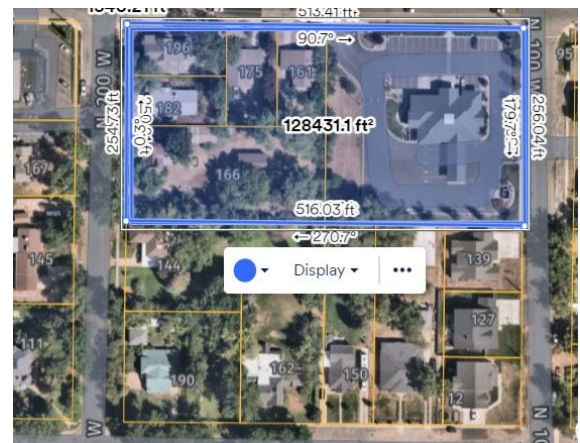
Agenda Item #9: Preliminary Plat Subdivision for the MCW Kaysville Subdivision located at approximately 175 West 200 North

Meeting Date	January 26, 2023
Application Type	Preliminary Plat for Subdivision
Applicant Owner	Tera Form Companies, LLC (Elliot Smith) 317 Capital Group
Address Parcel ID Number	175 West 200 North 11-103-0019
Zoning	GC
Lot Size	3.056 acres (133,119 ft ²)
Current Use	Commercial businesses and vacant residences
Number of Lots	4
Lot Sizes	15,441 ft ² to 56,887 ft ²

1. BACKGROUND

Elliot Smith of Terra Form Companies has submitted a preliminary plat application configuring a 3.056 acre parcel into a four lot subdivision. Lot 1 will contain the existing Golden West Credit Union, Lot 2 is anticipating a car wash facing 200 North Street, and lot 3 and 4 anticipating some other commercial space, with a mixed use rezone overlay application in the near future.

Mr. Smith's preliminary plat application gives details regarding the anticipated subdivision of the property which is 3.056 acres in the General Commercial Zone.



2. SUMMARY

The subdivision consists of four total lots on the south side 200 North between 100 and 200 West. Lot 1 would be a 56,887 square foot lot containing the existing Golden West Credit Union. Lot 2 would be a 43,136 square foot parcel for the construction of an anticipated Mister Car Wash. Lots 1 and 2 would front 200 North and UDOT has required they share the same ingress and egress.

Lot 3 is an 18,067 square foot parcel on the southeast corner of 200 North and 200 West. Lot 4 is 12,897 square feet. It is anticipated that an application for a Mixed Use Overlay over Lot 3 and 4 will soon come before the Planning Commission. Lots 3 and 4 would be accessed from 200 West.

A sign was placed on the property on January 20, 2023.

3. RECOMMENDATION

The proposed subdivision is consistent with the anticipated development of the GC zone. It is in compliance with applicable zoning districts, and proposes a new desirable building lot for commercial projects.

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed preliminary plat for Subdivision with the following conditions.

Attachments:

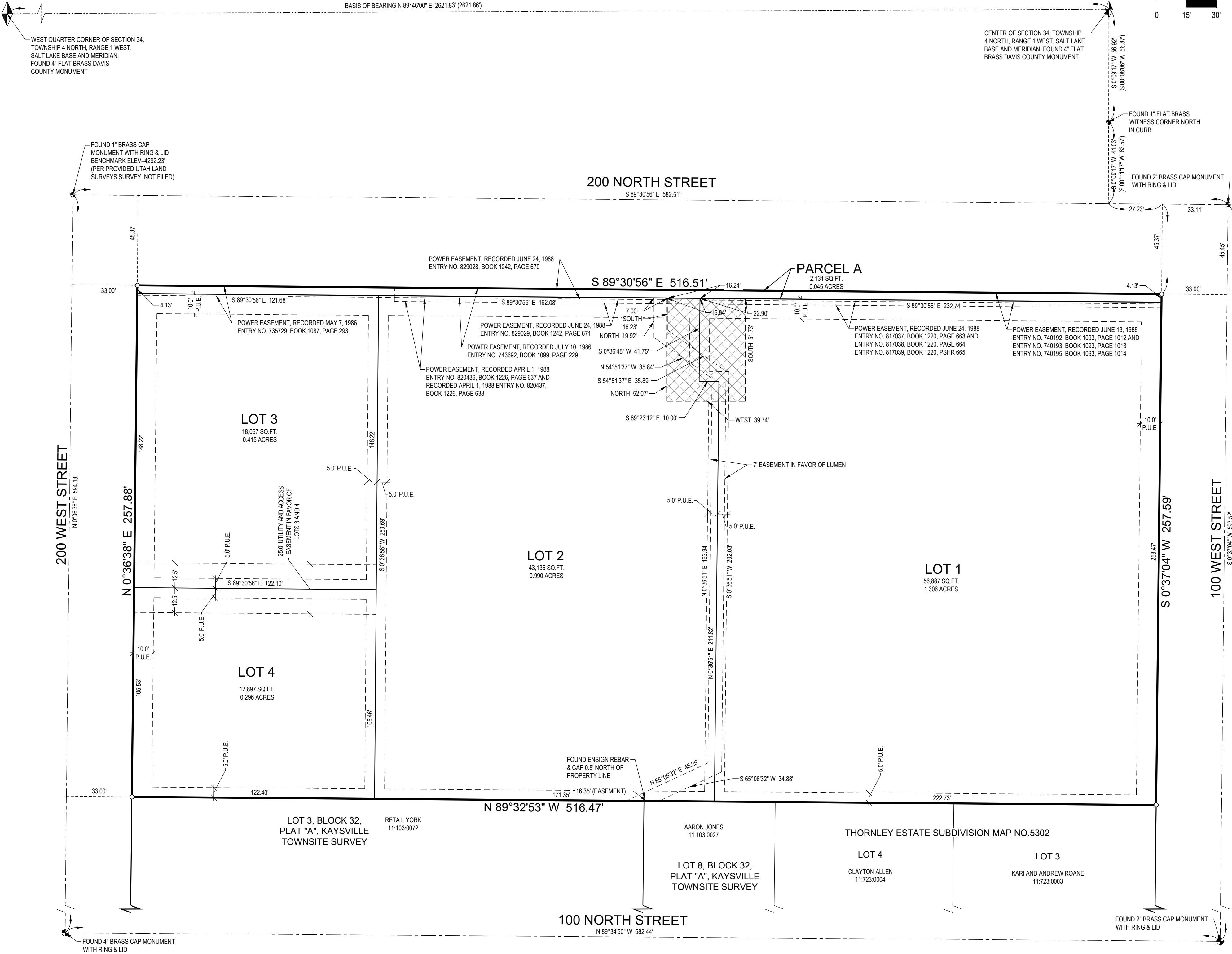
1. Preliminary Plat documents

MCW KAYSVILLE SUBDIVISION

LOCATED IN THE SOUTHEAST AND SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE, UTAH

NORTH

SCALE: 1" = 30'



LEGEND

- SUBDIVISION BOUNDARY
- ADJOINING LOT LINE
- MONUMENT LINE/CENTER LINE OF ROAD
- LOT LINE
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- SUBDIVISION BOUNDARY CORNER, COPPER PLUG OR REBAR & CAP OR NAIL & WASHER STAMPED "MCNEIL ENGR"
- DENOTES RECORD INFORMATION
- SHARED ACCESS EASEMENT IN FAVOR OF LOTS 1 AND 2

NOTES

1. NAD83 ROTATION IS 0°05'45" CLOCKWISE

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____ BY THE
CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KAYSVILLE CITY PLANNING COMMISSION

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D., 20____, BY THE
CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KAYSVILLE CITY PLANNING COMMISSION

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, A.D., 20____, BY THE
KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, A.D., 20____, BY THE KAYSVILLE CITY
COUNCIL.

CITY RECORDER

CITY MAYOR

SURVEYOR'S CERTIFICATE

I, DAVID B. DRAPER DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6861599 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENT AS REPRESENTED ON THIS PLAT, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT INTO LOTS, AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS:

MCW KAYSVILLE SUBDIVISION

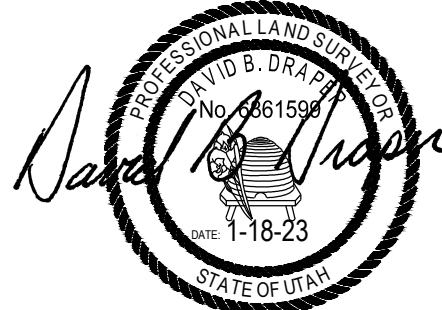
AND THAT AT THE SAME HAS BEEN CORRECTLY SURVEYED AND MARKED ON THE GROUND AS SHOWN ON THIS PLAT.

SUBDIVISION DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST AND SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SAID PARCEL ALSO BEING ALL OF LOTS 4, 5, 6 AND 7, BLOCK 32, KAYSVILLE TOWNSITE SURVEY, SAID PARCEL DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 32, SAID POINT BEING SOUTH 0°09'17" WEST ALONG THE SECTION LINE 97.36 FEET TO A POINT ON THE MONUMENT LINE OF 200 NORTH STREET AND SOUTH 89°30'56" EAST ALONG SAID MONUMENT LINE 27.23 FEET AND SOUTH 0°29'04" WEST 45.37 FEET FROM THE DAVIS COUNTY MONUMENT MARKING THE CENTER OF SAID SECTION 34, AND RUNNING THENCE SOUTH 0°37'04" WEST ALONG THE EAST LINE OF SAID BLOCK 32 A DISTANCE OF 257.59 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE ALONG THE SOUTH LINE OF SAID LOTS 4 AND 7 NORTH 89°32'53" WEST 516.47 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4 AND THE WEST LINE OF SAID BLOCK 32, THENCE ALONG THE WEST AND NORTH LINES OF SAID BLOCK 32 THE FOLLOWING TWO COURSES: 1) NORTH 0°36'58" EAST 237.88 FEET, THENCE SOUTH 89°30'56" EAST 516.51 FEET TO THE POINT OF BEGINNING

CONTAINS: 133,118 SQ. FT. OR 3.056 ACRES (4 LOTS)



DAVID B. DRAPER
L.S. LICENSE NO. 6861599

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS, AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH THE BE HEREAFTER KNOWN AS:

MCW KAYSVILLE SUBDIVISION

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF I (WE) HAVE HEREUNTO SET OUR HAND(S) THIS _____ DAY OF _____, A.D., 20____

ENTITY NAME
BY: _____ (PRINT NAME)
ITS: _____ (TITLE)
BY: _____ (SIGNATURE)

ENTITY
BY: _____ (PRINT NAME)
ITS: _____ (TITLE)
BY: _____ (SIGNATURE)

CORPORATE ACKNOWLEDGMENT

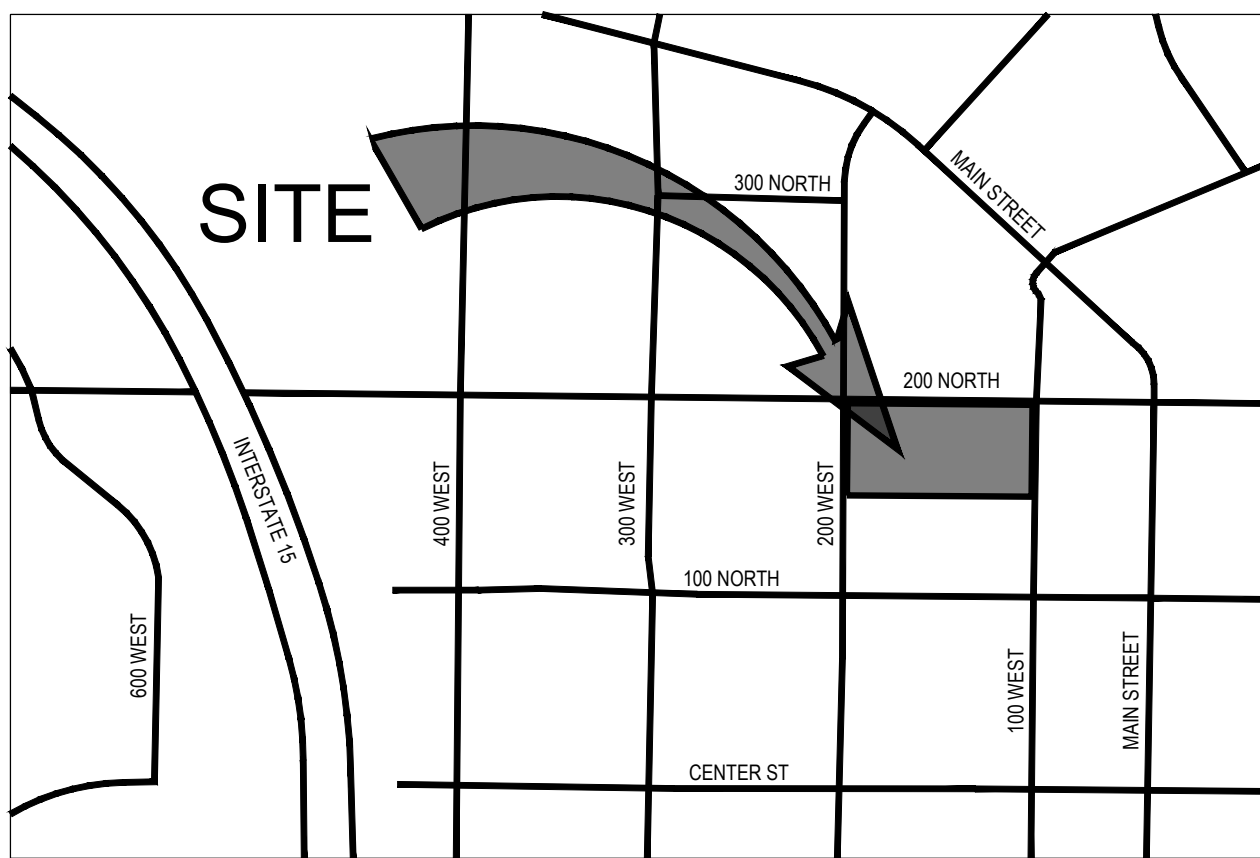
STATE OF UTAH
COUNTY OF SALT LAKE } S.S.
ON THE _____ DAY OF _____, A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT _____ A UTAH CORPORATION, AND THAT _____ SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SALT LAKE } S.S.
ON THE _____ DAY OF _____, A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT _____ A UTAH CORPORATION, AND THAT _____ SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY



VICINITY MAP

SCALE: N.T.S.

MCW KAYSVILLE SUBDIVISION

LOCATED IN THE SOUTHEAST AND SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____ FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, AT _____
IN BOOK _____ OF OFFICIAL RECORDS PAGE _____

DAVIS COUNTY RECORDER
BY _____
DEPUTY RECORDER

9- PRELIMINARY PLAT SUBDIVISION FOR THE MCW SUBDIVISION LOCATED AT APPROXIMATELY 175 WEST 200 NORTH

Introduced by: Dan Jessop

This Preliminary Plat is for 175 West 200 North, just west of the Golden West Credit Union. The application configures the 3.056 parcel into a four lot subdivision. Lot 1 will contain the existing Golden West credit Union, lot 2 is anticipating a car wash facing 200 North Street, and lot 3 and 4 anticipating some other commercial space, with a mixed use rezone overlay application in the future. Lot 1 and 2 would front 200 North and UDOT has required they share the same ingress and egress. Mr. Jessop said that the City Engineer, Public Works Director, and Power Director have all gone through and thoroughly looked over the subdivision and have said it was ready for Planning Commission.

There were no questions for the applicant.

There was no discussion with the Commissioners.

Commissioner Sundloff made the motion to recommend approval of the Preliminary Plat Subdivision for MCW Kaysville on the basis of the staff report which means that the proposed subdivision meets all the requirements in City Code. Commissioner Sommerkorn seconded the motion.

The vote was unanimous in favor of the motion (6-0).

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Preliminary Preliminary Plat Subdivision for the Westgate Estates Commercial Subdivision located at 2356 West 200 North and 2368 West 200 North - Perry Land Investments, LLC

EXECUTIVE SUMMARY:

Kum & Go L.C. submitted an application for a two-lot preliminary subdivision. The vacant undeveloped property is 3 acres in size, has been zoned General Commercial since 2004 and is located at the north-east corner of 200 North and the West Davis Corridor. The proposed two-lot subdivision would create one two-acre lot for a fueling station and convenience store and another one-acre lot for an undetermined commercial use. At January 26, 2023 Planning Commission, the Commission voted 6-0 to forward a recommendation of approval to the City Council with the following conditions:

1. A cross access agreement between the two parcels is created either by showing it on the subdivision plat or by a separate recorded document
2. Affirmative acknowledgement from staff that all items listed in [Kaysville City Code 19-3-3](#) have been reviewed and addressed by staff prior to sending the item to the City Council.

The City Engineer has confirmed that all relevant items required in 19-3-3 have been submitted, reviewed and are adequate to approve the preliminary subdivision.

The staff report on this item from the January 26, 2023 Planning Commission is attached as well as the minutes excerpt from that meeting.

City Council Options:

1. Approve the preliminary plat subdivision as presented with the condition of a recordation of cross access agreement by placement on the plat or by a separate easement.
2. Approve the preliminary plat subdivision with additional conditions.
3. Deny the preliminary plat subdivision based on findings of inadequate compliance with city code.

Staff Recommendation:

Staff recommends option 1 - Approval of the preliminary plat subdivision for Westgate Commercial with the condition of a recordation of cross access agreement by placement on the plat or by a separate easement.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Planning Commission Prelim Westgate Commercial Subdivision 1.26.23
 2. Planning Commission Minute Excerpt- Westgate Commercial
-

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: January 18, 2023

Agenda Item #10: Preliminary Plat Subdivision for the Westgate Estates Commercial Subdivision located at 2356 West 200 North and 2368 West 200 North

Meeting Date	January 26, 2023
Application Type	Preliminary Plat for Subdivision
Applicant Owner	Kum & Go Perry Land Investments, LLC
Address Parcel ID Number	2368 West 200 North 11-090-0056
Zoning	GC
Lot Size	3.00 acres 130,680 ft ²
Current Use	Vacant/undeveloped
Number of Lots	2
Lot Sizes	46,656 ft ² and 83,911 ft ²

1. BACKGROUND

Ryan Halder has submitted a Preliminary plat configuring a 3.00 parcel into a two lot subdivision. Lot 1 will contain 46,656 square feet of General Commercial building space determined in the future, Lot 2 anticipating a Kum & Go gas and convenience store facing 200 North Street.

Mr. Halders preliminary plat and application gives details regarding the anticipated subdivision of the 3 acre property in the General Commercial zone.



2. SUMMARY

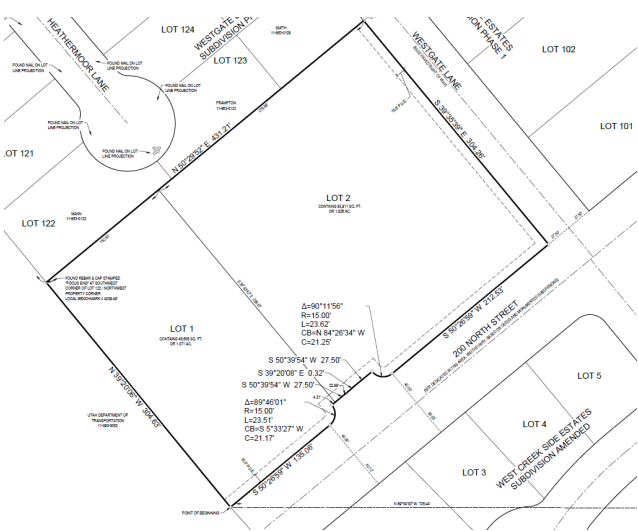
The subdivision consists of two total lots facing the public street on approximately 2356 West 200 North Street. Lot 1 would be a 46,656 square foot lot containing a determined in the future

commercial building lot. Lot 2 would be an 83,911 square foot parcel for the construction of an anticipated Kum & Go gas and convenience store.

A sign was placed on the property on January 20, 2023.

3. RECOMMENDATION

The proposed subdivision is consistent with the anticipated development of the GC zone. It is in compliance with applicable zoning districts, and proposes a two new desirable building lots for commercial projects.

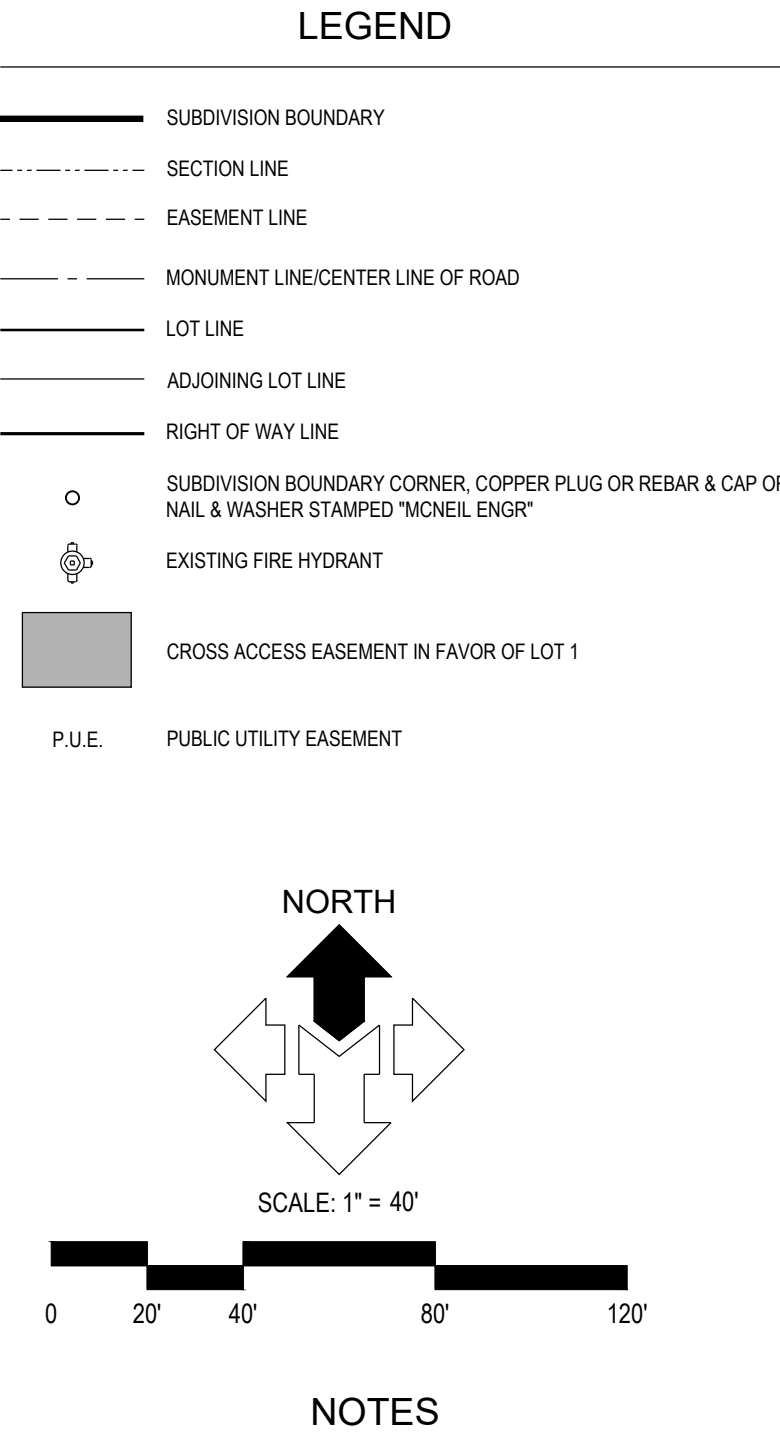


Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed preliminary plat for the Westgate Estates Commercial Subdivision.

Attachments:

- 1. Preliminary Plat documents

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE, UTAH

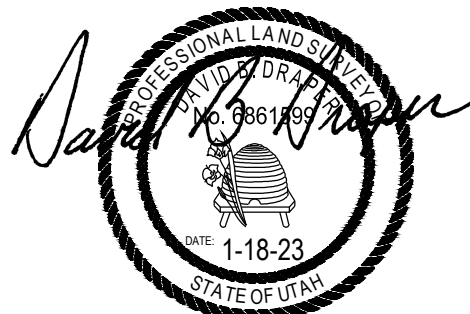


1. CROSS ACCESS AGREEMENT WITHIN LOT 2 FOR ACCESS TO LOT 1 WILL BE RECORDED BY SEPARATE INSTRUMENT.

I, DAVID B. DRAPER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 6861599 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-21-37 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY. HEREAFTER KNOWN AS

[illegible]

CONTAINS: 130,566 SQUARE FEET OR 2.997 ACRES (2 LOTS)



DAVID B. DRAPER
L.S. LICENSE NO. 6861599

KNOWN ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS, AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH THE BE HEREAFTER KNOWN AS:

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

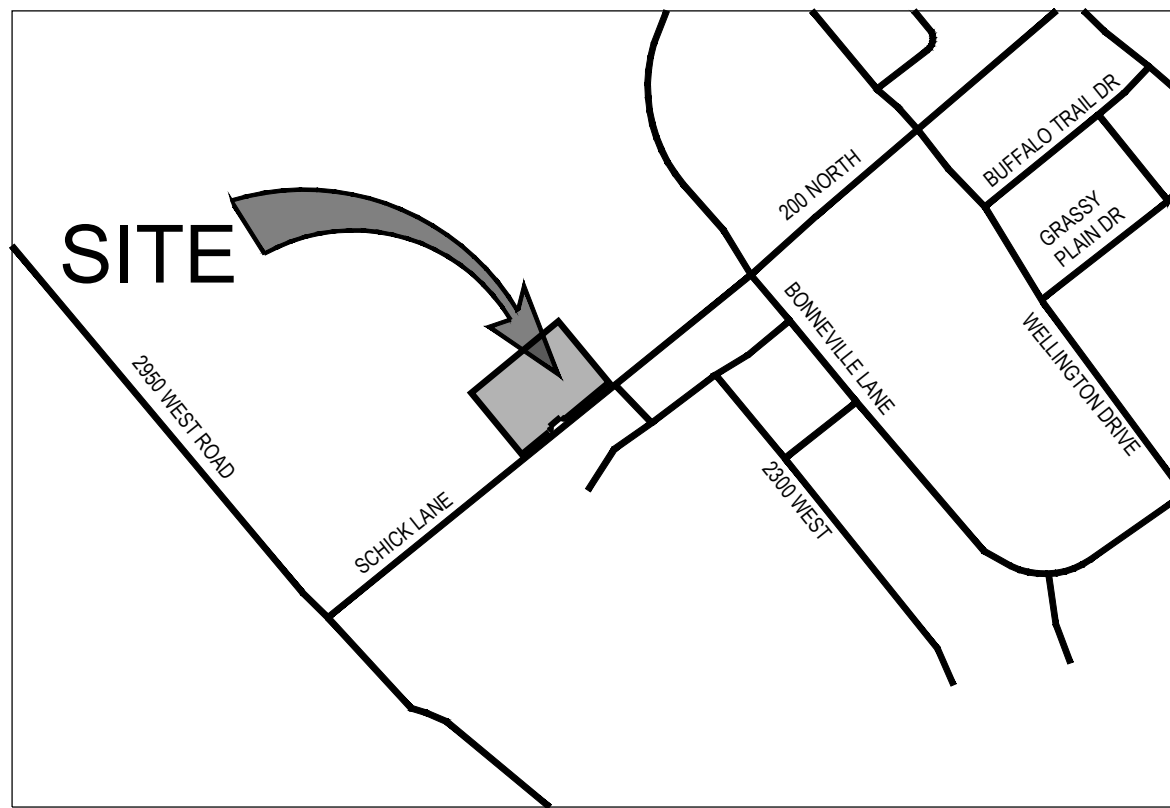
IN WITNESS WHEREOF I (WE) HAVE HEREUNTO SET OUR HAND(S) THIS _____ DAY OF _____ A.D., 20_____

ENTITY NAME

BY: _____
(PRINT NAME)

ITS: _____
(TITLE)

BY: _____
(SIGNATURE)



VICINITY MAP
SCALE: N.T.S.

STATE OF UTAH } s.s.
COUNTY OF DAVIS }

ON THE _____ DAY OF _____ A.D., 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT _____, A UTAH CORPORATION, AND THAT _____, THE OWNERS, RENOVATED FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE, UTAH

RECORD NO. _____

STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST OF _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE \$ _____

DAVIS COUNTY RECORDER

S:\ZUZZFiles\Z74U1\Survey\Proc UWQ\Z74U1 SP.dwg Jan 18, 2023 - 1:36pm

PREPARED BY:

 **McNEIL ENGINEERING**
Economic and Sustainable Designs, Professionals You Know and Trust

8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com

Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

CITY ENGINEER

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D.
20____

KAYSVILLE CITY ENGINEER

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D., 20____,
BY THE KAYSVILLE CITY PLANNING COMMISSION.

CHAIRMAN, PLANNING COMMISSION

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____

KAYSVILLE CITY ATTORNEY

CITY COUNCIL

PRESENTED TO THE KAYSVILLE CITY MAYOR THIS _____ DAY OF _____ A.D.,
20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTST: CITY RECORDER

CITY MAYOR

SHEET
1
OF

**10- PRELIMINARY PLAT SUBDIVISION FOR THE WESTGATE ESTATES COMMERCIAL SUBDIVISION
LOCATED AT 2356 WEST 200 NORTH AND 2368 WEST 200 NORTH**

Introduced by: Melinda Greenwood

Ms. Greenwood started by saying that the applicant was joining the meeting via GoTo Meeting and are present for questions when needed. The preliminary plat is configuring a commercially zoned three acre parcel into a two-lot subdivision. Ms. Greenwood showed an aerial view of the property and pointed out that the shape of the lot has a weird shape which looks like it could be an ingress/egress but clarified it is the parcel shape and not a drive approach. She explained that lot 1 will contain 46,656 ft² for commercial building space and lot 2 is anticipating a Kum & Go gas and convenience store facing 200 North. Lot 2 will provide access for lot 1 as stated. 200 north is a city owned road in this location, however UDOT intends to acquire a strip of property on 200 north in front of the property and would not allow any access onto UDOT. She explained that because of this the property will need to have access off Westgate Lane, which is a public road. She stated that staff, Public Works, and the City Engineer have all reviewed this preliminary plat and are recommending approval for this subdivision.

Commissioner Sommerkorn asked if the subdivision meets all the requirements and Ms. Greenwood replied affirmatively.

Commissioner Sommerkorn asked about access to the property saying the city would usually grant access onto 200 North.

Ms. Greenwood said that the City looked at this property when considering a location for a new Fire Station and engaged in negotiations with UDOT but UDOT was not interested in allowing access from 200 North. She said UDOT is keeping a strip of property fronting 200 North that they will own and control and the City can't would not be able to provide access through someone else's property.

Commissioner Sommerkorn asked if at this UDOT controls that strip of property. Ms. Greenwood said that Perry Homes still owns the property and they have been in negotiations with UDOT and UDOT doesn't own the strip as far as she knows.

Commissioner Sommerkorn is said since it is one owner now for lot 1 and lot 2 that there needs to be provided a cross-access agreement between the two lots.

Commissioner Sundloff gave a brief history of this property and when it was rezoned to commercial. The city rezoned it as such knowing that the West Davis Corridor would be coming at some point in the future. Fast forward to when Perry Homes purchased this property it was still zoned commercial before Perry put a shovel in the ground for development and the school was already there.

The background was given to let the residents know that they can't change what is allowed on the property but they can be involved with crosswalks with lights and reduce the risks and concerns.

Commissioner Keetch asked Ms. Greenwood about the strip of property on 200 North that UDOT is holding access to. Ms. Greenwood said UDOT will purchase that strip of property that will be in-between the city's right of way and the Kum & Go land and UDOT will not grant access across that strip of property. UDOT wants this strip of property for the West Davis Corridor on-ramp and UDOT's regulations state they won't allow points of egress or ingress within a certain distance of an on-ramp.

Ms. Greenwood also said that the Police Department will be moving the school crossing from Wellington to Bonneville to accommodate the homes and families in Westgate.

Commissioner Sundloff referred to a map (see handout 4 in packet) that was passed out by a resident to the Commission from a resident and said that having a light on 200 North and Westgate probably won't happen but it may be possible to address other concerns and encouraged the residents to find ways to address their concerns.

Chair Barrus asks the Commissioners if there are other concerns that are related to the preliminary plat.

Chair Barrus allowed a question from an audience member. Ms. Greenwood approached the audience member for the question so she can relay it to the Commissioners. The audience asked about flow of traffic and he said people won't be able to turn east onto 200 North from Westgate and may end up heading back through the subdivision without a traffic signal.

Ms. Greenwood responded by saying that through discussions for the new fire station a traffic signal would not be allowed on Westgate Lane and would need to be further away from the on-ramp.

Ms. Greenwood emphasized the consideration before the Planning Commission is the preliminary plat, lot sizes, what the lots are going to look like and how many lots will be created.

Commissioner Summerkorn asked if access was required for preliminary plat approval and Ms. Greenwood referred to KCC 19-3-3 and the requirements for a preliminary plat, but stated none of those requirements are for access. Mr. Jessop clarified that frontage is required and frontage is what creates access.

Commissioner Sundloff referred to KCC 19-3-3 21 – which states “Plans or written statements regarding the proposed storm water drainage facilities and other proposed special improvements such as sidewalks, planting and parks, and any grading of individual lots.” He said it is hard to evaluate sidewalks or the location of storm water efficiency without seeing more detail than what they were shown.

Ms. Greenwood said that the city has to have all of the requirements specified in KCC 19-3-3 but not all those items listed in KCC 19-3-3 are detailed on the plat. She said those requirements are

reviewed before placing the item on the agenda for the preliminary plat subdivision.

Commissioner Sundloff refers back to KCC 19-3-3 and said the code states that the plat and attached documentation shall show all 22 requirements.

Commissioner Sommerkorn said staff gets all that information and Public Works, Power and the City Engineer review everything for the Preliminary Plat before bringing it to the Planning Commission.

Ms. Greenwood said the Preliminary Plat is to set in place the outline of the final plats are going to be and to give considerations for utilities such as power lines and water lines.

Chair Barrus brought up that KCC 19-3-3 does not mention the time when all the documents need to be received.

Ms. Greenwood said the City Engineer has reviewed what has been submitted and is recommending the preliminary plat approval without additional conditions.

Commissioner Keetch said she was unaware of UDOT's plans for the small strip of property until the meeting. She said that she would want to know that there will not be an ingress and egress on 200 North.

Chair Barrus informed the audience that there could be a Kum & Go right now without subdividing the property and it is on Perry Homes to decide on how they are going to give access to lot 1.

Commissioner Sundloff said he feels there needs to be a change to KCC 19-3-3 so all 22 requirements are received before coming to Planning Commission and recognized that they did not go into this detail with the previous application.

Ms. Greenwood said the role of the City Engineer is to look at all 22 items required, and when the City Engineer says the preliminary plat is ready to move forward, that's when staff puts it on the agenda. She said the City Engineer felt it was ready and there are not any other conditions noted in the staff report.

Mr. Jessop said that the plat was reviewed and modified several times so that it met the requirements.

Commissioner Sommerkorn said in the past when the staff has been asked if the item has been reviewed and staff responds that it is all in compliance, he has assumed that work has been done. He said he feels Commissioner Sundloff raised a good point and said they could ask for affirmation that staff looked at each one of the requirements if the Planning Commission feels like that is necessary.

Ms. Greenwood asked the Planning Commission if they have any questions for the applicant.

Commissioner Sommerkorn said his only question would be about cross access and that has been previously answered.

Ms. Greenwood gave some options to the Planning Commission on how to proceed with this item, including tabling the item and bringing it back, second is to take brief recess and see if they can get ahold of the City Engineer to get questions answered, or the Planning Commission could motion for a conditional approval.

Commissioner asks the Commissioner if they want to pass it without an affirmative acknowledgement before it is passed on or pass it on with the stipulation that it comes from staff before it is passed to City Council.

Commissioner stated she Lott is leaning towards conditional approval. Commissioner Sommerkorn then motioned to recommend preliminary plat approval for the West Gate Commercial subdivision with the provision that there be a cross access agreement between the two lots either on the plat or by the document that is recorded and that before the City Council takes action on the Preliminary Plat there is an affirmative acknowledgement made by the city staff that the 22 required items have been reviewed and addressed by staff. Commissioner Lyon seconded the motion.

The vote was unanimous in favor of the motion (6-0).

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Action Item

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: An Ordinance amending Title 17, Chapter 27 of the Kaysville Municipal Code regarding Mixed Use Zoning District Overlay

EXECUTIVE SUMMARY:

Revisions to the Mixed-Use zone have been presented to the Planning Commission to improve inconsistent language as well as address deficiencies identified in the code. The attached documentation identifies those exact changes, which include:

1. Revisions to make application requirements more clear
2. The allowance of a hotel or motel in a General Commercial base zone
3. Moving conditional uses to permitted uses
4. Clarification of commercial space requirements and acknowledgement that final ratios will be approved through a development agreement
5. Allowance of building heights up to 4 stories for buildings that are exclusively used for commercial uses
6. increase in height allowance for accessory structures to a practical height of no less than 10 feet
7. Clarification of setback requirements
8. Clarification of what will be allowed for open space
9. Revisions to improve parking requirements
10. The addition of a curb management requirement
11. Other minor edits and clarification language

The Planning Commission discussed the proposed amendments at the January 12, 2023 meeting and directed staff to make additional edits. They then held a public hearing at the January 26, 2023 meeting and forwarded a recommendation of approval to the City Council with a unanimous vote of 6-0.

Minutes from both Planning Commission meetings are attached, as well as the redlined and clean copy of the proposed ordinance changes.

City Council Options:

1. Approve the text amendments to Title 17, Chapter 27 Mixed Use Zoning District Overlay as

presented

2. Approve the text amendments to Title 17, Chapter 27 Mixed Use Zoning District Overlay with any additional changes
3. Deny the proposed text amendments

Staff Recommendation:

Staff recommends option 1: Approval of the text amendments to Title 17, Chapter 27 Mixed Use Zoning District Overlay.

Fiscal Impact:

N/A

ATTACHMENTS:

1. Mixed Use Revisions PC Recommendation CLEAN 1-26-23
 2. Mixed Use Revisions PC Recommendation REDLINE 1-26-23
 3. Planning Commission Minutes MU Excerpt 1-26-2023
 4. Planning Commission Minutes MU Excerpt 1-12-23
 5. Mixed Use Zone Ordinance
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Chapter 27 Mixed Use Zoning District Overlay

17-27-1 Purpose

17-27-2 Project Evaluation / Review Process

17-27-3 Allowed Uses

17-27-4 Prohibited Uses

17-27-5 Height Regulation

17-27-6 Area, Lot Coverage, And Yard Requirement

17-27-7 Development Standards

HISTORY

Amended by Ord. Mixed Use Zoning District Overlay on 8/19/2021

17-27-1 Purpose

The purpose of the Mixed-Use (MU) zoning district is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choices. Developers are encouraged to offer ownership potential such as a condominiums for both commercial and residential uses. The MU zoning district shall be applied as an overlay zone in the R-M, GC, CC, and LI zoning district where specifically approved. The uses permitted in the underlying district shall be a priority. Where the use of this district is desired in a location that is not zoned R-M, GC, CC, or LI, a rezone of the underlying zone to a qualifying district must accompany the request for the use of this overlay. The flexibility in use provided by this zone should help promote live, work, and play opportunities within the city while creating an appropriate transition from surrounding development. A mixed use project can utilize horizontal mixed use where commercial, office and residential uses are designed as a single project yet constructed in phases for separate and distinct building footprints. A mixed-use project may also employ vertical design strategies where commercial, clean industrial, office and residential uses are designed as a single project and constructed within the same footprint.

HISTORY

Adopted by Ord. Mixed Use Zoning District Overlay on 8/19/2021

All applications and project proposals to include a property within the MU zone shall be submitted with information and a written narrative indicating compatibility with:

1. The Kaysville City General Plan
2. The Kaysville City Zoning Ordinances
3. The purpose of the MU Zone
4. Sound planning practices
5. Surrounding land-uses
6. All other City-approved studies and plans

All projects within the MU zone shall be approved through a Development Agreement (DA) with sufficient project details to show compatibility with the items above by providing at a minimum:

1. A site plan
2. A landscape plan
3. An amenities plan
4. Conceptual building elevations and design schemes
5. Streetscape and building setback diagrams
6. A traffic study as required by the Public Works Department
7. A circulation plan and parking study as required by the Public Works Department justifying the amount of off-street parking being provided if shared parking or parking reductions are proposed
8. The number, unit types, and general land use categories of building square footage proposed in the mixed-use project shall be specified and enumerated in the site and concept plans and shall accompany the Development Agreement

The City may deny any zone map amendment or development proposal that does not comply with any of these criteria.

17-27-3 Allowed Uses

The allowed uses within a project are as follows:

1. When applied in the R-M zoning district:
 - a. The following shall be considered Permitted Uses.
 - i. Multiple family dwellings, but where the R-M zone limits the number of dwellings to no more than 1 dwelling per 2,800 square feet of property, the MU Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of allowable units.
 - ii. Offices.
 - iii. Retail sales and services.
 - iv. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
 - v. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.
 - vi. Amusement and entertainment facilities.
 - vii. Motels or hotels.
 - b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be

determined based on specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:

- i. Ground floor commercial is required on buildings which front arterial and collector streets.
 - ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be commercial space.
 - iii. Parking shall not be counted towards commercial space requirement.
- c. As determined by the DA, commercial buildings may be required to be built before or at the same time as residential development.

2. When applied with the GC and CC zoning districts:

a. The following shall be considered Permitted Uses.

- i. Multiple dwellings with no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of residential units allowed.
- ii. Retail sales and services.
- iii. Offices.
- iv. Motels and hotels.
- v. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
- vi. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.
- vii. Amusement and entertainment facilities
- viii. Minor home occupations as specified in KCC 17-26.
- ix. Major Home Occupation 'C' as specified in KCC 17-26.
- x. Private swimming pools as specified in KCC 17-31-9.
- xi. Accessory uses and accessory buildings customarily appurtenant to a permitted use as specified in KCC 17-31-2.
- xii. Recreational vehicle parks as specified in KCC 17-31-24.

b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:

- i. Ground floor commercial is required on buildings which front arterial and collector streets.
- ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be commercial space.

- iii. Parking shall not be counted towards commercial space requirement.
- 3. As determined in a DA, commercial buildings may be required to be built before or at the same time as residential development.
- 4. When applied with the LI zoning district:
 - a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses.
 - i. Multiple dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking rations will determine the number of units allowed.
 - ii. Light industry/research uses as specified in KCC 17-23.
 - iii. Retail sales and services.
 - iv. Offices.
 - v. Amusement and entertainment facilities.
 - vi. Minor home occupations as specified in KCC 17-26.
 - vii. Major Home Occupation 'C' as specified in KCC 17-26.
 - viii. Private swimming pools as specified in KCC 17-31-9.
 - ix. Accessory uses and accessory buildings customarily appurtenant to a permitted use as specified in KCC 17-31-2.
 - b. Adequate light industrial and/or commercial space within the project shall be provided. The final proportion of light industrial or commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:
 - i. Ground floor commercial is required on buildings which front arterial and collector streets.
 - ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be for clean/light industrial space or commercial space.
 - iii. Parking shall not be counted towards commercial space requirement.
- 5. Phasing shall be determined by the Development Agreement but generally required commercial space will be constructed before or at the same time as residential space.

17-27-4 Prohibited Uses

To be applied to all underlying zoning districts: Unless expressly permitted, all other uses that are incompatible with this purpose of this chapter, including short term rentals (occupancy of residential unit for less than 30 days) public utility substations not owned by the city and storage units are not allowed. Detached, single-family dwellings are not allowed.

17-27-5 Height Regulation

1. The following shall apply in lieu of the height restrictions of the underlying zoning district.
 1. The main floor of any building fronting an arterial or collector street shall have a minimum ceiling height of twelve feet (12').
 2. No building which is exclusively or primarily for residential use shall exceed thirty-five feet (35') in height subject to the following exceptions:
 - a. Elements that meet exceptions found in KCC 17-25-2.
 - b. Any portion of a building within 50 feet (50') of a residential dwelling shall not exceed thirty feet (30') in height excepting if there is a public road between the residential district and the building.
 3. No accessory building, including any detached accessory dwelling shall exceed the height of the main dwelling(s) on the property.
 4. No main building shall be less than thirteen feet (13') in height.
 5. No accessory building shall be less than ten feet (10') in height.
 6. Buildings which are exclusively used for commercial purposes shall not exceed four (4) stories and shall not exceed fifty (50') feet in height.

17-27-6 Area, Lot Coverage, And Yard Requirement

1. The lot and yard requirements shall be those of the underlying zoning district, however variations to setbacks may be determined through the DA. Generally, setbacks are to be determined based on the use of the building.
2. Commercial buildings shall have the setbacks set forth in the GC or CC zone.
3. Industrial buildings shall have the setbacks required in the LI zone.
4. Flag lots are not permitted.

17-27-7 Development Standards

The following shall be the base standard for review of any project. Variations to the standards outlined may be altered by specific approval of the City Council in a DA when demonstrated that alternate standards are superior to those listed within this chapter.

1. Compatibility And Review:
 - a. All uses and structures shall be sited and designed to be compatible with one another and surrounding development. To determine compatibility, a review, including, but not limited to, the following characteristics of the uses and structures shall be conducted by Community Development Department staff relative to other affected uses and structures: location, orientation, operation, architecture, massing, scale, and visual and sound privacy.
2. Building Placement and Orientation Standards.

- a. It is the intent of this section to ensure that new development is pleasant and inviting to pedestrians by placing buildings closer to the street and where primary building entrances are visually prominent and easily accessible. Developments shall demonstrate best practices in urban design principles by enhancing the streetscape consistent with the General Plan and any small area plans specific to the proposed location.
 - b. In cases where it is not practical or possible to orient buildings to streets, the intent of these standards is to use a combination of setbacks, low-level screening and building materials and design variation to soften the visual impact of side or rear facing facades and to create street frontages that are inviting and pleasant for residents and passersby.
 - c. Buildings and their primary entrances shall be oriented to streets or common courtyards unless prohibited by unique site conditions.
 - d. No more than 30% of the frontage of any lot shall be occupied by any combination of parking, driveways and lanes. The predominant visible development from the street shall be buildings or landscaping.
 - i. Side yards unoccupied by that exceed fifteen feet (15') in width located adjacent to another side yard that exceeds fifteen feet (15') in width should be avoided unless the areas are to be used as a unified public gathering area or courtyard;
 - ii. The percentage of building frontage required along the lot width may be reduced to accommodate site plan approved pedestrian plazas located between buildings;
3. Building Design Criteria:
- a. Where applicable, such as the GC and CC zoning districts, the following shall apply in addition to the Kaysville City Commercial Building Design requirements of KCC 18-5. The following are also applicable for projects in the R-M zone.
 - i. Entrances shall be accessible to the public as a regular building entry from the public sidewalk.
 - ii. The street level floor elevation should match the elevation of the sidewalk at the front of the building as closely as possible to facilitate accessibility and primary street orientation.
 - iii. Detailing at intervals of thirty feet (30') shall be provided to break up expanses of blank walls with no openings. Additionally, walls with no openings shall be set back from the public right of way a minimum of fifteen feet (15') and buffered with landscaping. Landscaping shall include trees spaced at thirty foot (30') intervals and at least one row of additional plants and/or shrubs. For every 75' in building length along the street frontage or adjoining a Residential Zone, the design shall include at least one significant break in the vertical wall plane with a minimum depth of at least five (5) feet a minimum length of at least twenty (20) feet, and running the full height of the building.
 - iv. Fenestration:

- 1) A minimum of fifty percent (50%) fenestration is required on the street level of all street facing facades. Street level is considered to be between two (2') feet and ten (10') feet on these street types. Upper stories shall have a minimum of thirty percent (30%) fenestration for each story;
- 2) Windows of tinted or reflective glass may not be located between two feet (2') and eight feet (8') above the sidewalk grade on street facing facades;

4. Open Space Requirements and Amenities

- a. To support the residential component of each project, there shall be provided amenities that are commensurate with the type of development and scale of project being proposed. The developer shall demonstrate how the proposed amenities meet the needs of residents and how they will be maintained.
- b. Functional, improved open space shall be provided within each development as required by the DA. Open space can include such things as plazas, paseos, walking trails, amphitheaters, community gardens, water features, playgrounds, seating areas, pavilions, etc.
- c. The use of front yard areas for buildings that have nonresidential uses on the ground floor shall be oriented toward the pedestrian and shall include related amenities such as entrance walks, stairs, ramps, plazas, benches, bike racks, raised flower boxes or other such features.

5. Parking And Circulation:

- a. Projects shall provide safe and attractive pedestrian and bicycle connections to building entries and public sidewalks;
- b. Off street parking for vehicles shall not occupy any space located between the building and the primary street and the secondary street where applicable for a corner lot. Parking areas located to the side of structures shall be located a minimum of ten feet (10') back from the back of the adjacent sidewalk. The space between the parking and the walk in this instance shall be landscaped to help screen the parking area.
- c. The site shall be configured and landscaping provided so as to minimize the visual impacts of parking areas, parking structures and residential garages on streets, open spaces and adjoining developments;
 - i. Where an off street parking lot is visible from the street in a side yard, it shall be screened by either a two-foot (2') tall screen wall or eighteen inch (18") seat wall located between the parking lot and the sidewalk. Where a parking lot is adjacent to a residential use, a three-foot (3') screen wall and landscaping, sufficient to screen up to the headlight level of vehicles, shall be located between the residential use and the parking lot.
- d. Amount of Parking Required
 - i. Commercial Parking Requirements:

- 1) Minimum number of stalls based on use type.
- ii. Residential Parking Requirements:
 - 1) Studio Units – 1 parking stall/unit
 - 2) One Bedroom Units – 1.5 parking stalls/unit
 - 3) Two Bedroom– 2 parking stalls/unit
 - 4) Three Bedroom or larger Units – 2.5 parking stalls/unit
- iii. Parking Reductions:
 - 1) Shared Parking: The city may allow for shared parking and time of use parking scenarios to count towards required parking stalls. Parking reduction and shared parking requests shall be accompanied by a parking analysis and parking proposal provided by the developer.
 - 2) Transit Based Parking Reductions: The number of parking stalls may be reduced by up to 10% based on the following. Reduction requests shall be accompanied by a parking analysis for the development and shall include information specific to the proposed uses in the development. The study shall include ridership information for the relevant transit stop including boarding and alighting data.
 1. 10% within 1/8 mile of transit stop.
 2. 5% within 1/4 mile of transit stop.
 3. Additional reduction up to 2 stalls for including bike racks, board, scooter, drone pads, or motorcycle stalls on site for use of residents and the public.

6. Curb Management:

Projects shall include a sufficient plan and appropriate curb management facilities to accommodate delivery vehicles and trucks, ride share access, moving trucks and postal delivery.

7. Connectivity:

Connectivity throughout the area is critical for the mixed use nature of the area to function as a pedestrian oriented environment. Connectivity will be evaluated for multiple modes of travel, including pedestrian and bicycle.

8. Traffic Access and Management Analysis Study:

A traffic study shall be provided demonstrating safe ingress and egress to the proposed project and identifying measures or improvements to mitigate impact on traffic and adjacent properties.

9. Sidewalks:

Sidewalks shall be provided on both sides of each motorized street unless otherwise approved by the Public Works Department.

10. Alleys:

Alleys are allowed in any mixed use district in this chapter to minimize curb cuts and provide common access to parking and service areas behind buildings. Alleys should be generally oriented so that they are parallel to the primary street to which they serve. Alleys may be incorporated as drive aisles for rear parking lots or as a fire access. However, alleys shall not be considered a fire access unless specifically approved as such by the City Fire Department and the pavement width and durability/longevity design meets city standards.

11. Signs:

- a. Signs within the mixed use district shall comply with other city sign standards and any applicable rules of the underlying zoning district.
- b. In addition to signs permitted in the R-M zone by KCC 17-33, wall signs not to exceed 15% of the façade of a building are permitted. EMC signs are prohibited.

Chapter 27 Mixed Use Zoning District Overlay

17-27-1 Purpose

17-27-2 Project Evaluation / Review Process

17-27-3 Allowed Uses

17-27-4 Prohibited Uses

17-27-5 Height Regulation

17-27-6 Area, Lot Coverage, And Yard Requirement

17-27-7 Development Standards

HISTORY

Amended by Ord. Mixed Use Zoning District Overlay on 8/19/2021

17-27-1 Purpose

The purpose of the Mixed-Use (MU) zoning district is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choices. Developers are encouraged to offer ownership potential such as a condominiums for both commercial and residential uses. The MU zoning district shall be applied as an overlay zone in the R-M, GC, CC, and LI zoning district where specifically approved. The uses permitted in the underlying district shall be a priority. Where the use of this district is desired in a location that is not zoned R-M, GC, CC, or LI, a rezone of the underlying zone to a qualifying district ~~should~~ must accompany the request for the use of this overlay. The flexibility in use provided by this zone should help promote "live, work, and play" opportunities within the city while creating an appropriate transition from surrounding development. A mixed use project can utilize ~~horizontal~~ mixed use where commercial, office and residential uses are designed as a single project yet constructed in phases for separate and distinct building footprints. A mixed-use project may also employ ~~vertical~~ design strategies where commercial, clean industrial, office and residential uses are designed as a single project and constructed within the same footprint.

HISTORY

Adopted by Ord. Mixed Use Zoning District Overlay on 8/19/2021

All applications and project proposals to include a property within the MU zone shall be ~~accompanied-submitted with information and a written narrative indicating by a development agreement and project details which show~~ compatibility with:

1. The Kaysville City General Plan
2. The Kaysville City Zoning Ordinancess
3. The purpose of the MU Zone
4. Sound planning practices
5. Surrounding land-uses
6. All other City-approved studies and plans

All projects within the MU zone shall be approved through a Development Agreement (DA) with sufficient project details to show ~~The Development Agreement shall show~~ compatibility with the items above by providing at a minimum:

1. ~~a~~ A site plan;
2. ~~a~~ A landscape plan
3. ~~An~~ amenities plan
4. ~~, conceptual~~ Conceptual building elevations and design schemes
5. ~~, streetscape~~ Streetscape and building setback diagrams;
6. A traffic study as required by the Public Works Department
7. ~~and a~~ A circulation plan and parking study as required by the Public Works Department justifying the amount of off-street parking being provided if shared parking or parking reductions are proposed.
8. The number, unit types, ~~and type of units and the~~ and general land use categories of building square footage proposed and uses to be established within a the mixed-use project ~~shall be specified and enumerated in the~~ site and concept plans and shall accompany design provided with the Development Agreement.

The City may deny any zone map amendment or development proposal that does not comply with any of these criteria.

17-27-3 Allowed Uses

The allowed uses within a project are as follows:

1. When applied in the R-M zoning district:
 - a. ~~The uses allowed within the underlying zone and~~ the following shall be considered Permitted Uses.
 - i. Multiple family dwellings, but where the R-M zone limits the number of dwellings to no more than 1 dwelling per 2,800 square feet of property, the MU Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of allowable units.
 - ~~ii.~~ Offices.
 - ~~iii.~~ Retail sales and services, not including storage services
 - ~~ii.~~ , sale of beer for consumption on the premises, sale of liquor for consumption on the premises and conditional uses in .Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
 - ~~iv.~~
 - ~~v.~~ Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.
 - ~~vi.~~ Amusement and entertainment facilities.

- ~~iii. Amusement arcades~~
- ~~vii. Motels or hotels.~~
- ~~iv. Where the R-M zone limits the number of dwellings to no more than 1 dwelling per 2,800 sq. ft. of property, the MU Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of potential units.~~
- ~~b. The uses allowed by conditional use permit in the underlying zone and the following shall be considered Conditional Uses:~~
- ~~c. Motels or hotels.~~
- ~~d. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.~~
- ~~e. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.~~
- b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:
 - ~~i. 50% or more of the square footage of development should be residential use and 30% or more of the square footage of development should be for commercial use.~~
 - i. Ground floor commercial is required on buildings which front arterial and collector streets.
 - ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be commercial space.
 - iii. Parking shall not be counted towards commercial space requirement.
- c. As determined by the DA, Required commercial buildings shall may be required to be built before or at the same time as residential development.

2. When applied with the GC and CC zoning districts:

- a. The ~~uses allowed within the underlying zone and the~~ following shall be considered Permitted Uses.
 - i. Multiple dwellings with n-~~No~~ maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios ~~as~~ will determine the number of residential units allowed.
 - ii. Retail sales and services.

- iii. Offices.
- iv. Motels and hotels.
- v. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
- vi. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.
- vii. Amusement and entertainment facilities
- ~~iii.viii.~~ Minor home occupations ~~subject to as specified in the provisions of KCC 17-26.~~
- ~~iii.ix.~~ Major Home Occupation 'C' ~~as specified in subject to the provisions of KCC 17-26.~~
- ~~iv.~~ ~~Two household pets per dwelling unit.~~
- ~~v.x.~~ Private swimming pools ~~as specified in subject to the provisions of KCC 17-31-9.~~
- ~~xi.~~ Accessory uses and accessory buildings customarily appurtenant to a permitted use ~~as specified in subject to the provisions of KCC 17-31-2.~~
- ~~vi.~~ Recreational vehicle parks as specified in KCC 17-31-24.
- xii.

~~The uses allowed by conditional use permit in the underlying zone shall continue to be considered conditional uses, however, the following uses are not allowed on a site where the MU zone has been applied:~~

~~Public utility substations~~

- ~~b. 50% or more of the square footage of development should be for commercial use, and 30% or more of the square footage of development should be for residential use; Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:~~
 - ~~i. Ground floor commercial is required on buildings which front arterial and collector streets.~~
 - ~~ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be commercial space.~~
 - ~~iii. Parking shall not be counted towards commercial space requirement.~~

3. As Required determined in a DA, commercial buildings shall may be required to be built before or at the same time as residential development.
4. When applied with the LI zoning district:
 - a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses.
 - i. Multiple dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking rations will determine the number of units allowed.
 - ii. Light industry/research uses as specified in KCC 17-23.
 - iii. Retail sales and services.
 - iv. Offices.
 - v. Amusement and entertainment facilities.
 - ~~ii.~~vi. Minor home occupations as specified in subject to the provisions of KCC 17-26.
 - ~~iii.~~vii. Major Home Occupation 'C' as specified in subject to the provisions of KCC 17-26.
 - ~~iv.~~ Two household pets per dwelling unit.
 - ~~v.~~ Private swimming pools as specified in subject to the provisions of KCC 17-31-9.
 - viii.
 - ~~vi.~~ix. Accessory uses and accessory buildings customarily appurtenant to a permitted use as specified in subject to the provisions of KCC 17-31-2.

~~The uses allowed by conditional use permit in the underlying zone shall continue to be considered conditional uses, however; the following uses are not allowed on a site where the MU zone has been applied:~~

- ~~vii. — Public utility substations.~~
- b. ~~50% or more of the square footage of development should be for commercial/(clean) light industrial use, and 30% or more of the square footage of development should be for residential use. Adequate light industrial and/or commercial space within the project shall be provided. The final proportion of light industrial or commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the city council in a DA. Minimum guidelines for commercial space include:~~
 - i. Ground floor commercial is required on buildings which front arterial and collector streets.
 - ii. A minimum of 30% of the combined total of the square footage for all buildings in the project shall be for clean/light industrial space or commercial space.

iii. Parking shall not be counted towards commercial space requirement.

~~proportion~~

5. ~~Required commercial shall be built before or at the same time as residential development.~~ Phasing shall be determined by the Development Agreement but generally required commercial space will be constructed before or at the same time as residential space.

17-27-4 Prohibited Uses

To be applied to all underlying zoning districts: Unless expressly permitted, all other uses that are incompatible with this purpose of this chapter, including short term rentals (occupancy of residential unit for less than 30 days), public utility substations not owned by the city and storage units are not allowed. Detached, single-family dwellings are ~~also~~ not allowed.

17-27-5 Height Regulation

1. The following shall apply in lieu of the height ~~requirements~~ restrictions of the underlying zoning district.
 1. The main floor of any building fronting an arterial or collector street shall have a minimum ceiling height of twelve feet (12').
 2. No building which is exclusively or primarily for residential use shall exceed thirty-five feet (35') in height subject to the following exceptions:
 - a. Elements that meet exceptions found in KCC 17-25-2.
 - ~~b. Any portion of a building within 75 feet of a collector street shall not exceed forty feet (40') in height.~~
 - c. Any portion of a building within 50 feet (50') of a residential dwelling district shall not exceed thirty feet (30') in height excepting if there is a public road between the residential district and the building.
 3. No accessory building, including any detached accessory dwelling shall exceed the height of the main dwelling(s) on the property. No accessory building shall exceed fifteen feet (15') in height, except as provided in KCC 17-25-2 and KCC 17-31-2.
 4. No main building shall be less than ~~ten~~ thirteen feet (~~10'~~ 13') in height
 5. ~~No, and no~~ accessory building shall be less than ~~six~~ ten feet (~~6'~~ 10') in height.
 - ~~4-6.~~ Buildings which are exclusively used for commercial purposes shall not exceed four (4) stories and shall not exceed fifty (50') feet in height.

17-27-6 Area, Lot Coverage, And Yard Requirement

1. The lot and yard requirements shall be ~~that~~ those of the underlying zoning district, however variations to setbacks may be determined through the DA. Generally, setbacks are to be determined based on the use of the building.
2. Commercial buildings shall have the setbacks set forth in the GC or CC zone.

- ~~1.3.~~ Industrial buildings shall have the setbacks required in the LI zone.
~~2.4.~~ Flag lots are not permitted.

17-27-7 Development Standards

The following shall be the base standard for review of any project. Variations to the standards outlined may be altered by specific approval of the City Council in a ~~development agreement~~DA when demonstrated that alternate standards are superior to those listed within this chapter.

1. Compatibility And Review:
 - a. All uses and structures shall be sited and designed to be compatible with one another and surrounding development. To determine compatibility, a review, including, but not limited to, the following characteristics of the uses and structures shall be conducted by Community Development Department staff relative to other affected uses and structures: location, orientation, operation, architecture, massing, scale, and visual and sound privacy.
2. Building Placement and Orientation Standards.
 - a. It is the intent of this section to ensure that new development is pleasant and inviting to pedestrians by placing buildings closer to the street and where primary building entrances are visually prominent and easily accessible. Developments shall demonstrate best practices in urban design principles by enhancing the streetscape consistent with the ~~communities vision~~General Plan and any small area plans specific to ~~at~~ the proposed location.
 - b. In cases where it is not practical or possible to orient buildings to streets, the intent of these standards is to use a combination of setbacks, low-level screening and building materials and design variation to soften the visual impact of side or rear facing facades and to create street frontages that are inviting and pleasant for residents and passersby.
 - c. Buildings and their primary entrances shall be oriented to streets or common courtyards unless prohibited by unique site conditions.
 - d. No more than 30% of the frontage of any lot shall be occupied by any combination of parking, driveways and lanes. The predominant visible development from the street shall be buildings or landscaping.
 - i. Side yards unoccupied by that exceed fifteen feet (15') in width located adjacent to another side yard that exceeds fifteen feet (15') in width should be avoided unless the areas are to be used as a unified public gathering area or courtyard;
 - ii. The percentage of building frontage required along the lot width may be reduced to accommodate site plan approved pedestrian plazas located between buildings;
3. Building Design Criteria:
 - a. Where applicable, such as the GC and CC zoning districts, the following shall apply in addition to the Kaysville City Commercial Building Design requirements of KCC 18-5. The following are also applicable for projects in the R-M zone.

- i. Entrances shall be accessible to the public as a regular building entry from the public sidewalk.
 - ii. The street level floor elevation should match the elevation of the sidewalk at the front of the building as closely as possible to facilitate accessibility and primary street orientation.
 - iii. Detailing at intervals of thirty feet (30') shall be provided to break up expanses of blank walls with no openings. Additionally, walls with no openings shall be set back from the public right of way a minimum of fifteen feet (15') and buffered with landscaping. Landscaping shall include trees spaced at thirty foot (30') intervals and at least one row of additional plants and/or shrubs. For every 75' in building length along the street frontage or adjoining a ~~Neighborhood~~ Residential Zone, the design shall include at least one significant break in the vertical wall plane with a minimum depth of at least ~~five~~ 5 (5) feet a minimum length of at least ~~twenty~~ 20 (20) feet, and running the full height of the building.
 - iv. Fenestration:
 - 1) A minimum of fifty percent (50%) fenestration is required on the street level of all street facing facades. Street level is considered to be between two (2') ~~feet~~ and ten (10') ~~feet~~ on these street types. Upper stories shall have a minimum of thirty percent (30%) fenestration for each story;
 - 2) Windows of tinted or reflective glass may not be located between two feet (2') and eight feet (8') above the sidewalk grade on street facing facades;
- 4. Open Space Requirements and Amenities
 - a. To support the residential component of each project, there shall be provided amenities that are commensurate with the type of development and scale of project being proposed. The developer shall demonstrate how the proposed amenities meet the needs of residents and how they will be maintained.
 - ~~b. There shall be provided a minimum Functional amount of~~ improved open space shall be provided within each development as required by the DA. Open space can include such things as plazas, paseos, walking trails, amphitheaters, community gardens, water features, playgrounds, seating areas, pavilions, etc. determined based on the underlying zone as follows:
 - ~~c. CC 0% of land area under consideration~~
 - ~~d. GC and LI 10% of land area under consideration~~
 - ~~e.b. R-M 20% of land area under consideration~~
 - f.c. The use of front yard areas for buildings that have nonresidential uses on the ground floor shall be oriented toward the pedestrian and shall include related amenities such as entrance walks, stairs, ramps, plazas, benches, bike racks, raised flower boxes or other such features.
- 5. Parking And Circulation:
 - a. Projects shall provide safe and attractive pedestrian and bicycle connections to building entries and public sidewalks;

- b. Off street parking for vehicles shall not occupy any space located between the building and the primary street and the secondary street where applicable for a corner lot. Parking areas located to the side of structures shall be located a minimum of ten feet (10') back from the back of the adjacent sidewalk. The space between the parking and the walk in this instance shall be landscaped to help screen the parking area.
- c. The site shall be configured and landscaping provided so as to minimize the visual impacts of parking areas, parking structures and residential garages on streets, open spaces and adjoining developments;
 - i. Where an off street parking lot is visible from the street in a side yard, it shall be screened by either a two-foot (2') tall screen wall or eighteen inch (18") seat wall located between the parking lot and the sidewalk. Where a parking lot is adjacent to a residential use, a three-foot (3') screen wall and landscaping, sufficient to screen up to the headlight level of vehicles, shall be located between the residential use and the parking lot.
- d. Amount of Parking Required
 - i. Commercial Parking Requirements:
 - 1) Minimum number of stalls based on use type.
 - ii. Residential Parking Requirements:
 - 1) Studio Units – 1 parking stall/unit
 - ~~1)2)~~ One Bedroom Units – 1.5 parking stalls/unit
 - 3) Two Bedroom or larger Units – 2 parking stalls/unit
 - ~~2)4)~~ Three Bedroom or larger Units – 2.5 parking stalls/unit
 - iii. Parking Reductions:
 - ~~3)1)~~ Shared Parking: The city may allow for shared parking and time of use parking scenarios to count towards required parking stalls. Parking reduction and shared parking requests shall be accompanied by ~~upon review of~~ a parking analysis and parking proposal provided by the developer.
 - ~~4) On street parking located along the frontage of a lot may be credited toward meeting the parking requirements for that use.~~
 - 2) Transit Based Parking Reductions: The number of parking stalls may be reduced by up to ~~25~~10% based on the following table. Reduction requests shall be accompanied by a parking analysis for the development and shall include information specific to the proposed uses in the development. The study shall include ridership information for the relevant transit stop including boarding and alighting data.

~~1. Reduction:~~

- 1. 10% within 1/8 mile of transit stop.

- ~~1-2.~~ 105% within ~~1/4~~ 1/4 mile of transit stop.
- ~~2.~~ 20% within 1/8 mile of transit stop.
3. Additional ~~5%~~ reduction up to 2 stalls for including bike racks, board, scooter, drone pads, or motorcycle ~~on~~ stalls on site for use of residents and the public.

6. Curb Management:

Projects shall include a sufficient plan and appropriate curb management facilities to accommodate delivery vehicles and trucks, ride share access, moving trucks and postal delivery.

~~6.~~ Connectivity:

7.

Connectivity throughout the area is critical for the mixed use nature of the area to function as a pedestrian oriented environment. Connectivity will be evaluated for multiple modes of travel, including ~~the~~ pedestrian and bicycle.

~~7-8.~~ Traffic Access and Management Analysis Study:

A traffic study shall be provided demonstrating safe ingress and egress to the proposed project and identifying measures or improvements to mitigate impact on traffic and adjacent properties.

~~8.~~ Sidewalks:

9.

Sidewalks shall be provided on both sides of each motorized street unless otherwise approved by the Public Works Department, ~~with the exception of alleys or private streets.~~

~~9-10.~~ Alleys:

Alleys are allowed in any mixed use district in this chapter to minimize curb cuts ~~off of streets~~ and ~~to~~ provide common access to parking and service areas behind buildings. Alleys should be generally oriented so that they are parallel to the primary street to which they serve. Alleys may be incorporated as drive aisles for rear parking lots or as a fire access. However, alleys shall not be considered a fire access unless specifically approved as such by the City Fire Department and the pavement width and durability/longevity design meets city standards.

~~10-11.~~ Signs:

- a. Signs within the mixed use district shall comply with other city sign standards and any applicable rules of the underlying zoning district.
- b. In addition to signs permitted in the R-M zone by KCC 17-33, wall signs not to exceed 2515% of the façade of a building are permitted. EMC signs are prohibited.

Commissioner Keetch asks staff to look into all the city signs that are along I-15 and Legacy Highway.

12- PUBLIC HEARING FOR A REZONE APPLICATION FOR A TEXT AMENDMENT FOR TITLE 17 CHAPTER 27 MIXED USE ZONING DISTRICT OVERLAY

Introduced by: Melinda Greenwood

Ms. Greenwood said she made all the changes recommended by Planning Commission at the previous meeting, and made a few additional edits to the Mixed-Use zone based on the discussion. Ms. Greenwood pulled up the changes so the Commissioners could see them again. Ms. Greenwood reviewed the edits and the few additional changes.

Commissioner Sundloff recommended editing the spelling out of numbers and the number then in parenthesis. Also making sure that they are both the consistent.

In section 17-27-7 section 4 Ms. Greenwood added in other types of open spaces that would be permitted such as plazas, paseos, walking trails, amphitheaters, community gardens, water features, playgrounds, seating areas, pavilions, etc.

Commissioner Sundloff liked the additional suggestions and the added “etc” of that paragraph. He also suggested adding “such things as” at the beginning of the paragraph.

Ms. Greenwood said that staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed text amendment for 17-27 Mixed Use Zoning Overlay.

Chair Barrus opened up the Public Hearing to the public.

Tavan Parker asked the Commissioners how 1.5 parking spaces practically look likes.

Ms. Greenwood responded and said with the math once all the spaces are added together you round up if you have a half parking space.

Amy Pringle asked the Commissioners for a clarification on what Mixed Use is.

Chair Barrus replied saying that it is residential and commercial in the same building.

Commissioner Sundloff said that you can look at the city’s General Plan and the Future Land Use Map and see where there is designation of Mixed Use would be permitted.

Chair Barrus closed the Public Hearing.

Commissioner Sommerkorn made a motion that they recommend on to the City Council the changes in the Mixed Use Zone Overlay and the motion was seconded by Commissioner Lyon.

The vote was unanimous in favor of the motion (6-0).

14- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

There were no other matters.

15- ADJOURNMENT

Commissioner Lyons motioned to adjourn the meeting at 10:04 pm.

5- PUBLIC HEARING FOR A REZONE APPLICATION FOR A TEXT AMENDMENT FOR TITLE 17 CHAPTER 27 MIXED USE ZONING DISTRICT OVERLAY

Introduced by: Melinda Greenwood

Ms. Greenwood shared with the Commissioners that mixed use is tricky to get right and site specific. She said that there is a caveat in the ordinance saying if the City Council sees fit and finds other standards preferable, they could essential adopt anything with a project.

She began by saying that what she wanted to do in the second section in the document is to delineate everything that a developer needs to bring forward to have a complete application, which would include:

- A site plan
- A landscape plan
- Conceptual building elevation and design schemes
- Streetscape and building setback diagrams
- A traffic study as required by the Public Works Department
- A circulation plan and parking study as required by the Public Works Department justifying the amount of off-street parking being provided if shared parking is proposed
- The number and type of units and the general land use categories to be established within the mixed-use project shall be specified and enumerated in the design provided with the Development Agreement

Ms. Greenwood shared that in keeping with the State and APA the city is trying to push away from conditional uses altogether, so all the conditional uses now listed as permitted uses. One of the uses not listed in the original text was motels and hotels so that was added. The mixed use zone gives a lot of flexibility between staff and the developer so they can mitigate any impacts through the process.

Commissioner Lyons asked about the 12 foot ceiling requirement, stating concerns about venting and HVAC. He asked if we could allow for extra height.

Ms. Greenwood stated that our minimum height requirement is 12 feet for commercial space. There is not anything in place that would prohibit them from doing a taller commercial space. Commissioner Lyon asks about signage, wondering if there is a bright sign could we regulate the time the sign is lit.

Ms. Greenwood said signage is not really covered in this chapter but would be by the regular sign code chapter. There is a provision in the sign code that allows any project that is over five acres we can do a conditional use permit for signage for the entire project.

Ms. Greenwood continued speaking to the provision about phasing of a project, which would be in place to make sure that the city is getting what it wants out of the project as well as being sensitive to unforeseeable circumstances in market conditions and supplies. A development agreement would allow the city and developer to be market specific with the development phasing.

Ms. Greenwood moved to the next section in the ordinance regarding height regulations on mixed use projects. She asked the Commissioners on their thoughts for the best way to calculate square footage for mixed use projects.

Commissioner Lyon said you need to rely on the individual properties since the properties are not the same.

Commissioner Sommerkorn stated that it is good to allow flexibility which will allow for a good project, however there needs to be something stating how much commercial square footage is required.

Commissioner Sundloff spoke to the ambiguity of ii with the phrase “subject to” and suggested using “shall apply” to all commercial square footage so it is clear all three requirements be included.

Commissioner Branch suggested using “a satisfactory proportion of the two requirements as determined by the City Council.”

Commissioner Sommerkorn suggested using language saying something like “we prefer or recommend a minimum of 30% be commercial but that is subject to review and negotiation” or something similar.

Staff and Commissioners shared examples of mixed use projects from Murray up to Ogden.

Commissioner Branch suggested taking out item ii and rely on what the ordinance states. He feels that this would be valuable for the City Council to determine what guidelines would be given and built into the process and set 30% as the minimum with some exception to whatever the City Council feels like is the right proportion.

Ms. Greenwood continued to the height requirements of commercial main floor buildings on the arterial or collector streets. By amending section height requirements in 17-27-5 it would allow for the opportunity of a hotel to come in that would need to have four stories but not allow for four stories of apartments. Commissioner Sundloff mentioned height to abutting dwelling and said he prefers the term district or zone in 17-27-5 where it says dwelling or district.

Ms. Greenwood suggested removing “50 feet of residential dwelling” and Commissioner Sundloff liked the suggestion.

Ms. Greenwood stated that she increased some of the minimum height requirements and also made clarifications in the area, lot coverage, and yard requirements making it so those requirements would be handled through the development agreement.

Commissioner Sundloff suggested that on the height of buildings it should say “shall not exceed four stories or a maximum of 50 feet in height” making it clear that it is not an either or situation.

Ms. Greenwood noted that the Commissioners intentions were to limit no more than 50 feet but also no more than 4 stories.

Ms. Greenwood asked the Commissioner what they think the “community’s vision” is in 17-27-7 2a. Commissioner Sundloff suggested replacing the word community’s to General Plan since community’s vision was so subjective.

The Commissioners agreed on leaving the fenestration percentage at a minimum of 50%.

Ms. Greenwood also amended the open space requirements and amenities so that there is 10% of land area under consideration in the Central Commercial zone. Ms. Greenwood asked the Commissioners if they wanted to amend the ordinance to have the percentage of land be based on the development agreement and not put a percentage in for a baseline. She also suggested using functionally usable open space that doesn’t include park strips. The Commissioners liked that suggestion.

Ms. Greenwood continued to the next section of the document which discusses the amount of parking required for each project. She suggested that there be a parking study done for each project so that there will be unbiased valid data used in determining the amount of parking required.

Ms. Greenwood asked the Commissioners if they would like to add a percentage of the total required or base the requirements on a parking analysis. The Commissioners agreed with using the parking analysis as the guide to determining the amount of required parking.

Ms. Greenwood amended the parking reduction percentage for a project if they came within 1/4 or 1/8 of a mile of a transit stop. There would be an additional reduction up to 2 stalls for including bike racks, board, scooter, drone pats, or motorcycle stalls on site for use of residents and public.

The Commissioners were comfortable with the numbers suggested for parking reduction if projects fall within a quarter mile of a transit stop.

Ms. Greenwood said she added in a curb management section to the ordinance requiring project to accommodate delivery vehicles, and trucks, ride share access, moving trucks, and postal services.

Commissioner Sommerkorn suggested staff make the changes discussed by the Commissioners and then bring it back to the next meeting on January 26th.

Chair Barrus feels that we save the public hearing for this item for the next meeting with the finalized text.

Commissioner Sommerkorn made a motion to table consideration of Chapter 27 until Planning Commission sees the changes as discussed. Seconded by Commissioner Lyon. The motion passed unanimously (5-0).

ORDINANCE 17-27-xx

**N ORDINANCE AMENDING TITLE 17, CHAPTER 27 – MIXED USE ZONING DISTRICT OVERLAY OF
THE KAYSVILLE MUNICIPAL CODE**

WHEREAS, Kaysville City desires to have Kaysville City Code Title 17 Chapter 27 Mixed Use Zoning Overlay District compatible for diverse development types; and

WHEREAS, Community Development staff have drafted amendments to Kaysville City Code Title 17 Chapter 27 Mixed Use Zoning Overlay District to improve compatibility and better facilitate successful mixed-use projects within the City; and

WHEREAS, the Kaysville City Planning Commission held a public hearing on the proposed ordinance amendments on January 26, 2023 and voted 6-0 to recommend to the City Council approve the proposed amendments; and

WHEREAS, the City Council of Kaysville City heard this item in a properly noticed public meeting, and

WHEREAS, The City Council of Kaysville City has determined this ordinance amendment is in the best interests of the Citizens of Kaysville City.

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

SECTION I: Enactment. Title 17, Chapter 27 of the Kaysville Municipal Code is hereby amended as attached.

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

SECTION III: 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 IV: Effective Date. This Ordinance shall be in full force and effect immediately after passage by the Kaysville City Council.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL ON _____, 2023.

Tamara Tran

Mayor

ATTEST:

Annemarie Plaizier
City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: February 16, 2023

TYPE OF ITEM: Action Item

PRESENTED BY: Brian Johnson, Power Superintendent

SUBJECT/AGENDA TITLE: A Resolution amending Kaysville City's Consolidated Fee Schedule for FY 2023 to amend power rates

EXECUTIVE SUMMARY:

Kaysville City Power is requesting a power rate increase of 5% across all kwh tiers and demand charges effective March 1st, 2023. A Power Commission meeting was held on 2/7/2023 where it was motioned and passed to move forward with this request. After analyzing the increases in power and operation costs over the last 3 years, including experiencing loss of power resources, staff feels it would be advantageous to have a small increase immediately to help maintain costs as we further evaluate the need for potential restructuring of the Kaysville power rates.

- Power costs increased \$4.6 million from 2020 to 2022
- The annual average Cost/KWH has increased \$0.026/kwh from 2020 to 2022 and \$0.018/kwh from 2021 to 2022.
- Remove the 2 highest months of 2022 due to unexpected resource issues being resolved, we still experienced an average annual increased cost of \$0.018 from 2021 to 2022, a 14% increase.
- A rate study in 2016 recommended and predicted rates should be nearly 25% higher than the current rate.
- Capital improvements have increased due to higher priced materials and necessary large-scale infrastructure improvements.
- 5% is not a resolution to cover the unprecedented recent increase in costs but a necessary increase to maintain the base level needs for operation.
- Loss of power resources drives up power costs from open market purchase.
- The average home at a usage of 1,000 kwh a month will see an increase of approximately \$4.50/Month in their power utility bill.
- Even with a 5% increase, we will still be below Rocky Mountain Power (RMP) and the majority of UAMPS members' rates.
- Power reserves are currently at the recommended minimum.
- Power reserves will also need to meet those minimum reserve requirements to qualify for potential future bonding for generation or power related needs.

City Council Options:

Approve, deny, or table for more information

Staff Recommendation:

Approve

Fiscal Impact:

ATTACHMENTS:

1. Resolution - Consolidated Fee Schedule FY23
 2. EXHIBIT A - Power Rates
-

RESOLUTION NO. XX-XX-XX

A RESOLUTION AMENDING THE KAYSVILLE CITY CONSOLIDATED FEE SCHEDULE FOR FISCAL YEAR 2023 RELATED TO THE INCREASE OF ELECTRIC UTILITY RATES

WHEREAS, Kaysville City operates its own electric utility and provides electrical service to residential and commercial customers; and

WHEREAS, the Kaysville City Power Commission has been established to review the operations of the electric utility and make recommendations to the Kaysville City Council, and

WHEREAS, the Kaysville City Electric Utility has experienced significant increases in operational costs in the acquisition of electric resources and the Kaysville City Power Commission has thoroughly evaluated the costs and operations of the electric utility and has made a recommendation to the Kaysville City Council to amend electric rates as soon as practicable; and

WHEREAS, the Kaysville City Council has adopted a FY 23 Consolidated Fee Schedule and included in said Fee Schedule are rates for electric service; and

WHEREAS, the Kaysville City Council determines that it is advisable to amend the fees.

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

1. The City Council hereby amends the Consolidated Fee Schedule for Fiscal Year 2023.
2. The amendment to the Schedule is attached hereto as Exhibit A and incorporated herein by this reference.
3. The effective date of this ordinance shall be March 1, 2023.

APPROVED and ADOPTED this 16th day of February, 2023.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

Exhibit A**Kaysville City Power Rates**

CURRENT RATES		PROPOSED RATES 5% kWH
RESIDENTIAL		
Customer Service Charge	\$9.00	\$9.00
Summer Rates <i>(July - September)</i>		
First 1,000 kWH	\$0.086130	\$0.09044
All Additional kWH	\$0.011717	\$0.01230
Winter Rates		
First 1,000 kWH	\$0.086130	\$0.09044
All Additional kWH	\$0.097170	\$0.10203
SMALL COMMERCIAL (UP TO 9kW Demand)		
Customer Service Charge	\$12.32	\$12.32
Tier 1 First 1000 kWH	\$0.08084	\$0.08488
Tier 2 1,001 kWH to 9,000kWH	\$0.07838	\$0.08230
Tier 3 All additional kWH	\$0.06426	\$0.06747
MEDIUM COMMERCIAL (UP TO 10kW TO 38kW Demand)		
Customer Service Charge	\$14.56	\$14.56
Tier 1 First 1000 kWH	\$0.08084	\$0.08
Tier 2 1,001 kWH to 9,000kWH	\$0.07838	\$0.08
Tier 3 All additional kWH	\$0.06426	\$0.07
Demand Charge - Each kW over 9kW	\$11.59	\$12.17
LARGE COMMERCIAL (39kW or greater)		
Customer Service Charge	\$66.08	\$66.08
Tier 1 First 1000 kWH	\$0.08084	\$0.08488
Tier 2 1,001 kWH to 9,000kWH	\$0.07838	\$0.08230
Tier 3 All additional kWH	\$0.06426	\$0.06747
Demand Charge - Each kW over 9kW	\$14.49	\$15.21
INDUSTRIAL CLASS		
Customer Service Charge	\$100.80	\$100.80
All kWH	\$0.03338	\$0.03505
Demand Charge - Each kW over 9kW	\$13.28	\$13.94
<i>Commerical/Industrial Summer Rates increase by \$0.02 for all kWH per month Summer months are defined as July through September</i>		<i>Commerical/Industrial Summer Rates increase by \$0.021 for all kWH per month Summer months are defined as July through September</i>